



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

AGENDA - CITY COUNCIL MEETING

September 11, 2012

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Derek Dobies, 6th Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **EXECUTIVE SESSION** to discuss pending litigation, a legal opinion, and collective bargaining agreement(s).
6. **RETURN TO OPEN SESSION.**
7. **CITIZEN COMMENTS. (3-Minute Limit)**
8. **PRESENTATIONS/PROCLAMATIONS.**
9. **CONSENT CALENDAR.**
 - A. **Meeting Minutes:**
Approval of the minutes of the regular City Council meeting of August 14, 2012.
 - B. **City License Renewal:**
Approval of a city license renewal for the year ending April 30, 2013, in accordance with the recommendation of the City Clerk.
 - C. **Back to School Family Outreach:**
Approval of the request from Faith Temple Word of Faith Ministries to host the Back to School Family Outreach event on Friday, September 14, 2012, from 5:00 p.m. to 8:00 p.m. at the Riverwalk Amphitheater. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

- *D. Item deleted.**
- E. Jackson High School Homecoming Parade:**
Approval of the request from Jackson High School to conduct their Homecoming Parade on Friday, October 19, 2012, from 6:00 p.m. to 7:00 p.m., with street closures along Brown, Daniel, and Wildwood Streets beginning at 5:30 p.m. and ending at 6:30 p.m. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
- F. Traffic Control Order (TCO) No. 2135:**
Approval of Traffic Control Order (TCO) No. 2135 to allow parking on Sundays on Moore Street between Milwaukee and Martin Streets.
- G. Traffic Control Order (TCO's) Nos. 2136 and 2137:**
Approval of Traffic Control Order (TCO's) Nos. 2136 and 2137 limiting on-street parking on Waterloo Avenue near Eaton Corporation, and on Plymouth Street west of Waterloo Avenue.
- H. Wildwood Avenue Water Main Replacement Contract Final Change Order No. 1:**
Approval of Final Change Order No. 1 to the contract with RJT Construction Company, in the decreased amount of \$12,327.10, changing contract quantities to match final quantities placed for the Wildwood Avenue Water Main Replacement, and authorization for the Deputy City Manager and City Engineer to execute the appropriate document(s).
- I. Allegiance Health - Michigan Tax Tribunal Petition:**
Receive a petition filed by Allegiance Health, Parcel #P-29123, and referral to the City Assessor and City Attorney for appropriate action.
- J. Jaclyn Blake vs. City of Jackson - Motion for Superintending Control:**
Receive a Motion for Superintending Control filed in Jackson County Circuit Court by Jaclyn Blake vs. City of Jackson, and referral to the City Attorney for appropriate action.
- K. Draft Consolidated Annual Performance and Evaluation Report (CAPER):**
Receive the draft copy of the Consolidated Annual Performance and Evaluation Report (CAPER), and reconfirm the September 25, 2012, Public Hearing.
- L. Fourth Street Public Meetings Report:**
Receive the reports from Fourth Street public meetings and approval of the conceptual project layout.

M. Petition by Jackson County for Alley Vacation:

Receive a petition circulated by Michael Overton, County of Jackson, to vacate a 16.5 foot wide alley in Durand's Addition and referral to staff for appropriate action.

10. COMMITTEE REPORTS.

11. APPOINTMENTS.

***A. City Affairs/Rules & Personnel Committee Vacancy:**

Consideration of the Mayor's recommendation to appoint himself to the City Affairs/Rules & Personnel Committee filling a current vacancy.

12. PUBLIC HEARINGS.

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

A. Delinquent Miscellaneous General Fund Accounts Receivable:

Public hearing on Special Assessment Roll No. 4212 for Delinquent Miscellaneous General Fund Accounts Receivable.

1. **Resolution** confirming Roll No. 4212.

B. Delinquent Miscellaneous Building Department Fund Accounts Receivable:

Public hearing on Special Assessment Roll No. 4213 for Delinquent Miscellaneous Building Department Fund Accounts Receivable.

1. **Resolution** confirming Roll No. 4213.

C. Delinquent Miscellaneous CDBG Fund Accounts Receivable:

Public hearing on Special Assessment Roll No. 4214 for Delinquent Miscellaneous CDBG Fund Accounts Receivable.

1. **Resolution** confirming Roll No. 4214.

D. Delinquent Miscellaneous Waste Water Fund Accounts Receivable:

Public hearing on Special Assessment Roll No. 4215 for Delinquent Miscellaneous Waste Water Fund Accounts Receivable.

1. **Resolution** confirming Roll No. 4215.

E. Delinquent Miscellaneous Public Works Fund Accounts Receivable:

Public hearing on Special Assessment Roll No. 4216 for Delinquent Miscellaneous Public Works Fund Accounts Receivable.

1. **Resolution** confirming Roll No. 4216.

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

F. Downtown Meterless Parking System:

Public hearing on the necessity of continuing the meterless parking system in the downtown area of the City for 2012-2013.

1. Resolution:

Resolution determining the necessity of continuing the meterless parking system, ordering the City Assessor to prepare Special Assessment Roll No. 4217, and establishing September 25, 2012, at the City Council meeting as the time and place to hold a public hearing confirming the meterless parking system assessment roll.

G. Zoning Code Amendments - Building Design Standards:

Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which would revise Sec. 28-115, building design standards.

1. Ordinance:

Consideration of an ordinance amending Chapter 28 (Zoning), City Code, revising Sec. 28-115, building design standards. (City Planning Commission and staff recommends approval.)

H. Zoning Code Amendments - Environmental Standards:

Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which would revise Sec. 28-110 (environmental protection standards) and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards.

1. Ordinance:

Consideration of an ordinance amending Chapter 28 (Zoning), City Code, revising Sec. 28-110 (environmental protection standards), and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards. (City Planning Commission and staff recommends approval.)

I. Zoning Code Amendments - Landscaping and Fencing Standards:

Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which would create Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards.

1. Ordinance:

Consideration of an ordinance amending Chapter 28 (Zoning), City Code, creating Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec.

28-105) and fencing (Sec. 28-125) standards. (City Planning Commission and staff recommends approval.)

13. RESOLUTIONS.

A. Bloomfield Park Improvement Agreement Resolution:

Resolution accepting the terms of the Bloomfield Park Improvement Agreement with the State of Michigan Department of Natural Resources Trust Fund Grant to match their grant of \$70,000.00 as approved in the Fiscal Year 2012-2013 Budget, and authorization for the City Clerk to sign the resolution and staff to sign the project agreement subject to the approval of the City Attorney.

B. Jackson Housing Commission:

Resolution that establishes the City Council's authority to approve compensation for the officers and employees of the Jackson Housing Commission.

1. Ordinance:

Consideration of an ordinance amending Chapter 14, Article III, City Code, to provide that the City Council has the authority, upon the recommendation of the Mayor, to establish and approve compensation of Jackson Housing Commission officers and employees.

14. ORDINANCES.

A. City Code Amendment - Delinquent Water and Sewer Charges:

Consideration of an ordinance amending Article IV, Chapter 27, City Code, to provide for more frequent placement of liens upon the tax rolls for delinquent water and sewer charges for the health, safety and welfare of the Citizens of the City of Jackson.

B. City Code Amendment - Installation of Carbon Monoxide Detectors:

Consideration of an ordinance amending Section 14-61, Article II, Division 3, Chapter 14, City Code, adding the requirement of carbon monoxide detectors.

C. City Code Amendment - Establishing Provisions for Recording Documents:

Consideration of an ordinance amending Section 17-27, Article II, Chapter 17, City Code, establishing provisions for recording documents.

D. Zoning Code Amendment - Fencing and Landscaping:

Final adoption of Ordinance No. 2012.19, amending Chapter 28, City Code, replacing Sec. 28-125 (standards for fences, walls, and landscape berms), and amending Sec. 28-5 (definitions) to accommodate the new fencing and landscaping (Sec. 28-105) standards.

- E. **Zoning Code Amendment - Landscape Standards and Site Plan Review:**
Final adoption of Ordinance No. 2012.20, amending Chapter 28, City Code, replacing Sec. 28-105 (landscape standards), and amending Sec. 28-5 (definitions) and Sec. 28-135 (site plan review procedures and requirements) to accommodate the new landscaping standards.
- F. **City Code - Ella W. Sharp Park Fund:**
Final adoption of Ordinance No. 2012.21, amending Section 19-56 of Article II, Division 2 (Trustees of the Ella W. Sharp Park Fund), Chapter 19, City Code, to add two alternate members to the Ella W. Sharp Park Fund Board of Trustees.

15. **OTHER BUSINESS.**

- A. **Land Division - 1708 S. Cooper St.:**
Consideration of the request to approve the land division for property located at 1708 South Cooper Street according to the attached maps. (Postponed at the August 14, 2012, City Council meeting.)

16. **NEW BUSINESS.**

- A. **MML Voting Delegate:**
Consideration of the recommendation to nominate and elect Councilmember Laura D. Schlechte as the voting delegate to represent the City at the Annual Michigan Municipal League Convention, to be held on Mackinac Island, from October 3-5, 2012.
- B. **Tentative Collective Bargaining Agreement - POLC Non-Supervisory:**
Consideration of the request to approve the Tentative Collective Bargaining Agreement reached between the City of Jackson, and the Police Officers Labor Council Non-Supervisory Unit, commencing July 1, 2012, through June 30, 2016.
- C. **Third St. and Douglas Court Sewer Construction Contract:**
Consideration of the request to approve the bid award to Bailey Excavating, Inc., for a total cost of \$99,025.00, for the Third Street and Douglas Court Sewer Construction 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.
- D. **Consumers Energy Standard Streetlighting Contract:**
Consideration of the request to approve changes to the Consumers Energy Standard Streetlighting contract and resolutions, and authorization for the Mayor and City Clerk to sign the appropriate documents.

E. Police Department - Purchase of Vehicles:

Consideration of the request to approve the purchase of vehicles as follows:

1. Purchase three (3) 2013 Chevrolet Impala Police vehicles in the total amount of \$59,646.00, through the State of Michigan MiDeal Contract Number 071B1300008.
2. Purchase one (1) 2013 Ford Interceptor Police vehicle in the amount of \$25,200.00, through the State of Michigan MiDeal Contract Number 071B1300005.

F. Police Department - Purchase of Vehicle:

Consideration of the request to purchase one (1) 2013 Chevrolet Impala patrol vehicle in the amount of \$19,882.00, through the State of Michigan MiDeal Contract Number 071B1300008.

17. CITY COUNCILMEMBERS' COMMENTS.

18. MANAGER'S COMMENTS.

19. ADJOURNMENT.

***Items added or deleted.**

JACKSON CITY COUNCIL MEETING

MINUTES

AUGUST 14, 2012

CALL TO ORDER.

The Jackson City Council met in regular and special session in City Hall and was called to order at 6:30 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 Frounfelker.

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: Deputy City Manager Patrick Burtch, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Police Chief Matt Heins, City Assessor David Taylor and Assistant City Engineer Randy McMunn.

AGENDA.

Motion was made by Councilmember Dobies and seconded by Councilmember Schlecte to add an additional item under New Business – 16. H. 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 Dobies and seconded by Councilmember Greer to adopt the agenda, as amended above. 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.

EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AND A COLLECTIVE BARGAINING AGREEMENT(S).

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to go into closed executive session. 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.

RETURN TO OPEN SESSION.

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

CITIZEN COMMENTS.

David Davis expressed concern with the recent shootings on Fourth Street, asking what the City is doing about this.

Rev. Cynthia Landrum would like the City to consider a Civil Rights Ordinance that will prohibit discriminatory conduct against all persons, including members of the Gay, Lesbian, Bisexual and Transgender Community.

Larry Artis, New Macedonia Baptist Church, requested the cooperation of the City in their efforts to help children in the Jackson area.

Shelly Milligan, representing Jackson Together, distributed copies of a proposed ordinance she would like the Council to consider, which will provide equal protection for all people.

Anna McClain expressed her appreciation for the opportunity to purchase the property located at 604 Detroit Street and remarked she is looking forward to becoming a part of the community.

Stanley Mazur, Kiwanis Club member, encouraged the Council to approve the Flowering Tree Project at Sparks (Cascades) Park, as certain areas of the Park are within the City limits.

Gerald Montgomery stated that Patrick Burtch is the best choice for the position of City Manager.

PRESENTATIONS/PROCLAMATIONS.

None.

CONSENT CALENDAR.

It was noted that the correct date for Item F (Walk to Cure Diabetes) is September 15, 2012. Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the following Consent Calendar, with the date change for Item F. 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. Approval of the minutes of the regular City Council meeting of July 17, 2012.
- B. Approval of the minutes of the special City Council meeting for August 6, 2012.
- C. Approval of the request from Citizens Bank to conduct a Client Appreciation event on Michigan Avenue between Mechanic Street and the vehicle entrance at One Jackson Square on Tuesday, September 18, 2012, from 12:00 p.m. to 2:00 p.m. With street closure of Michigan Avenue in front of One Jackson Square from Monday, September 17th at 4:00 p.m. to Tuesday, September 18th at 4:00 p.m. (24 hours). (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and

- the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
- D. Approval of the request from St. John Jackson Family Fall Festival to conduct their Jackson Family Fall Festival at Nixon Park and throughout neighboring streets on September 21, 2012, at 3:00 p.m. – September 23, 2012, at 7:00 p.m. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)
 - E. Approval of the request from St. John the Evangelist Church to conduct Public Prayer at the Riverwalk Amphitheater on Sunday, October 14, 2012, from 2:00 p.m. to 3:00 p.m. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - F. Approval of the request from Juvenile Diabetes Research Foundation to conduct their Walk to Cure Diabetes at Ella Sharp Park on Saturday, **September** 15, 2012, from 8:00 a.m. to 12:00 p.m. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - G. Approval of the extension of the Bridge Consulting Services Contract with Great Lakes Engineering Group, Inc., Lansing, in the amount of \$11,920.00, and authorization for the City Manager, and City Clerk to execute the appropriate contract extension documents.
 - H. Receipt of the CDBG and HOME Financial Summaries through July 31, 2012.
 - I. Establishment of September 11, 2012, at the City Council meeting as the date and place to hold a public hearing of necessity for the 2012-2013 Meterless Parking Special Assessment Roll.

COMMITTEE REPORTS.

None.

APPOINTMENTS.

- A. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT/CONFIRM DEPUTY CITY MANAGER PATRICK BURTCH TO VARIOUS BOARDS AND COMMISSIONS.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the recommendation. 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.

PUBLIC HEARINGS.

- A. PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED AMENDMENTS TO CHAPTER 28 (ZONING), CITY CODE, WHICH WOULD REPLACE SEC. 28-125 (STANDARDS FOR FENCES, WALLS, AND LANDSCAPE BERMS) AND AMENDING SEC. 28-5 (DEFINITIONS) TO ACCOMMODATE THE NEW FENCING AND LANDSCAPING (SEC. 28-105) STANDARDS.**

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

1. **CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, CITY CODE, REPLACING SEC. 28-125 (STANDARDS FOR FENCES, WALLS, AND LANDSCAPE BERMS), AND AMENDING SEC. 28-5 (DEFINITIONS) TO ACCOMMODATE THE NEW FENCING AND LANDSCAPING (SEC. 28-105) STANDARDS. (CITY PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL.)**

Motion was made by Councilmember Dobies 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. **PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED AMENDMENTS TO CHAPTER 28 (ZONING), CITY CODE, WHICH WOULD REPLACE SEC. 28-105 (LANDSCAPE STANDARDS), AND AMENDING SEC. 28-5 (DEFINITIONS) AND SEC. 28-135 (SITE PLAN REVIEW PROCEDURES AND REQUIREMENTS) TO ACCOMMODATE THE NEW LANDSCAPING STANDARDS.**

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

1. **CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, CITY CODE, REPLACING SEC. 28-105 (LANDSCAPE STANDARDS), AND AMENDING SEC. 28-5 (DEFINITIONS) AND SEC. 28-135 (SITE PLAN REVIEW PROCEDURES AND REQUIREMENTS) TO ACCOMMODATE THE NEW LANDSCAPING STANDARDS. (CITY PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL.)**

Motion was made by Councilmember Dobies 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.

RESOLUTIONS.

- A. **RESOLUTIONS ESTABLISHING SEPTEMBER 11, 2012, AT THE CITY COUNCIL MEETING AS THE TIME AND PLACE TO HOLD PUBLIC HEARINGS ON THE FOLLOWING SPECIAL ASSESSMENT ROLLS, AND DIRECTING THE CITY ASSESSOR TO PREPARE THE ROLLS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY CLERK.**
 1. **SPECIAL ASSESSMENT ROLL NO. 4212 – DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE.**
 2. **SPECIAL ASSESSMENT ROLL NO. 4213 – DELINQUENT MISCELLANEOUS BUILDING DEPARTMENT FUND ACCOUNTS RECEIVABLE.**
 3. **SPECIAL ASSESSMENT ROLL NO. 4214 – DELINQUENT MISCELLANEOUS CDBG FUND ACCOUNTS RECEIVABLE.**

4. **SPECIAL ASSESSMENT ROLL NO. 4215 – DELINQUENT MISCELLANEOUS WASTEWATER FUND ACCOUNTS RECEIVABLE.**
5. **SPECIAL ASSESSMENT ROLL NO. 4216 – DELINQUENT MISCELLANEOUS PUBLIC WORKS FUND ACCOUNTS RECEIVABLE.**

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to adopt the resolutions. 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. CONSIDERATION OF THE FOLLOWING ACTION REQUESTS REGARDING THE SAFER GRANT:

1. **RESOLUTION ESTABLISHING 2012/2013 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDING IN THE AMOUNT OF \$1,875,156.00.**

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

2. **RESOLUTION AMENDING THE GENERAL FUND BUDGET IN THE AMOUNT OF \$109,257.00 TO FUND SAFER GRANT EQUIPMENT AND CONTRACTUAL OBLIGATIONS.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Jaquish 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.

3. **AUTHORIZATION TO PROCESS THE \$56,255.00 PAYMENT DUE SAFER GRANT WRITER, D-N-R CONSULTANTS LLC.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to authorize the processing of the \$56,255.00 payment. 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.

C. CONSIDERATION OF A REQUEST TO ADOPT A DEFINED CONTRIBUTION PLAN THROUGH THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM (MERS) FOR ALL EMPLOYEES HIRED ON OR AFTER JULY 1, 2012, INTO THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1306.

1. **ADOPTION OF THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM (MERS) 2010 RESTATED UNIFORM DEFINED CONTRIBUTION PROGRAM RESOLUTION.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt the MERS 2010 Restated Uniform Defined Contribution Program

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.

2. ADOPTION OF THE MERS RESTATED DEFINED CONTRIBUTION PLAN ADOPTION AGREEMENT AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE APPROPRIATE PLAN DOCUMENTS.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt the MERS Restated Defined Contribution Plan Adoption Agreement and authorize the City Manager to execute the appropriate plan documents. 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.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE TO AMEND SECTION 19-56 OF ARTICLE II, DIVISION 2 (TRUSTEES OF THE ELLA W. SHARP PARK FUND) OF CHAPTER 19, CITY CODE, TO ADD TWO ALTERNATE MEMBERS TO THE ELLA W. SHARP PARK FUND BOARD OF TRUSTEES.

Motion was made by Councilmember Dobies 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, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

OTHER BUSINESS.

A. CONSIDERATION OF A REQUEST TO APPROVE THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT REACHED BETWEEN THE CITY OF JACKSON AND THE POLICE OFFICERS LABOR COUNCIL SUPERVISORY UNIT, COMMENCING JULY 1, 2011, THROUGH JUNE 30, 2015.

Motion was made by Councilmember Greer 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.

NEW BUSINESS.

A. CONSIDERATION OF THE REQUEST TO APPROVE THE LAND DIVISION FOR PROPERTY LOCATED AT 1708 SOUTH COOPER STREET ACCORDING TO THE ATTACHED MAPS.

Motion was made by Councilmember Breeding and seconded by Councilmember Schlecte to postpone this matter indefinitely. 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. CONSIDERATION OF THE REQUEST TO APPROVE THE RENEWAL OF THE PAVEMENT MARKING CONTRACT WITH PK CONTRACTING, TROY, IN THE

AMOUNT OF \$54,990.00, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE CONTRACT RENEWAL DOCUMENTS.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte 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 ACCEPT THE OFFER TO SELL THE PROPERTY LOCATED AT 604 DETROIT STREET FOR \$38,000.00, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE DEED, FOR THE DEPUTY CITY MANAGER OR HIS DESIGNEE TO SIGN ANY REQUIRED DOCUMENTS AT CLOSING, AND FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE CLOSING DOCUMENTS AND TO TAKE ALL OTHER ACTION NECESSARY TO EFFECTUATE THE CLOSING.

Motion was made by Councilmember Frounfelker 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, Frounfelker and Dobies—6. Nays: 0. Abstain: Councilmember Schlecte—1. Absent: 0.

D. CONSIDERATION OF THE REQUEST TO AWARD SEVEN (7) DEMOLITION CONTRACTS BASED ON PER PROPERTY PRICING OVER THREE (3) SEPARATE BID PACKAGES AS FOLLOWS:

1. BID PACKAGE A: \$59,700.00 TO DORE & ASSOCIATES, BAY CITY, \$4,000.00 TO DUNIGAN BROTHERS, AND \$69,449.00 TO SMALLEY CONSTRUCTION, SCOTTVILLE, MICHIGAN.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the request regarding Bid Package A. 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.

2. BID PACKAGE B: \$39,875.60 TO DUNIGAN BROTHERS, AND \$22,145.00 TO SMALLEY CONSTRUCTION.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the request regarding Bid Package B. 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.

3. BID PACKAGE C: \$78,213.40 TO DUNIGAN BROTHERS, AND \$100,189.00 TO SMALLEY CONSTRUCTION.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to approve the request regarding Bid Package C. 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.

E. CONSIDERATION OF THE REQUEST TO AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN EMPLOYMENT AGREEMENTS WITH FOUR (4) PERSONS TO FILL THREE (3) OF THE FOUR (4) FULL TIME AND ONE (1) PART TIME NEWLY CREATED CODE ENFORCEMENT OFFICER POSITIONS.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer 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.

F. CONSIDERATION OF THE REQUEST TO APPROVE THE PURCHASE OF TWO (2) 2012 INTERNATIONAL DUMP TRUCKS FROM TRI COUNTY INTERNATIONAL THROUGH THE STATE OF MICHIGAN MIDEAL CONTRACT NUMBER 071B9200317 IN THE AMOUNT OF \$155,410.00.

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

G. CONSIDERATION OF THE REQUEST TO APPROVE THE PURCHASE OF TWO (2) 2012 SPECIALTY TRUCK PACKAGES FROM TRUCK & TRAILER SPECIALTIES THROUGH THE STATE OF MICHIGAN MIDEAL CONTRACT NUMBER 071B9200317 IN THE AMOUNT OF \$109,717.00.

Motion was made by Councilmember Greer 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.

H. ITEM ADDED WHEN THE AGENDA WAS ADOPTED.

Motion was made by Councilmember Dobies and seconded by Councilmember Jaquish to take the request and information from Shelly Milligan and others who spoke during Citizen Comments and refer them to the City Affairs/Rules & Personnel Committee. The motion 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 discussed a postcard that a couple of residents in his Ward received from the City Assessor. City Assessor Taylor explained the purpose of the postcard is to let residents know that his staff will be in a particular area determining property values. He also inquired about the appointments of the Mayor and City Manager to the Enterprise Group, stating that the Council has not authorized this.

Councilmember Jaquish welcomed the new owners of 604 Detroit Street to the community and also welcomed the City's new employees.

Councilmember Greer stated he will bring more information to the next Council meeting regarding the Supermajority Ballot Proposal.

Councilmember Schlecte remarked on a meeting with property managers and discussed the consolidation of garbage pick-up. She would like to see this idea explored. She also inquired about reports from the Ombudsman regarding the tracking of complaints. She asked if anyone followed up on her question regarding the placement of the Fed Ex box on the sidewalk across the street from City Hall. She discussed the BuildJackson.com website and the concern that City Code, Chapter 28 will no longer be part of the Municode section on the City's website. Deputy City Manager Burtch stated that all of this information will still be available on the City's website.

Councilmember Frounfelker asked when Van Buren Street is scheduled for reconstruction. He distributed the Citizen Value and Council Goals sheet, along with a list of next steps. He would like a workshop scheduled for input on this matter.

Councilmember Dobies congratulated the new Code Enforcement Officers and thanked Police Chief Heins and the Department of Neighborhood and Economic Operations for working on revisions to the nuisance abatement ordinance. He inquired about the notification for the abatement of noxious weeds. Deputy City Manager Burtch explained the publication required for the abatement of noxious weeds and notices sent to property owners regarding blight.

Councilmember Jaquish inquired about streetlighting and a report that there isn't much light in the area of East Michigan Avenue near Dwight Street. Since businesses have been hit with graffiti, she would like something to be done, whether it be more lighting or police cars in that area.

Mayor Griffin thanked Deputy City Attorney Smith for the draft of the new nuisance ordinance.

MANAGER'S COMMENTS.

Deputy City Manager Burtch reported that he and his staff are working on RFPs for a new Master Plan and explained that process.

ADJOURNMENT.

No further business being presented, the Mayor adjourned the meeting at 8:12 p.m.

Lynn Fessel
City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 28, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk 
SUBJECT: City License Approvals

**SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL
MEETING AGENDA. (CONSENT CALENDAR)**

**APPROVAL OF CITY LICENSE RENEWAL FOR THE YEAR ENDING APRIL
30, 2013, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY
CLERK.**

Game on Sports Bar has returned their renewal application for a Poolroom License. All appropriate department approvals and fees have been received. Recommended action is approval of this license.

Thank you.

C: City Manager



Jackson Downtown Development Authority

September 4, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: **Special Event Application: Consideration of a request from Faith Temple Word of Faith Ministries**

RECOMMENDATION: Conditional Approval of the request from Faith Temple Word of Faith Ministries to host the Back to School Family Outreach event on Friday, September 14th from 5pm to 8pm at the Riverwalk Amphitheatre. This event is contingent upon receipt of proper insurance coverage.

DEPARTMENTAL APPROVAL SUMMARY

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

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

\$0

Conditions and Considerations:

- Applicant is responsible for removal/cleanup of trash, garbage, and debris

Insurance Status: Pending

att: Special Event Application: Back to School Family Outreach

JG



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

Date Received By Clerk's Office: _____ Time: _____ By: _____

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

Sponsoring Organization's Legal Name: Faith Temple Word of Faith Ministries

Organization Address: 1020 N. Blackstone

Organization Agent: MARK A. PARKER Title: ADMINISTRATOR

Phone: Work 810-250-3005 Home SAME During event SAME

Agent's Address: 4141 CHELSEA CT. JACKSON, MI 49201

Agent's E-Mail Address: RECREATEME11@YAHOO.COM

Event Name: BACK TO SCHOOL FAMILY OUTREACH

Please give a brief description of the proposed special event: MUSIC, FOOD AND SCHOOL SUPPLY GIVE AWAY, PRAYER AND ENCOURAGEMENT FROM PASTOR

Event Day(s) & Date(s): SEPT 14, 2012 Event Time(s): 5 PM TO 8 PM

Set-Up Date & Time: SEPT 14, 2012 12 PM Tear-Down Date & Time: SEPT 14, 2012 8:30 PM

Event Location: APA PITH THEATER

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

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

STREET CLOSURES: Start Date/ Time: _____ through Date/ Time: _____

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

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

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

If yes, are liquor license and liquor liability insurance attached? YES NO
 If yes, what time? N/A until N/A



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

THE CHURCH BAND
 NO PARTICULAR SCHEDULE

ATTENDANCE: What is the expected (estimated) attendance for this event? 200

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

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

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

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

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

7-13-12
 Date

[Signature]
 Signature of Sponsoring Organization's Agent

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

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE



CITY ATTORNEY

161 West Michigan Avenue
Jackson, MI 49201
(517) 788-4050
(517) 788-4023
Fax: (517) 788-4059

MEMORANDUM

August 29, 2012

TO: Jonathan Greene, Director, Downtown Development Authority

FROM: Julius A. Giglio, City Attorney 

RE: Request to Waive Insurance

I reviewed the application from Faith Temple Word of Faith Ministries in reference to the special event scheduled for September 14, 2012. As you are aware, the Special Event Application requires that sponsors of special events provide liability insurance that names the City of Jackson as additional insured. This requirement has been in effect for a number of years. The purpose of the insurance requirement is to have the sponsor's insurance be first dollar coverage in the event of an accident.

The City's insurance carrier has informed me we should always try to obtain liability insurance for these events. I do not have the authority to waive the insurance requirement. The City Council may waive the insurance requirements.

If you have any questions regarding this matter, please feel free to contact me.

JAG/dn



Jackson Downtown Development Authority

September 4, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

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

RECOMMENDATION: Approval of the request from Jackson High School to conduct their Homecoming Parade on Friday October 19th from 6pm to 7pm on with street closures along Brown, Daniel, and Wildwood Streets beginning at 5:30pm and ending 6:30pm. This event is contingent upon receipt of proper insurance coverage.

DEPARTMENTAL APPROVAL SUMMARY

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

Department	Approval	Denial	Economic Impact
Police	x		\$300
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$385
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$685

Conditions and Considerations:

Insurance Status: Pending

att: Special Event Application: Homecoming Parade
Street closure map

JG

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

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

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

Sponsoring Organization's Legal Name: Jackson High School Homecoming Parade

Organization Address: 544 Wildwood Ave

Organization Agent Barbara Baird-Pauli Title: Principal

Phone: (work) (517) 841-3701 Phone: (home) _____ Phone: (during the event) (517) 206-5659

Agent's Address _____

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

Event Name Homecoming parade

Please give a brief description of the proposed special event: Parade - Marching Band - Floats - School Students - Army Vehicle - Horse carriage - 8 cars with Homecoming Students & Board members

Event Day(s) & Date(s) Friday, October 19, 2012

Event Time(s) 6:00 p.m. - 7:00 p.m.

Set-Up Date & Time Friday 10/19/12 Tear-Down Date & Time Friday 10/19/12 7:00 p.m.

Event Location 5:00 p.m. In front of Jackson High School
5:00 p.m. Parking Lot, Taking Brown Street to Wildwood to Jackson

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

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

STREET CLOSURES: Start Date/Time 10/19-5:30 p.m. through Date/Time: 10/19 6:30 p.m.

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

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

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

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

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

ATTENDANCE: What is the expected (estimated) attendance for this event? Community observed along Parade Route

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

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

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

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

Police Department assistance

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

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

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

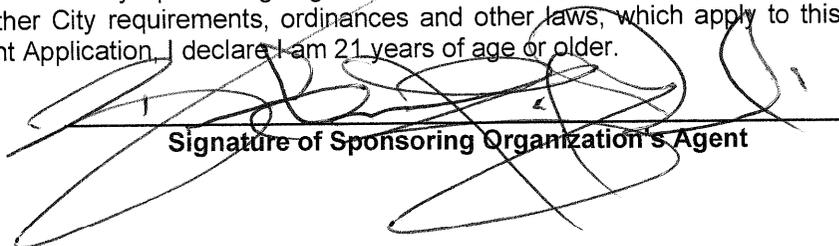
All food vendors must be approved by the Jackson County Health Department, and each food or other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson as an additional named insured party on the policy.

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

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

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

8-25-12
Date


Signature of Sponsoring Organization's Agent

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



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Request to Approve Traffic Control Order (TCO) 2135 to Allow Parking
on a Portion of Moore Street on Sundays

**RECOMMENDATION: APPROVAL OF TRAFFIC CONTROL ORDER (TCO) 2135 TO ALLOW
PARKING ON SUNDAYS ON MOORE STREET BETWEEN MILWAUKEE AND MARTIN
STREETS.**

Engineering was contacted by the pastor of Lane Memorial CME Church, located at 141 Moore Street, inquiring about the possibility of allowing parking on the south side of the street on Sundays to allow more space for church attendees to park for services. Currently, there is a No Parking At Any Time regulation on that portion of the street.

Engineering's recommendation is that parking on the south side of Moore Street, between Milwaukee and Martin Streets, shall be prohibited except on Sundays.

We request that Traffic Control Order 2135 be approved by the City Council. If you have any questions, please do not hesitate to contact me.

JHD:sms

c: Bob Dietz, Parking Manager/Engineering Assistant
Matt Heins, Chief of Police

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2135

LOCATION: 100 Moore Street

DATE: August 22, 2012

ASSIGNED TO:

TCO DESCRIPTION

At the request of the Pastor of Lane Memorial CME Church investigate changing of the No Parking At Any Time regulation on the south side of the block of Moore Street between Milwaukee and Martin Streets to allow parking on Sundays.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Parking on the south side of Moore Street between Milwaukee and Martin Streets shall be prohibited except on Sundays.

APPROVED

REJECTED

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

BY: Jon H. Dowling, P.E., City Engineer

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk



ST. S. WEST AVE.

LOESER AVE

LAWRENCE HIGHLAND GETTYSBURG MOUND

WOODLAWN AVE.

OAKDALE AVE.

GLENWOOD AVE.

ELMWOOD AVE.

CHRISTY AVE.

SEVENTH ST.

SIXTH ST.

FIFTH ST.

FOURTH ST.

THIRD ST.

SECOND ST.

FIRST ST.

W. BLOOMFIELD BLVD

BEVERLY PARK PL

GRISWOLD

DOUGLAS ST. DOUGLAS CT.

RANDOLPH ST.

LAWRENCE

GETTYSBURG

WOODLAWN AVE.

OAKDALE AVE.

GLENWOOD AVE.

ELMWOOD AVE.

CHRISTY AVE.

FIFTH ST.

FOURTH ST.

IRVING ST.

ST.

CONANT ST.

ST.

RUST ST.

ST.

GRISWOLD SCHOOL

DOUGLAS ST.

WINDONA PL.

MC NEAL ST.

GARFIELD ST.

HARWOOD ST.

MC BRIDE ST.

SECOND CT.

THIRD ST.

SECOND ST.

FIRST ST.

WOODBRIDGE ST.

DOUGLAS ST.

ROSEDALE PL. AVE.

ROSEDALE PL. AVE.

GREENWOOD AVE.

MT. EVERGREEN CEMETERY (CITY OWNED)

WILSON SCHOOL

BLACKSTONE ST.

SHELDON ST.

LINWOOD

W. MORELL ST.

MASON ST.

WOODSUM ST.

W. HIGH ST.

S. JACKSON ST.

W. MORELL ST.

MASON ST.

W. MANSION ST.

W. EUCLID ST.

AIRLINE BIKE PATH & WALK FRANCIS CT.

RANDOLPH ST.

W. HIGH ST.

ROCKWELL ST.

WILLIAMS ST.

MAPLE AVE.

CHITCOCK AVE.

W. MORELL ST.

W. RIDGLE ST.

WILKINS ST.

MECHANICAL ST.

S. FRANCIS CT.

W. EUCLID ST.

FRANCIS CT.

W. EUCLID ST.

RANDOLPH ST.

W. HIGH ST.

ROCKWELL ST.

CHITCOCK AVE.

FRANCIS ST.

COOLEY PL.

W. RIDGLE ST.

WILKINS ST.

MECHANICAL ST.

S. FRANCIS CT.

W. EUCLID ST.

FRANCIS CT.

W. EUCLID ST.

RANDOLPH ST.

W. HIGH ST.

ROCKWELL ST.

CHITCOCK AVE.

FRANCIS ST.

COOLEY PL.

W. RIDGLE ST.

WILKINS ST.

MECHANICAL ST.

E. MANSION ST.

E. EUCLID AVE.

E. ROBINSON ST.

VALL ST.

DAMON ST.

W. HIGH ST.

STANLEY ST.

RIDGEWAY ST.

PIGEON ST.

WREN

MARTIN ST.

MODRE ST.

ORCHARD PL.

MITCHELL ST.

EVERHARD ST.

ALPINE

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WARWICK CT.

FRANKLIN ST.

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E. EUCLID AVE.

E. ROBINSON ST.

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PIGEON ST.

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MARTIN ST.

MODRE ST.



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
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Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Request to Approve Traffic Control Orders (TCOs) 2136 and 2137 Regarding On-Street Parking on Waterloo Avenue and Plymouth Street.

RECOMMENDATION: APPROVAL OF TRAFFIC CONTROL ORDERS (TCOS) 2136 AND 2137 TO LIMIT ON-STREET PARKING ON WATERLOO AVENUE NEAR EATON CORPORATION, AND ON PLYMOUTH STREET WEST OF WATERLOO AVENUE.

Engineering was contacted by Councilmember Derek Dobies to review long term on-street parking on Waterloo Avenue near Eaton Corporation and on Plymouth Street west of Waterloo Avenue. A resident had contacted him with a concern about Eaton employees parking long term on these streets, limiting access to street parking for the residents.

Engineering's recommendations are as follows:

- TCO 2136: On the west side of Waterloo Avenue from Michigan Avenue to 235 feet south of Michigan Avenue parking shall be prohibited. Further, from 235 feet south of Michigan Avenue to the south property line of 216 S. Waterloo Avenue no vehicle shall park for a period exceeding two (2) hours between the hours of 8am and 6pm Monday through Friday.
- TCO 2137: On the north side of Plymouth Street from the east property line of 910 Plymouth Street to State Street no vehicle shall park for a period exceeding two (2) hours between the hours of 8am and 6pm Monday through Friday.

We request that Traffic Control Orders 2136 and 2137 be approved by the City Council. If you have any questions, please do not hesitate to contact me.

JHD:sms

c: Bob Dietz, Parking Manager/Engineering Assistant
Matt Heins, Chief of Police

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2136

LOCATION: Waterloo Avenue – Plymouth to Michigan

DATE: August 30, 2012

ASSIGNED TO:

TCO DESCRIPTION

At the request of property owner review long term on-street parking on Waterloo Avenue near the Eaton Corporation.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the west side of Waterloo Avenue from Michigan Avenue to 235 feet south of Michigan Avenue parking shall be prohibited. Further, from 235 feet south of Michigan Avenue to the south property line of 216 S. Waterloo Avenue no vehicle shall park for a period exceeding two (2) hours between the hours of 8am and 6pm Monday through Friday.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>									
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2137

LOCATION: Plymouth Street – State to Waterloo

DATE: August 30, 2012

ASSIGNED TO:

TCO DESCRIPTION

At the request of property owner review long term on-street parking on Plymouth Street west of Waterloo Avenue.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the north side of Plymouth Street from the east property line of 910 Plymouth Street to State Street no vehicle shall park for a period exceeding two (2) hours between the hours of 8am and 6pm Monday through Friday.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

BY: Jon H. Dowling, P.E., City Engineer

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Acting City Manager
Randall T. McMunn, P.E., Assistant City Engineer

SUBJECT: Final Change Order 1 – Wildwood Avenue Water Main Replacement

RECOMMENDATION: TO APPROVE CHANGE ORDER 1 TO THE CONTRACT WITH RJT CONSTRUCTION COMPANY, IN THE DECREASED AMOUNT OF \$12,327.10 TO CHANGE CONTRACT QUANTITIES TO MATCH FINAL QUANTITIES PLACED FOR THE WILDWOOD AVENUE WATER MAIN REPLACEMENT, AND AUTHORIZATION FOR THE DEPUTY CITY MANAGER AND CITY ENGINEER TO EXECUTE THE APPROPRIATE DOCUMENT.

This change order balances quantities for final payment. It represents a decrease of \$12,327.10.

We request approval of Final Change Order 1 and authorization for the Acting City Manager and the City Engineer to sign the document. This project is being paid from Water Funds.

RTM/TRW:sms

C: Patrick H. Burtch, Acting City Manager
Jon H. Dowling, P.E., City Engineer
Troy R. White, P.E., Civil Engineer III
Lynn Fessel, Purchasing Agent
Shelly Allard, Purchasing Coordinator
Lucinda Schultz, Accounting Manager

**FINAL BALANCING CHANGE ORDER NO. 1
To Contract for
Wildwood Avenue Water Main Replacement
City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 131,155.65
CHANGE ORDER NO. 1 Details of changes shown on the attached sheets	(\$ 12,327.10)
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 118,828.55

REASON FOR CHANGE:

To balance quantities for contract pay items.

CONTRACT COMPLETION:

The contract completion time remains unchanged.

Prepared by Troy R. White, P.E.
Civil Engineer III, Department of Engineering

ACCEPTED BY:

RJT Construction Company

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Patrick H. Burtch, Acting City Manager

Date:

**WILDWOOD WATER MAIN REPLACEMENT
BALANCING CHANGE ORDER NO. 1**

Page 1 of 2, 9/5/2012

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0001	1500001	Mobilization, Max. ____ \$ 5,000.00	1.00	0.00	1.00	LS	\$ 5,000.00	\$ -	\$ -
0002	2040020	Curb and Gutter, Rem	35.00	-18.00	17.00	Ft	\$ 10.00	\$ -	\$ (180.00)
0003	2040055	Sidewalk, Rem	197.00	3.00	200.00	Syd	\$ 4.00	\$ 12.00	\$ -
0004	2040080	Vertical Exploratory Investigation	20.00	-20.00	0.00	Ft	\$ 20.00	\$ -	\$ (400.00)
0005	2047001	_ Pavt Sawcut	267.00	-50.00	217.00	Ft	\$ 2.00	\$ -	\$ (100.00)
0006	2047011	_ Driveway, Rem	26.00	4.00	30.00	Syd	\$ 4.00	\$ 16.00	\$ -
0007	2047051	_ Tree Preservation	1.00	0.00	1.00	LS	\$ 500.00	\$ -	\$ -
0008	2087050	_ Erosion Control, Inlet Protection, Grate Filte	15.00	-1.00	14.00	Ea	\$ 100.00	\$ -	\$ (100.00)
0009	2090001	Project Cleanup	1.00	0.00	1.00	LS	\$ 2,500.00	\$ -	\$ -
0010	3020020	Aggregate Base, 8 inch	85.00	-5.00	80.00	Syd	\$ 6.00	\$ -	\$ (30.00)
0011	4021260	Trench Undercut and Backfill	15.00	-15.00	0.00	Cyd	\$ 20.00	\$ -	\$ (300.00)
0012	4030005	Dr Structure Cover, Adj, Case 1	2.00	-2.00	0.00	Ea	\$ 250.00	\$ -	\$ (500.00)
0013	4037050	_ Dr Structurer, Temp Lowering, Modified	2.00	-2.00	0.00	Ea	\$ 100.00	\$ -	\$ (200.00)
0014	5010025	Hand Patching	41.00	-11.00	30.00	Ton	\$ 175.00	\$ -	\$ (1,925.00)
0015	5017011	_ HMA Surface, Rem, Modified	85.00	-5.00	80.00	Syd	\$ 4.00	\$ -	\$ (20.00)
0016	6030005	Cement	2.00	-2.00	0.00	Ton	\$ 175.00	\$ -	\$ (350.00)
0017	7060011	Conc, Grade S2	11.00	-11.00	0.00	Cyd	\$ 110.00	\$ -	\$ (1,210.00)
0018	8010005	Driveway, Nonreinf Conc, 6 inch	13.00	-13.00	0.00	Syd	\$ 35.00	\$ -	\$ (455.00)
0019	8010007	Driveway, Nonreinf Conc, 8 inch	13.00	-13.00	0.00	Syd	\$ 45.00	\$ -	\$ (585.00)
0020	8020038	Curb and Gutter, Conc, Det F4	35.00	-18.00	17.00	Ft	\$ 20.00	\$ -	\$ (360.00)
0021	8030010	Detectable Warning Surface	10.00	-10.00	0.00	Ft	\$ 35.00	\$ -	\$ (350.00)
0022	8030034	Sidewalk Ramp, Conc, 4 inch	100.00	-100.00	0.00	Sft	\$ 6.00	\$ -	\$ (600.00)
0023	8030044	Sidewalk, Conc, 4 inch	1,548.00	166.00	1,714.00	Sft	\$ 3.00	\$ 498.00	\$ -
0024	8030046	Sidewalk, Conc, 6 inch	221.00	-134.00	87.00	Sft	\$ 4.75	\$ -	\$ (636.50)
0025	8037010	_ Brick, Salvage and Replace	150.00	0.00	150.00	Sft	\$ 10.00	\$ -	\$ -
0026	8120012	Barr,TypeIII,HighInten,DblSided,Ltd,Furn	5.00	0.00	5.00	Ea	\$ 55.00	\$ -	\$ -
0027	8120013	Barr,TypeIII,HighInten,DblSided,Ltd,Oper	5.00	0.00	5.00	Ea	\$ 15.00	\$ -	\$ -
0028	8120140	Lighted Arrow, Type C, Furn	1.00	0.00	1.00	Ea	\$ 400.00	\$ -	\$ -
0029	8120141	Lighted Arrow, Type C, Oper	1.00	0.00	1.00	Ea	\$ 100.00	\$ -	\$ -
0030	8120170	Minor Traf Devices	1.00	0.00	1.00	LS	\$ 1,000.00	\$ -	\$ -
0031	8120250	Plastic Drum, High Intensity, Furn	120.00	0.00	120.00	Ea	\$ 9.50	\$ -	\$ -
0032	8120251	Plastic Drum, High Intensity, Oper	120.00	0.00	120.00	Ea	\$ 1.10	\$ -	\$ -
0033	8120310	Sign Cover	4.00	-4.00	0.00	Ea	\$ 25.00	\$ -	\$ (100.00)
0034	8120350	Sign, Type B, Temp, Prismatic, Furn	309.00	0.00	309.00	Sft	\$ 2.50	\$ -	\$ -
0035	8120351	Sign, Type B, Temp, Prismatic, Oper	309.00	0.00	309.00	Sft	\$ 1.00	\$ -	\$ -
0036	8120352	Sign,TypeB,Temp,Prismatic,Special, Furn	31.00	12.00	43.00	Sft	\$ 7.00	\$ 84.00	\$ -
0037	8120353	Sign,TypeB,Temp,Prismatic,Special, Oper	31.00	12.00	43.00	Sft	\$ 1.00	\$ 12.00	\$ -
0038	8230130	Water Main, 4 inch, Cut and Plug	1.00	0.00	1.00	Ea	\$ 308.00	\$ -	\$ -
0039	8230131	Water Main, 6 inch, Cut and Plug	1.00	-1.00	0.00	Ea	\$ 326.00	\$ -	\$ (326.00)
0040	8230132	Water Main, 8 inch, Cut and Plug	2.00	-1.00	1.00	Ea	\$ 362.00	\$ -	\$ (362.00)

**WILDWOOD WATER MAIN REPLACEMENT
BALANCING CHANGE ORDER NO. 1**

Page 2 of 2, 9/5/2012

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0041	8230133	Water Main, 10 inch, Cut and Plug	1.00	-1.00	0.00	Ea	\$ 430.00	\$ -	\$ (430.00)
0042	8230391	Gate Box, Adj, Temp, Case 1	1.00	-1.00	0.00	Ea	\$ 100.00	\$ -	\$ (100.00)
0043	8230431	Gate Box, Adj, Case 1	2.00	-2.00	0.00	Ea	\$ 150.00	\$ -	\$ (300.00)
0044	8237001	_ Hydrant Extension	2.00	1.00	3.00	Ft	\$ 400.00	\$ 400.00	\$ -
0045	8237001	_ Water Main, Dir Bore, 4 inch	126.00	-30.00	96.00	Ft	\$ 22.60	\$ -	\$ (678.00)
0046	8237001	_ Water Main, Dir Bore, 6 inch	36.00	-22.00	14.00	Ft	\$ 25.80	\$ -	\$ (567.60)
0047	8237001	_ Water Main, Dir Bore, 8 inch	1,041.00	2.00	1,043.00	Ft	\$ 45.00	\$ 90.00	\$ -
0048	8237050	_ Gate Valve and Box, 4 inch, Modified	1.00	0.00	1.00	Ea	\$ 1,175.00	\$ -	\$ -
0049	8237050	_ Gate Valve and Box, 6 inch, Modified	1.00	0.00	1.00	Ea	\$ 1,350.00	\$ -	\$ -
0050	8237050	_ Gate Valve and Box, 8 inch, Modified	3.00	0.16	3.16	Ea	\$ 1,600.00	\$ 256.00	\$ -
0051	8237050	_ Hydrant Assembly	2.00	0.00	2.00	Ea	\$ 3,400.00	\$ -	\$ -
0052	8237050	_ Hydrant, Rem, Modified	2.00	0.00	2.00	Ea	\$ 450.00	\$ -	\$ -
0053	8237050	_ Water Main, Connect New 10 inch to Existing	1.00	0.00	1.00	Ea	\$ 3,500.00	\$ -	\$ -
0054	8237050	_ Water Main, Connect New 4 inch to Existing	1.00	0.00	1.00	Ea	\$ 1,375.00	\$ -	\$ -
0055	8237050	_ Water Main, Connect New 6 inch to Existing	1.00	0.00	1.00	Ea	\$ 2,500.00	\$ -	\$ -
0056	8237050	_ Water Main, Connect New 8 inch to Existing	2.00	0.00	2.00	Ea	\$ 2,000.00	\$ -	\$ -
0057	8237050	_ Water Serv, 2 inch	1.00	0.00	1.00	Ea	\$ 1,580.00	\$ -	\$ -
0058	8237050	_ Water Serv, Long, 1 inch	2.00	1.00	3.00	Ea	\$ 1,660.00	\$ 1,660.00	\$ -
0059	8237050	_ Water Serv, Long, 2 inch	2.00	-1.00	1.00	Ea	\$ 2,750.00	\$ -	\$ (2,750.00)
0060	8237050	_ Water Serv, Reconnect, 1-1/2 inch	1.00	-1.00	0.00	Ea	\$ 750.00	\$ -	\$ (750.00)
0061	8507030	_ Water Main Fittings, DI	600.00	-78.00	522.00	Lb	\$ 5.00	\$ -	\$ (390.00)
0062	8507050	_ Sewer Lateral Repair	2.00	-2.00	0.00	Ea	\$ 150.00	\$ -	\$ (300.00)
								\$ -	\$ -
								\$ -	\$ -

Total: \$ 3,028.00 \$ (15,355.10)

Net Change: \$ (12,327.10)

Current Contract Amount: \$ 131,155.65

Revised Contract Amount: \$ 118,828.55



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 29, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn*
SUBJECT: Petition Filed with the Michigan Tax Tribunal

**SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL
MEETING AGENDA:**

**RECEIPT OF PETITION FILED BY ALLEGIANCE HEALTH, PARCEL #P-
29123 AND REFERRAL TO THE CITY ASSESSOR AND CITY ATTORNEY
FOR APPROPRIATE ACTION**

Attached please find a petition filed with the Michigan Tax Tribunal by Allegiance Health, Parcel #P-29123. Recommended action is to receive and refer the petition to the City Assessor and City Attorney for appropriate action.

C: Deputy City Manager

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Allegiance Health,
Petitioner,

v

MTT Docket No. _____

City of Jackson,
Respondent.

ENTIRE TRIBUNAL PROPERTY TAX PETITION

1. Property Parcel No: **P-291230000**
(If more than one parcel is at issue, attach a completed Multiple Parcel Petition Form addressing all other parcels at issue.)
2. The property identified above is ___real personal.
3. If more than one parcel of real property is under appeal, are the properties contiguous? ___Yes ___No. (If no, separate Petitions are required for each non-contiguous parcel.)
4. If more than one parcel of personal property is under appeal, are there also parcels of real property under appeal? ___Yes ___No. (If no, separate Petitions are required for each parcel of personal property.) If yes, are all of the parcels of personal property located on a parcel of real property under appeal? ___Yes ___No. (If no, separate Petitions are required for each parcel of personal property not located on a parcel of real property under appeal.)
5. If parcels of personal property are under appeal, when were the personal property statements filed by parcel number (attach additional page if necessary): **February 6, 2012, attached**
6. The property identified above is classified as **Commercial Personal Property**

7. If the assessment or assessments at issue were protested, the protest was made to Respondent's March ___ July ___ December Board of Review.
8. If a protest was required and no protest was made, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary): _____

9. If the appeal was not submitted by the deadline for the filing of an appeal for the classification or classifications of the properties at issue (i.e., May 31 or July 31 of the tax year involved), list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary): _____

10. The property or properties at issue are located in **Jackson** County. The property or properties' address is:
309 Page Ave., Jackson, MI 49201
11. The assessment or assessments at issue were established by the (applicable local governmental unit): **City of Jackson Board of Review**
12. Petitioner's legal residence or principal office address is:
Allegiance Health, 205 N. East Ave., Jackson, MI 49201
13. This appeal involves issues relating to the (check all that are applicable):
 the property or properties' true cash and taxable values
_____ the property or properties' taxable value only
If the property or properties' taxable value is at issue, is there a dispute as to the value of an addition or loss? ___ Yes ___ No
_____ uniformity of the property or properties' assessment
 the property or the properties' exemption from ad valorem taxation under MCL **211.7o Part 1**
14. The tax year(s) at issue are: **2012**

15. If more than the current tax year is being appealed, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the prior tax year or years (attach additional page if necessary):

16. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2012	198,500	198,500	198,500

17. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	0	0	0

18. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	198,500	198,500	198,500

19. Petitioner requests the following relief (attach additional page if necessary):
Relief from personal property taxes; See attached petition

20. List the separate and specific facts upon which Petitioner relies to support the relief requested (attach additional page if necessary): **MCL 211.7o Part 1; Wexford V. City of Cadillac ruling, 2006; Liberty Hill Housing Corporation V. City of Livonia ruling, 2008. See attached petition.**

Signature of Petitioner's Authorized Representative or, *if none*, Petitioner:

Address: **3715 Hillside Dr., Ypsilanti, MI 48197**

Telephone Number: **734.904.3779**

Date: **May 21, 2012**

A handwritten signature in cursive script, appearing to read "Paul G. Amos".

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL

Allegiance Health (AH)

Petitioner

V

MTT Docket No. _____

Parcel Number: P-291230000

City of Jackson

Respondent

PETITION

Petitioner, Allegiance Health (AH), through their agent, David G. Hunscher, petitions this Tribunal as follows:

1. Petitioner is a Michigan and Federal exempt not for profit, 501c3 health care organization whose legal address is Allegiance Health, 205 N. East Ave., Jackson, MI 49201. It was purchased on August 01, 2011 by Allegiance Health from Saint Joseph Mercy Health System.
2. Respondent, City of Jackson, levies and collects the personal property taxes on the subject property.
3. This petition seeks relief from personal property taxes for the personal property [equipment, furniture, electronic instruments and all other items] owned and occupied by Allegiance Health -Michigan Heart & Vascular, Jackson, a nonprofit charitable institution while occupied by that nonprofit charitable institution solely for the purposes for which that nonprofit charitable institution was incorporated ["to provide hospital or medical care... [as well as a] "rehabilitation institution, outpatient clinic, or community mental health", etc. [carried out by the hospital system and medical care clinic employees (doctors, nurses and other healthcare personnel)], IRS Publication 557, 33, (2011),], MCL 211.7o, (2006), whose identification number is P-291230000 and classified as Commercial. Petitioner's property is "used primarily "to provide hospital or medical care... [as well as a] "rehabilitation institution, outpatient clinic, or community mental health", IRS Publication 557, 33, (2011), "hospital or public health purposes" MCL 221.7r (1980), "the purposes for which that nonprofit charitable institution was incorporated" MCL 211.7o (2006), carried out by their employees (doctors, nurses and other hospital personnel)] in the community. Allegiance Health -Michigan Heart & Vascular is a group of cardiovascular physicians that practice as a not for profit affiliate under Allegiance Health who bought them in 2011; a practice established in advance of the Affordable Care Act, where ""managed care", delivered by groups of physicians and hospitals [such as Allegiance Health and Michigan Heart and Vascular] that are financially connected, and that are willing to provide all the

healthcare needs...”, Ann Arbor Observer, May, 2012, 25. Petitioner believes that Petitioner’s Property was designed to provide public health and medical “relief of the poor, the distressed, or the underprivileged”, IRS Publication 557, 30, (2011), in the community. AH acquired the personal property, except the IT equipment, from Saint Joseph Mercy Health System on August 1, 2011. The space within the building is leased and occupied by Allegiance Health (AH); all the equipment, with exception of the IT equipment, (which is leased from Saint Joseph Mercy Health System-the previous owner of the personal property, which is herein asked to be exempt under docket # 0416368), and employees (doctors, nurses and other hospital personnel) there are part of AH, and is covered by AH’s Charity Policy. (See letter dated January 27, 2012, attached and made a part hereof). The personal property should be exempted.

4. The Personal Property Parcel Number is P-291230000 and is located in Jackson County and within the school districts of Jackson Public and Jackson Intermediate.
5. This matter involves issues relating to: taxable value of hospital statute and exemption, medical care and clinic use which is seeking the exemption.
6. For tax year 2012, Respondent determined an assessed value of \$198,500, a state equalized value of \$198,500 and a taxable value of \$198,500.
7. On April 26, 2011, the previous Petitioner notified the Assessor of the erroneous Personal Property Statement filing by the previous owner and appealed the 2011 assessment of the subject’s personal property which was acquired by the Petitioner on August 1, 2011. Previous owner of personal property, except IT equipment, was Saint Joseph Mercy Health System (SJMHS); Docket #0416368. Our request is based on the requirements for personal property tax exemption within Michigan Tax Law; that the building and land are not owned by Allegiance Health however all personal property as defined herein is owned and occupied by Allegiance Health and is used by its employees for patient care and furtherance of its public health and charitable policy. This facility should be exempt from personal property taxes, according to Michigan Compiled Laws sections 211.7o.

Part one of section 211.7o states that real and personal property [equipment, furniture, electronic instruments and all other items] owned and occupied by a nonprofit charitable institution while occupied by that nonprofit charitable institution solely for the purposes for which that nonprofit charitable institution was incorporated [to provide hospital or medical care... [as well as a] “rehabilitation institution, outpatient clinic, or community mental health”, etc., IRS Publication 557, 33, (2011), carried out by the employees (doctors, nurses, and other healthcare personnel) is exempt from the collection of taxes under this act.

Further, the Michigan Supreme Court decision for exempt status on these types of properties, issued on May 04, 2006, Wexford Medical Group v City of Cadillac ruling and

April 02, 2008, Liberty Hill Housing Corporation v City of Livonia, addresses the factors to be taken into consideration when using MCL 211.7o, namely factors one and three:

1. "The real estate [and personal property- all equipment, furniture, electronic, IT, instruments and all other items that are used in the furtherance of the nonprofit charitable institution's incorporated purpose] must be owned and occupied by the exemption claimant;
3. The exemption exists only when the buildings and other property [and personal property- all equipment, furniture, electronic, IT, instruments and all other items that are used in the furtherance of the nonprofit charitable institution's incorporated purpose] thereon are occupied by the claimant solely for the purposes for which it is incorporated",

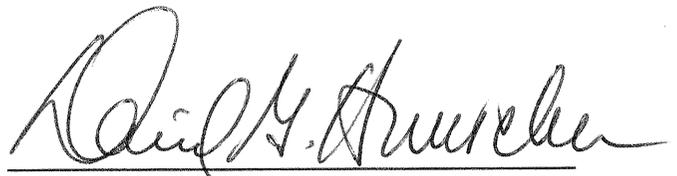
Liberty Hill Housing Corporation v City of Livonia, 746 NW 2d 282, 480, 6, (2008)

Using the Liberty Hill Housing Corporation v City of Livonia Supreme Court Panel (2008, interpretation of the Legislature; that the property be owned and occupied by the nonprofit charitable institution to qualify for tax exemption, we find that the property with parcel identification number should be exempt from all personal property taxes.

8. The assessment is excessive and not a true representation of its nonprofit use.
9. Petitioner contends the true cash value of the subject property is \$0 which would yield a state equalized value of \$0 and the taxable value is \$0. The amount in contention is \$198,500.
10. Petitioner requests that the Tribunal reduce the assessed, state equalized and taxable value of the subject property from \$198,500 to \$0 and order a refund with interest, as provided by the Tax Tribunal Act.

Dated: May 14, 2012

By: _____



David G. Hunscher, Agent
Allegiance Health

Julius A. Giglio

City Attorney

Bethany M. Smith

Deputy City Attorney

Gilbert W. Carlson

Assistant City Attorney

OFFICE OF THE



161 West Michigan Avenue

Jackson, MI 49201

(517) 788-4050

(517) 788-4023

Fax: (517) 788-4059

CITY ATTORNEY

CITY COUNCIL MEETING

September 11, 2012

NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Julius A. Giglio

SUBJECT: Jaclyn Blake v. City of Jackson

REQUESTED ACTION: The requisite action is to refer this matter to the City Attorney for handling.

Attached is a copy of a Motion for Superintending Control filed by Jaclyn Blake in Jackson County Circuit Court on August 15, 2012. This is an appeal of a decision by the Building Code Board of Examiners and Appeals upholding a condemnation order for 208 Mitchell Street, Jackson, Michigan.

The requisite action is to refer this matter to the City Attorney for handling.

JAG/dn

Enc.

cc Patrick Burtch, Acting City Manager

August 15, 2012

To: Jackson County Circuit Court
address: 208 Mitchell St. Jackson, MI

Motion For Superintending Control

owner: Jaclyn Fox Blake
2324 Clark Rd
Lapeer, MI 48446
810-969-3251

Appeal on city of Jackson's decision
to demolish 208 Mitchell Jackson, MI.

The owner would like added time to
fix the house by winter.

Court case # 12-002543 - CC-M

RECEIVED

CITY of JACKSON

AUG 27 2012

CLERK'S OFFICE

BY



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager

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

RECOMMENDED ACTION

Receive the draft CAPER, authorize dissemination for public comment, and reconfirm the September 25, 2012 Public Hearing

The attached draft Consolidated Annual Performance and Evaluation Report (CAPER), a hard copy of which will be given to each Councilmember, reviews the City's progress in accomplishing the goals and objectives for its CDBG and HOME funds during the 2011-2012 fiscal year. To meet the City's public comment requirement specified by regulation, copies of the draft CAPER will be available for public review beginning September 12, 2012 in the Department of Neighborhood & Economic Operations, City Clerk's office, the Carnegie Branch of the Jackson District Library, and lobbies of the public housing facilities at Shahan-Blackstone North Apartments, Reed Manor and Chalet Terrace.

According to the CDBG/HOME Timeline approved by City Council on November 29, 2011, a Public Hearing to obtain citizen comment on the City's performance with its annual CDBG and HOME entitlement grants was established for September 25, 2012. A final CAPER will be provided to City Council before the September 25 meeting date incorporating any citizen comments received to date.

Following the September 25, 2012 Public Hearing, Council will be requested to authorize submission of the CAPER to the Department of Housing and Urban Development (HUD). The comment period (15 days) and Public Hearing are in compliance with the submission timeline of 90 days after closing of the grant period (June 30, 2012).



City of Jackson



Department of Neighborhood & Economic Operations



Building a Stronger Jackson

Consolidated Annual Performance and Evaluation Report

2011-2012 Community Development Block Grant (CDBG)

~and~

HOME Investment Partnerships Program (HOME)

The attached document is a draft report.

Please display until Tuesday, September 25, 2012.

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

Community Development Department
ATTN: Michelle L. Pultz-Orthaus
161 W Michigan Ave, Jackson, MI 49201
E-mail: mpultz@cityofjackson.org

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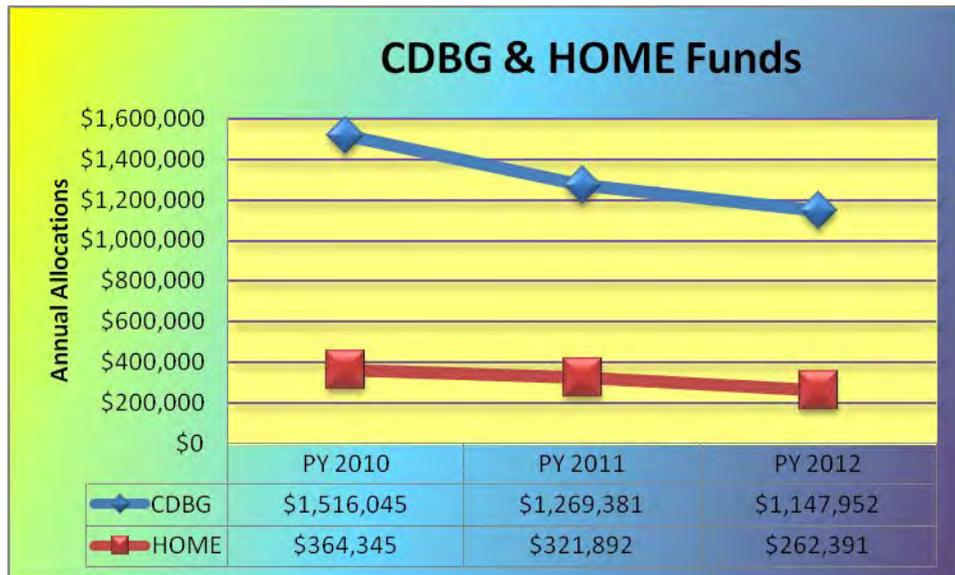
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Executive Summary

This Consolidated Annual Performance and Evaluation Report (CAPER) will cover those Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) activities undertaken by the City of Jackson or one of its subrecipients during the 2011-2012 fiscal year (FY). It will provide information regarding each program’s strengths and weaknesses, as well as specific project accomplishments and ways the programs can be improved.

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

The City’s current Five-Year Consolidated Plan is in place for the period of 2010-2015; 2011 marked the second year of that Plan. The period covered by this CAPER, July 1, 2011 to June 30, 2012, saw a reduction in formula allocation in both CDBG (16.3%) and HOME (11.7%) funds from 2010 levels. Although not covered in this CAPER, 2012 formula allocations were further reduced from 2011 levels by 9.6% in CDBG and 18.5% in HOME funds. When compared to 2010 levels, CDBG funds available to the City of Jackson have been reduced by 24.3% and HOME funds by 28%. This sudden, sharp reduction in grant funds to the community has resulted in serious reconsideration of priorities.



During Program Year (PY) 2011, the Mayor, City Manager and Deputy City Manager developed and initiated the “Jackson Overall Economic Stabilization” (JOES) program. The strategic plans revolve around

- Reducing the supply of vacant, abandoned, dilapidated housing through demolition, thereby increasing demand;
- Increasing code enforcement, such as rental inspections and blighting violations, implementing a non-owner occupied residential property registry and a foreclosed, vacant and abandoned residential property registry, and exploring the feasibility of a point of sale ordinance;

- Increasing zoning enforcement to curb illegal uses in all zoning districts, especially in the one- and two-family residential districts;
- Exploring viable waste disposal plans, including metro garbage and recycling options;
- Supporting homeownership and single family reversions through strategic rehabilitation and limited new construction where practical;
- Managing and right-sizing public infrastructure assets.

The initial phase of JOES will concentrate on removing the overabundance of vacant, abandoned, dilapidated housing while providing rehabilitation and limited new construction opportunities to maintain and increase homeownership. In July 2011, City inspectors began an intensive data-gathering project of assessing vacant housing conditions and estimating rehabilitation costs with a standardized pricing schedule. City staff has revised several ordinance sections to the Housing, Building and Zoning codes to include a non-owner occupied residential property registry (NOORPR), a foreclosed, vacant and abandoned residential property registry (FVARPR), and to establish more stringent demolition and building standards.

On June 26, 2012, City Council approved re-naming the “Department of Community Development” to the “Department of Neighborhood & Economic Operations.” This name change was made as a result of a re-structuring of City Departments to provide a cost savings measure to the City by eliminating several department heads and combining departments. The Department of Neighborhood & Economic Operations includes Community Development, Planning, Economic Development, Engineering, Inspection and the Administrative Hearings Bureau.

Public Services

City Council was faced with challenging decisions to make with PY 2011 allocations because of the significant reduction in grant funds received by the City. Very serious considerations were made concerning the level of public service to support and still achieve the goals and objectives of the City and the Consolidated Plan. Many community service organizations received no or greatly reduced financial assistance, impacting the clientele they serve. However, many of the same community service providers were able to obtain other financial resources in order to further their missions.



Funding was allocated to entities that provided guidance to area youth through summer programs, emergency adult dental care, information and referral services, and utility assistance. The Aware Shelter, an emergency shelter for sexual assault and domestic violence victims, also received financial support for its client advocates. By supporting these agencies with CDBG funds, the low- and moderate-income persons living in the City were able to access and utilize services they may not have been able to afford on their own.

Code Enforcement and Rehabilitation

From July 1, 2011 through June 30, 2012, the Neighborhood & Economic Operations Department continued its efforts to provide decent, safe, affordable housing through its rental inspection and rehabilitation programs. In addition, enforcement of the City's blight ordinances provided a more suitable living condition in its residential neighborhoods.

Inspectors in the Neighborhood & Economic Operations Department issued 1,455 garbage citations, 215 inoperable vehicle citations, and 184 tree citations. Property owners receiving a violation notice overwhelmingly continued to voluntarily rectify the situation; however, those choosing to ignore the citations were issued a Violation and Notice of Hearing mandating their appearance at the City's Administrative Hearings Bureau (AHB).

Due to the initiation of JOES, a hiatus was placed on rental inspections for most of 2011 to allow inspectors the time required to evaluate over 800 vacant residential properties. Inspectors still responded to tenant complaints about rental housing conditions, but, for the most part, new systematic inspections of rental housing were put on hold. However, anticipated revenue from the advent of the NOORPR and FVARPR will allow the City to hire additional inspectors and support staff. A significant increase in code enforcement and rental housing inspections is expected to be reported in the 2012 CAPER.

If housing code compliance was not achieved within 90 days of the initial inspection and the property owner was making progress but needed additional time, they had an opportunity to appeal to the Building Code Board of Examiners and Appeals (BCBA) for an extension of time to complete repairs. Among other mitigating factors, should the property owner choose not to present their case before the BCBA, or if hazardous conditions remained, such as smoke detectors not being installed by the first reinspection, a Violation and Notice of Hearing was issued requiring an appearance at the AHB. During FY 2011-2012, 70 AHB cases involving rental housing were initiated.

The City's Housing Rehabilitation Program completed 11 rehabilitation projects and 12 emergency hazard cases during FY 2011-2012. Three additional rehabilitation projects and one emergency hazard cases were initiated but not completed before June 30, 2012 and are currently in progress.

Other Projects

The John George Home, a home for 35 elderly, indigent men, received funding to replace the zone valves in their antiquated heating system. The upgrade will allow residents to better control the temperature in their individual rooms and is expected to save the John George Home significant utility costs.

The City's Engineering Department completed reconstruction of Loomis Street from Leroy to Argyle, Wilkins Street from Greenwood to Francis, and Mason Street from Mechanic to Francis. Each of these projects included the addition of handicap curb ramps at intersections and/or where feasible to provide unrestricted access to the elderly and disabled populations. During winter months, the Engineering Department developed designs, specifications, bids and contracts for street reconstruction (with watermain replacement) on Forest Street from the west bend to Edgewood and Homewild Avenue from Ellery to Edgewood.

A companion allocation was awarded to the City's Department of Public Works (DPW), which installed 6 sidewalk handicap curb ramps in 3 intersections during 2011-2012. The continuation of this project fits with requirements of 28 CFR 35.150(d)(2). DPW staff responded to a request from a disabled resident who lived in a neighborhood and required improved mobility.

Summary of Resources and Distribution of Funds

During the reporting period of July 1, 2011 through June 30, 2012, the following funds were made available from the U.S. Department of Housing and Urban Development (HUD) to the City of Jackson:

Community Development Block Grant	\$1,344,381
Entitlement Grant B-11-MC-26-0021	\$1,269,381
Program Income.....	\$ 75,000
HOME Investment Program	\$560,456
Entitlement Grant M07-MC260214	\$321,892
Reprogrammed Funds	\$238,564
Total:	<u>\$1,904,837</u>

CDBG funds were allocated as follows:

Activity	Amount	Approx. %
Public Services	\$118,954	8.9%
Administration & Planning	205,000	15.2%
Code Enforcement	514,000	38.2%
Jobs Creation Initiative	20,000	1.5%
Rehabilitation	158,427	11.8%
Public Infrastructure Improvements	<u>328,000</u>	<u>24.4%</u>
Total:	<u>\$1,344,381</u>	<u>100.0%</u>

HOME funds were allocated as follows:

Activity	Amount	Approx. %
Rehab Assistance	\$144,017	25.7%
New Construction	75,000	13.4%
CD Administration	32,189	5.7%
CHDO Operating Costs	16,000	2.9%
Acquisition/Rehab/Resale (City)	240,000	42.8%
Acquisition/Rehab/Resale (CHDO)	<u>53,250</u>	<u>9.5%</u>
Total:	<u>\$560,456</u>	<u>100.0%</u>

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

CDBG

Date	Description	Amount
1/10/2012	Reallocate Code Enforcement salaries and fringes to City Attorney Code Enforcement	\$15,000
2/21/2012	Reallocate unexpended Street Project funds to a different Street Project	26,041

HOME

Date	Description	Amount
5/29/2012	Reallocate Rehabilitation Assistance Program funds to new City activity of Acquisition/Rehabilitation/Resale	\$240,000
6/12/2012	Reallocate Rehabilitation Assistance Program funds to New Construction	40,000

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

Agency Receiving Funds	Allocated	Expended	Percentage
CDBG			
Aware, Inc.	\$ 5,500	\$ 5,500	100.0%
Center for Family Health	10,000	10,000	100.0%
MLK Center Summer Program	40,000	40,000	100.0%
The Salvation Army	55,954	55,954	100.0%
United Way 211 Call Center	7,500	7,500	100.0%
Neighborhood & Economic Operations – Administration	205,000	91,229	44.5%
Neighborhood & Economic Operations - Code Enforcement	485,000	388,389	80.1%
Neighborhood & Economic Operations – Jobs Creation	20,000	0	0.0%
Neighborhood & Economic Operations - Rehabilitation	145,927	0	0.0%
City Attorney – Code Enforcement	29,000	25,617	88.3%
Dept. of Public Works	10,000	1,174	11.7%
Engineering – Street Paving/Reconstruction	303,000	19,603	6.5%
Forestry	15,000	15,000	100.0%
John George Home	12,500	0	0.0%

Agency Receiving Funds	Allocated	Expended	Percentage
HOME			
Community Action Agency - CHDO Reserve	\$53,250	\$ 0	0.0%
Community Action Agency - CHDO Operating Costs	16,000	0	0.0%
Habitat for Humanity – New Construction	75,000	13,706	18.3%
Neighborhood & Economic Operations – Rehabilitation	144,017	3,165	2.2%
Neighborhood & Economic Operations – Administration	32,189	32,189	100.0%
Acquisition/Rehabilitation/Resale (City)	240,000	59,420	24.8%

General CAPER Narratives

Assessment of the Five-Year Goals and Objectives

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

- 1) Rehabilitation of owner-occupied housing.
- 2) Code enforcement.

- 3) Local street improvements.
- 4) Other public facility/infrastructure improvements.
- 5) Economic development activities.

Examining each priority separately, information is provided below:

Priority 1 – Rehabilitation of Owner-Occupied Housing

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

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



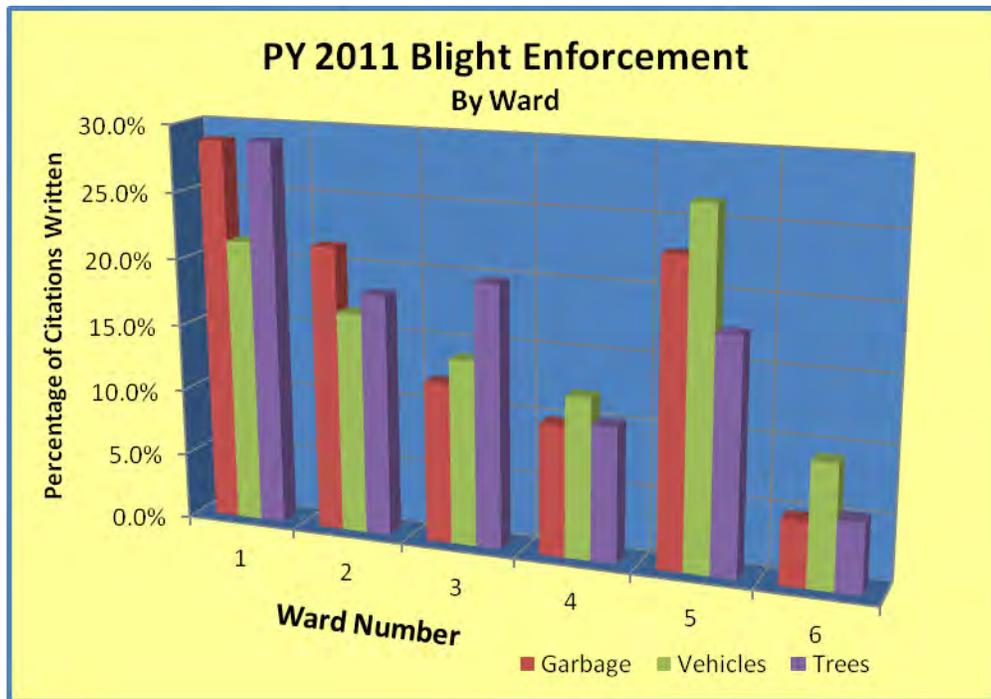
Since 2010, the City has completed 56 rehabilitation projects, funded as follows:

Year	No. Cases	CDBG Funds			Total
		Reg. Rehab	Emerg. Hazard	HOME	
36	33	\$ 99,236	\$119,308	\$219,961	\$438,505
37	23	30,947	75,402	288,539	394,888
Total:		\$130,183	\$194,710	\$508,500	\$833,393

As of June 30, 2012, the City had an additional three rehabilitation and one emergency hazard projects in process, which will be completed early in the 2012-2013 fiscal year.

Priority 2 – Code Enforcement

Neighborhood cleanliness remained a high priority for City inspectors during PY 2011. Although the number of blight citations were down slightly from PY 2010 levels, due in part to the retirement of one inspector and the amount of time invested by inspectors to commence the evaluations of over 800 vacant residential structures and 1,400 vacant lots, neighborhoods were positively impacted from efforts to keep properties tidy either by voluntary compliance or City intervention.

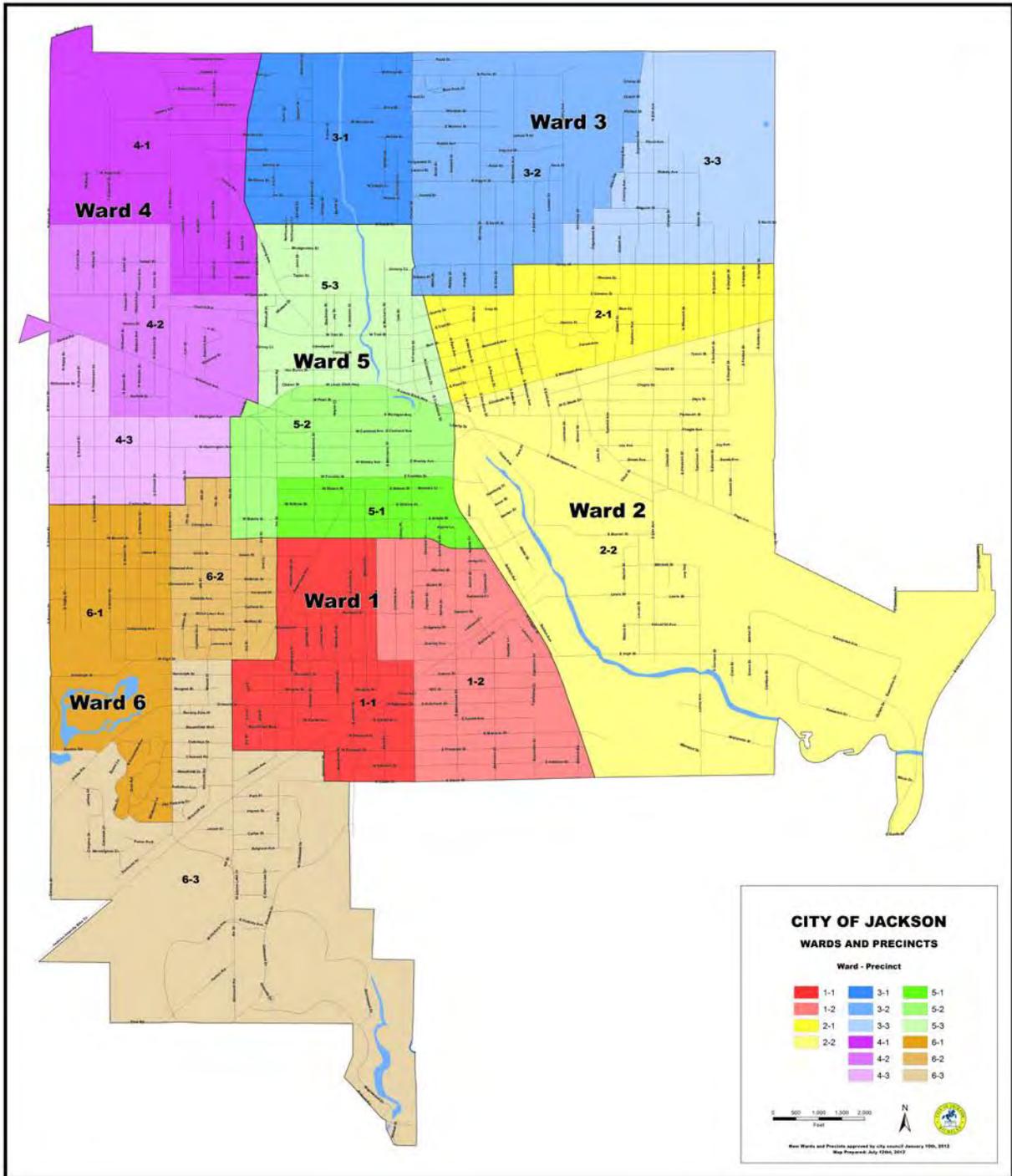


City inspectors continued with blight ordinance enforcement activity, citing homeowners for garbage, trash and debris; inoperable or unlicensed vehicles; and dead, diseased, dying or dangerous trees. More often than not, property owners voluntarily complied with the citations and removed or eliminated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

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

Ward	Number of Citations Written			Total	
	Garbage	Vehicles	Trees	Number	Percent
1	420	46	54	520	28.0%
2	314	36	34	384	20.6%
3	176	30	37	243	13.1%
4	145	26	19	190	10.2%
5	332	57	33	422	22.7%
6	71	20	10	101	5.4%
Total:	1,458	215	187	1,860	100.0%

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

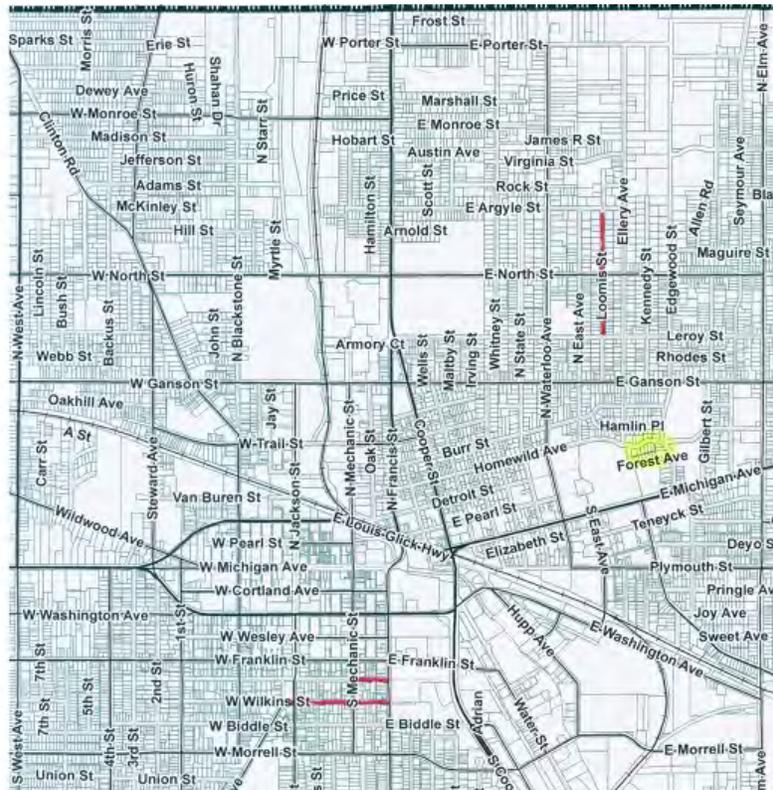


Priority 3 – Local Street Improvements

During PY 2011, the Engineering Department utilized funding allocated for street reconstruction during 2009 and 2010 to complete the following street sections:

Project Location	Project Type	Start Date	Removals	Underground	Curb and Gutter	Asphalt Top Course	Finish Date
Loomis - North to Argyle (Phase 1)	Resurface, Watermain	7/11/2011	8/5/2011	8/4/2011	8/16/2011	9/23/2011	9/23/2011
Loomis - Leroy to North (Phase 2)	Resurface, Watermain	7/14/2011	8/30/2011	8/31/2011	9/6/2011	9/23/2011	9/23/2011
Wilkins - Francis to Jackson (Phase 1)	Reconstr, Watermain	7/5/2011	9/21/2011	9/20/2011	10/3/2011	11/2/2011	11/7/2011
Wilkins - Jackson to Greenwood (Phase 2)	Reconstr, Watermain	10/20/2011	10/21/2011	10/29/2011	10/26/2011	11/1/2011	11/7/2011
Mason - Mechanic to Francis	Reconstr, Watermain	7/5/2011	9/12/2011	8/19/2011	10/3/2011	11/2/2011	11/7/2011

The red highlighted areas on the map below indicate the street sections completed by November 2011. During the winter months, Engineering staff prepared for street reconstruction to take place during the 2012 construction season, which are depicted in the yellow highlighted area below. Preparation consisted of design and specification writing.



Two street sections, identified as “Forest – west bend to Edgewood” and “Homewild – Ellery to Edgewood”, will both have watermain replacement in conjunction with the street reconstruction. Both

projects are expected to begin about August 20, 2012 and be completed before the end of October 2012. In addition to CDBG funds, the City will also invest Water Fund resources to complete these projects. As with all street reconstruction projects, ADA-compliant handicap curb ramps will be installed in the sidewalks at all intersections.

Priority 4 – Other Public Facility/Infrastructure Improvements

In addition to handicap curb ramps installed during street reconstruction, the City continued to allocate CDBG funding to stand alone curb ramp installation projects. During PY 2011, the Department of Public Works installed six handicap curb ramps, two at each of the following intersections: Detroit and Perrine, Homewild and Park, and Homewild and VanDorn. These installations were completed in response to a request from a disabled resident in the neighborhood to improve accessibility to businesses in the area.

Toward the end of PY 2010, the Forestry Department was dissolved after the departure of the superintendent and combined with the Department of Public Works. Funds were fully expended by June 30, 2012 by contracting for the removal of 110 dead, diseased, dying or dangerous Ash trees, and using force account labor to grind the stumps and begin planting replacement trees. Alternate, hardy tree species were used during replanting, including maple, linden, elm and locust varieties.

Priority 5 – Economic Development Activities

During the allocation process for PY 2011 funds, the City was under interim leadership with no Neighborhood & Economic Operations director in place. Although no specific project was identified, City Council allocated \$20,000 in CDBG funds to the City's Jobs Creation Initiative loan program. Since that time, new leadership was installed and Jackson's Mayor, City Manager and Deputy City Manager have designed and implemented an aggressive vision to turn Jackson's economy around. With approximately one year of planning and data gathering behind the Jackson Overall Economic Stabilization (JOES) program, City staff has completed over 800 rehabilitation estimates on vacant housing, approximately 1,400 evaluations of vacant land throughout the City, and substantial ordinance revisions related to housing, building standards, demolitions and zoning.

While no special economic development activity is available to report on during PY 2011, it should be noted that all CDBG and HOME funds received by the City provide an economic impact to the community in some fashion. Public service dollars provide assistance a low- to moderate-income resident may not be able to afford, and may also provide an entity funding to retain employees. Rehabilitation funds allow a low-income homeowner to afford to maintain their home, freeing up income to pay bills, purchase food and clothing, and also allow a contractor to keep its employees working. CDBG also pays for all or a portion of certain public employees, and creates jobs in the community through public infrastructure improvements.

Jackson has historically been a manufacturing community, with an emphasis on production of auto parts. The top four industry categories for civilian employed City population 16 years and over remain unchanged from the 2000 Census data; however, manufacturing no longer leads the group. The 2008-2010 American Community Survey estimates manufacturing fell from 23.7% to 21.8% of employed city workers while educational, health and social services rose from 20.3% to 24.2%.

2000 Census	
Industry	Percent
Manufacturing	23.7%
Educational Services, Health Care, and Social Assistance	20.3%
Retail Trade	11.9%
Arts, Entertainment, Recreation, Accommodation, and Food Services	10.5%
Professional, Scientific, Management, Administrative, and Waste Management	5.9%
Other Services (except Public Administration)	5.7%
Public Administration	4.7%
Construction	4.5%
Transportation, Warehousing, and Utilities	4.0%
Finance, Insurance, Real Estate, Rental and Leasing	3.7%
Wholesale Trade	3.1%
Information	1.8%
Agriculture, forestry, fishing, hunting, and mining	0.2%

2008-2010 American Community Survey	
Industry	Percent
Educational Services, Health Care, and Social Assistance	24.2%
Manufacturing	21.8%
Retail Trade	12.2%
Arts, Entertainment, Recreation, Accommodation, and Food Services	11.8%
Public Administration	6.6%
Professional, Scientific, Management, Administrative, and Waste Management	5.5%
Other Services (except Public Administration)	4.4%
Finance, Insurance, Real Estate, Rental and Leasing	4.0%
Transportation, Warehousing, and Utilities	2.9%
Construction	2.6%
Information	2.0%
Wholesale Trade	1.8%
Agriculture, forestry, fishing, hunting, and mining	0.1%

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

The City of Jackson’s average jobless rate for Program Year 2011 was 12.8%, with a high of 15.7% in July 2011 to a low of 11.2% in April 2012. Comparatively, Jackson County averaged 8.9%, the State of Michigan 9.6%, and the United States 8.4% during this same timeframe. While unemployment is still a major concern among City residents, the 12.8% average was 3.5 percentage points lower than Program Year 2010’s average jobless rate. Unfortunately, economic recovery cannot necessarily be assumed because unemployment percentages have fallen. The Bureau of Labor Statistics (BLS) defines unemployment as people who “do not have a job, have actively looked for work in the prior four weeks, and are currently available for work.” Most people leave the labor force when they retire, go to school, have a disability that keeps them from working, or have family responsibilities. Others may feel they can’t get work so stop looking and are then classified as discouraged workers and the BLS removes them from both the unemployment statistics and labor force.

In the coming months, it is anticipated the City will hire an employee totally devoted to economic development opportunities. It is also expected that the City’s CDBG-funded Jobs Creation Initiative loan program will be offered as an incentive for potentially viable economic development ventures in the community.

Medium Priority Activities

Nearly all medium priority activities conducted during PY 2011 involved community service providers. CDBG funds were used to assist the City of Jackson’s disadvantaged youth through the Martin Luther King Center Summer Recreation Program which, in addition to arts and crafts, swimming lessons and other sports clinics and camps, youth were given peer pressure practice, life skills training and cultural diversification trips.

Low- and moderate-income adults were provided improved access to such services as:

- Emergency dental care through the Center for Family Health.
- Utility shutoff prevention through The Salvation Army, which prevented 48 families from becoming homeless.
- Information and referral services through the United Way's 211 Call Center.

The Aware Shelter, Jackson's only emergency shelter for domestic violence and sexual assault survivors, utilized CDBG funding to assist with client advocate staffing. Aware's client advocates provide 24-hour intake, crises call, and support services to client survivors.

City Council also continued to financially support the ongoing rehabilitation of 1501 East Ganson Street, which houses the John George Home, a multi-unit facility for elderly, indigent gentlemen. During PY 2011, the John George Home was able to replace the zone valves on 63 individual registers, allowing residents and staff to regulate the heat in winter, which had been running too high. Not only will the residents be more comfortable, but the John George Home anticipates saving money through lower utility bills.

The City of Jackson received \$2,785,426 in CDBG funding since 2010 and, together with anticipated program income of \$175,000, has allocated said funds toward its stated priorities as follows:

High Priority

1 – Rehabilitation of Owner-Occupied Housing	\$ 331,927
2 – Code Enforcement	1,080,345
3 – Local Street Improvements	658,000
4 – Other Public Facility/Infrastructure Improvements.....	59,000
5 – Economic Development Activities	70,000

Medium Priority

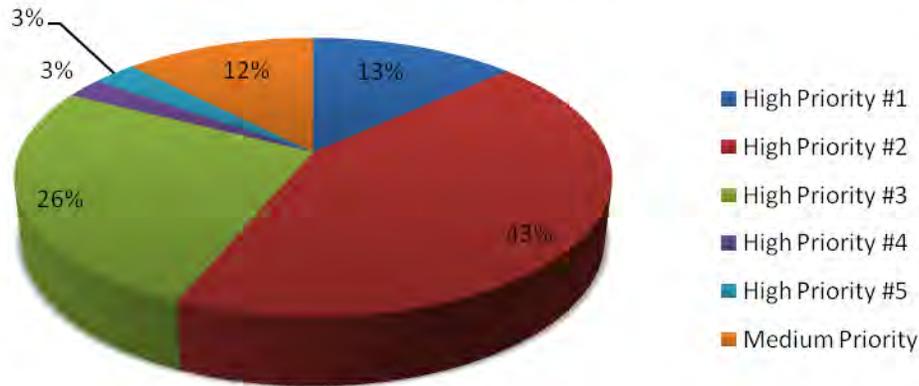
Public Services.....	\$283,954
Rehabilitation of Multi-Unit Senior Housing.....	22,500

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

High Priority

Code Enforcement	\$15,000
Local Street Improvements.....	26,041

Funded Activities



Certain 2011 funded projects and activities needed additional time to complete; others were completed by June 30, 2012 but project accomplishments could not be entered into HUD's Integrated and Disbursement Information System (IDIS) until after July 1, 2012.

CDBG

Subrecipient	Balance	Plans to Rectify
Aware	\$ 0	Project complete
The Salvation Army	0	Project complete
City Attorney's Office	3,383	The City Attorney's Office received a continuing allocation for Year 38 (2012-2013); 2011 balance will be expended before the end of the first quarter.
John George Home	12,500	Project complete; compiling Davis-Bacon information. Upon approval, final reimbursement request will be processed.
Department of Public Works (DPW) – Handicap Curb Ramps	8,286	Remaining funds carried over to FY 2012-13.
Engineering – Street Paving/Reconstruction	283,397	Remaining funds carried over to FY 2012-13.
Neighborhood & Economic Operations – Administration	113,771	Continuing to spend down prior year funding; remaining funds carried over to FY 2012-13.
Neighborhood & Economic Operations - Code Enforcement	96,611	Continuing to spend down prior year funding; remaining funds carried over to FY 2012-13.
Neighborhood & Economic Operations – Jobs Creation Initiative	20,000	Remaining funds carried over to FY 2012-13.
Neighborhood & Economic Operations - Rehabilitation	145,927	Continuing to spend down prior year funding; remaining funds carried over to FY 2012-13.

HOME

Subrecipient	Balance	Plans to Rectify
Neighborhood & Economic Operations – Rehabilitation	\$140,852	Continuing to spend down prior year funding; remaining funds carried over to FY 2012-13.
CAA – CHDO Reserve	53,250	Remaining funds carried over to FY 2012-13.
CAA – CHDO Operating	16,000	Remaining funds carried over to FY 2012-13.
Habitat for Humanity – New Construction	61,294	Remaining funds carried over to FY 2012-13.
Neighborhood & Economic Operations – Acquisition/Rehabilitation/Resale	180,760	Remaining funds carried over to FY 2012-13.

Affirmatively Furthering Fair Housing

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

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

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

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

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

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

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

Note: The Fair Housing Center of Southeastern Michigan applied for \$20,000 in CDBG funds for Program Year 2010. City Council considered the application but elected not to fund the program based on the amount of annual formula allocation received. City administrative staff indicated it had identified unspent prior year program funds that could be allocated toward the project, but a budget amendment was never approved. No further applications for funding have been received from the Fair Housing Center of Southeastern Michigan; no fair housing center exists specifically to address Jackson County needs.

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

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

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

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

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

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

Neighborhood Revitalization – City Council is advised to place high importance on continued efforts to improve the Neighborhood Stabilization Program (NSP) Target Neighborhood after NSP grant funds have been expended to provide additional enhancement to this distressed area of the

City. Medium importance should be placed on continued financial support to the Partnership Park Downtown Neighborhood as significant investment and revitalization has already occurred.

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

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

Note: City staff continues to be involved in boards, committees and study groups dedicated to improving public transportation.

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

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

Inquiries to the Fair Housing Center of Southeastern Michigan as to Fair Housing activity in Jackson County during PY 2011 went unanswered.

Affordable Housing

Foster and Maintain Affordable Housing

During fiscal year 2011-2012, the City continued to provide a rehabilitation program for owner-occupied, low-income households who are unable to access home improvement loans through traditional lenders for repairs. Emergency hazard loans of up to \$10,000 were made available to qualifying households to repair an immediate, urgent need, such as an inoperable furnace in the winter, a leaking roof during the rainy season, etc. These programs offer loans, rather than grants, ensuring future funding from program income will be available to assist another low-income family. The Community Action Agency received an allocation of HOME funds to serve as the City's CHDO and plans to acquire and rehabilitate housing to resell to a low- to moderate-income family.

Preserving Decent, Affordable Rental Units

In order to protect the health, safety and welfare of area tenants, the City's Code Enforcement program takes a proactive stance on the City's rental housing by systematically inspecting all rental units in a designated area. During FY 2011-2012, rental housing inspections were greatly reduced as inspectors participated in the data gathering required to initiate JOES. However, anticipated revenue from instituting two residential property registries will allow the City to hire four to five more inspectors to enhance rental inspections and blight ordinance enforcement. All complaints made by tenants were investigated and proper corrective measures were required of landlords.

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

Eliminate Barriers to Affordable Housing

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

After estimating the rehabilitation costs of over 800 residential structures, the City is able to document the average cost to rehabilitate its aged housing stock is \$67,634. However, when reviewed on a Ward by Ward basis, the average cost to rehabilitate vacant housing is as follows:

Ward	Avg Cost	Ward	Avg Cost
1	\$75,280	2	\$69,140
3	\$43,443	4	\$42,457
5	\$122,803	6	\$41,077

The total cost to rehabilitate 804 vacant residential structures in the City of Jackson exceeds \$54 million, many of them so cost prohibitive to elevate from a substandard level it is more economical to demolish the same structures at a cost of \$9.8 million. In either case, the City lacks sufficient resources to take full corrective measures; however, over the coming years, it plans to invest more wisely in rehabilitation and new construction efforts and demolish dilapidated structures as funding allows.

With consistently high unemployment, low income, and an ever shrinking safety net, many of the community’s residents struggle with multiple issues besides housing. Because the need is much greater than the City can provide for, gaps are filled to the extent feasible by non-profit and faith-based entities. While this alleviates some demands, it still is not great enough to assist everyone, nor provide a cure to the problems.

Address Accessibility Needs of Persons with Disabilities

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

Continuum of Care

The Jackson County Continuum of Care (CoC) receives annual allocations of Emergency Solutions Grants (ESG) from the Michigan Housing Development Authority (MSHDA). The CoC most recently allocated \$166,638 in funding through September 30, 2012 as follows:

- \$ 8,250 to CAA to serve as Grant Fiduciary and fund the CoC Coordinator position.
- \$18,000 to CAA to serve as the Housing Assessment and Resource Agency.
- \$43,550 to CAA to provide short term rental assistance.
- \$13,200 to Do'Chas II to provide essential services to youth aging out of foster care.
- \$24,350 to The Salvation Army to payment of up to three (3) months' rent arrearages to prevent a family from becoming homeless.
- \$44,938 to AWARE, Inc. for operating expenses related to managing an emergency shelter for survivors of domestic violence and sexual assault.
- \$14,350 to Training & Treatment Innovations (TTI) for utility and/or rental arrearages.

Towards the end of June 2012, MSHDA announced an additional, one-time round of ESG funding, of which the Jackson CoC will receive \$123,745 through August 31, 2013. The allocation is required to be spent as follows: 12% on prevention financial assistance, 3% on prevention financial assistance case management, 60% on rapid re-housing financial assistance, 15% on rapid re-housing financial assistance case management, 3% for Homeless Management Information System database activities, and 7% for administration.

In December 2011, HUD announced the Jackson CoC would receive \$801,593 in renewal funding for the following supportive housing programs:

Garfield Square Project	\$190,243
Housing Advocacy Program Expansion	\$269,267
Jackson HMIS	\$ 54,932
Jackson Leasing Assistance Program	\$112,876
Jackson Leasing Assistance Program II	\$118,144
Partnership Park Permanent Housing	\$ 56,131

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

City staff actively participates in the CoC as a co-chairperson and assisted in the planning and implementation of three Project Homeless Connect events between November 2009 and April 2011. In 2010, the CoC realized its original strategies and goals for ending homelessness in Jackson were not effective and, in light of the ongoing foreclosure crisis, high unemployment rate, and financial decline,

began to rework its strategic plan, action plan and 10 year plan. Goals identified by the strategic plan work group include:

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

Beginning in the last quarter of 2010 CoC meetings included significant discussion of subpopulation needs, such as those experienced by domestic violence survivors, youth, elderly, veterans, and persons with dual diagnosis. All respective agencies serving specific subpopulation sectors reported a lack of resources as the greatest hindrance in providing the types of services and supports each group faces. CoC members are continuing in the planning process to develop an achievable action plan and amend the 10 Year Plan to incorporate and implement the modified visioning and elements of the HEARTH Act.

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

2011 Continuum of Care Housing Inventory Chart

Emergency Shelters

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

Transitional Housing

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

Permanent Supportive Housing

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

Other Actions

Address Obstacles to Meeting Underserved Needs

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

Overcome Gaps in Institutional Structures and Enhance Coordination.

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

Improve Public Housing and Resident Initiatives

The Jackson Housing Commission (JHC) is the City’s Public Housing Authority (PHA). The JHC manages 539 units of public housing in three Asset Management Projects and a Section 8 program of 475 participants. The mission of the JHC is:

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

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

SECTION 8 BY THE NUMBERS	
\$2,625,924	Housing Assistance Payments
97%	Lease Up Rate
187	Landlords
461	Voucher Holder Participants
1,196	Individuals

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

- No plans to demolish any of its properties. In fact, the JHC plans extensive physical improvements at each location within the next three years. Comments and suggestions from the various Resident Advisory Boards (Shahan-Blackstone, Chalet Terrace, Reed Manor and Section 8) are taken into consideration and, if feasible, implemented.
- A HUD-approved Home Ownership Plan to sell 50 scattered site units to qualifying low- and moderate-income homebuyers. As of June 3, 2008, 10 units had been sold; however, when the

housing crisis affected the ability to sell homes, JHC discontinued this program and reconverted these single family homes back into rental units.

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

PUBLIC HOUSING BY THE NUMBERS	
PERFORMANCE INDICATORS	
98%	Occupancy Rate
134	New Admissions
150	Youth Participated in Programs
4,332	Non-Emergency Work Orders Completed
1.8	Average # of Days to Complete Non-Emergency Work Orders
531	Emergency Work Orders
97%	Emergency Work Orders Completed within 24 hours
22 Days	Average Vacant Unit Turnaround
DEMOGRAPHICS	
2.0	Average Family Size
68	Elderly Heads of Household (Age 62+)
467	Non-Elderly Heads of Household (Age <61)
357	Female Heads of Household
178	Male Heads of Household
258	Disabled/Handicapped Heads of Household
248	Non-Minority Heads of Household
287	Minority Heads of Household
SOURCES OF INCOME	
1	Own a Business
22	Receive Child Support
2	General Assistance
1	Indian Trust/Per Capita
383	Other Nonwage Sources
15	Pension
166	SSI
181	Social Security
159	TANF (Formerly AFDC)
11	Unemployment Benefits
149	Other Wages
INCOME LEVELS	
455	Extremely Low
73	Very Low
7	Low
TIME ON PROGRAM	
100	<1 Year
91	<2 Years
58	<3 Years
60	<4 Years
29	<5 Years
197	<6 Years

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

- Shahan-Blackstone North** – 119 units, 98% occupancy rate
- Reed Manor** – 296 units, 90% occupancy rate
- Chalet Terrace** – 124 units, 95% occupancy rate

CAPITAL FUND PROGRAM PROJECTS

2009 Capital Fund Program	
Chalet-Terrace	Interior Doors
Chalet-Terrace	Ranges and Refrigerators
Reed Manor	Elevators
PHA Wide	Telephones, Computers & Software

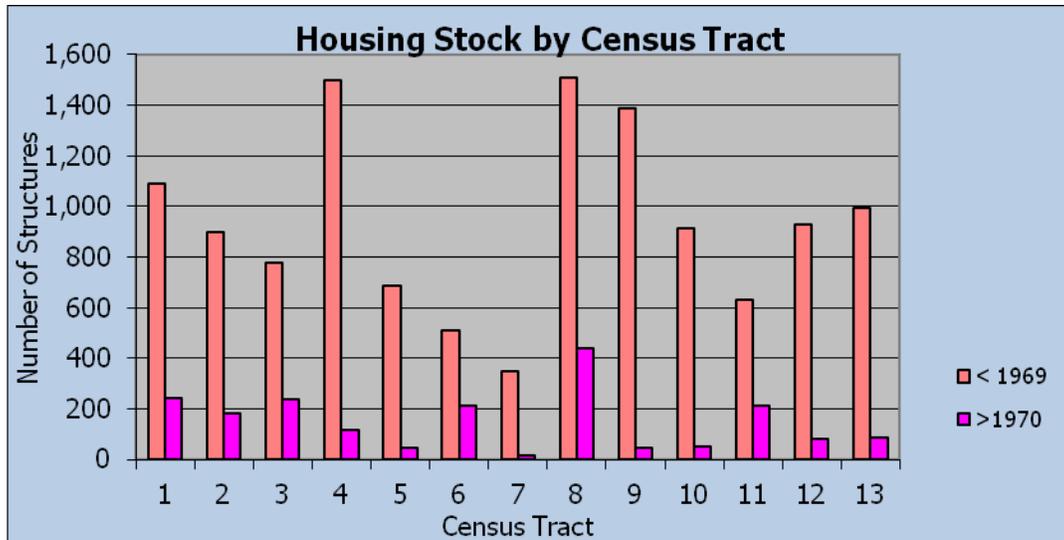
2010 Capital Fund Program	
Chalet-Terrace	Ranges & Refrigerators
Reed Manor	Exterior Lights
Reed Manor	Refrigerators
Reed Manor	Security
Reed Manor	Fob System & Call Boxes

2011 Capital Fund Program	
Reed Manor	Exterior Doors
Reed Manor	Security
PHA Wide	Small Business Computer Server
PHA Wide	Biometric Time Clocks

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

Evaluate and Reduce Lead-Based Paint Hazards

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



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

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

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

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

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

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

Ensure Compliance with Program and Comprehensive Planning Requirements

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

- Receiving applications for funding and reviewing same for eligibility.
- Performing a risk analysis of applicants requesting funds.
- Preparing reports for the City Manager, Mayor and City Council.
- Performing environmental reviews.
- Preparing the Five-Year Consolidated Plan, One-Year Action Plan, and Analysis of Impediments for submission to HUD, as required.

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

Reduce the Number of Persons Living Below the Poverty Level

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

City of Jackson 2011 Area Median Income Limits

% of Median	Limit per Number of Persons in Household							
	1	2	3	4	5	6	7	8
30%	12,800	14,600	16,450	18,250	19,750	21,200	22,650	24,100
50%	21,300	24,350	27,400	30,400	32,850	35,300	37,700	40,150
60%	25,560	29,220	32,880	36,480	39,420	42,360	45,240	48,180
80%	34,100	38,950	43,800	48,650	52,550	56,450	60,350	64,250
100%	42,600	48,700	54,800	60,800	65,700	70,600	75,400	80,300

(effective June 1, 2011)

A comparison of the 2007-2009 and 2008-2010 American Community Survey Table S1701, Poverty Status in the Past 12 Months, provides a telling picture of the state of the City's impoverished residents:

	2009 ACS Estimate	2010 ACS Estimate
Population for whom poverty status is determined	27.0%	31.9%
AGE		
Under 18 years	37.2%	45.1%
Related children under 18 years.....	36.5%	44.8%
18 – 64 years.....	25.1%	29.7%
65 years and over	12.4%	11.2%
SEX		
Male	26.4%	28.9%
Female	27.5%	34.6%
RACE		
White	22.4%	24.1%
Black or African American	39.9%	49.2%
Two or more races.....	46.5%	59.7%

	2009 ACS Estimate	2010 ACS Estimate
EDUCATIONAL ATTAINMENT		
Less than high school graduate	46.5%	47.8%
High school graduate (includes GED)	22.4%	23.3%
Some college, associate's degree	14.8%	20.1%
Bachelor's degree or higher	3.3%	9.0%

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

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

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

Jobs Creation Initiative – incentive-based financing to for-profit businesses that hire and/or train low- and moderate-income City residents.

The Salvation Army – utility shutoff prevention assistance allowed one time per year after a decision letter from the Department of Human Services. If amount owed is significant, client is advised to call other agencies or churches to cover part of the bill.

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

Leveraging Resources

Subrecipients have been successful in leveraging CDBG or HOME funds with grants from foundations, lenders, private donations, and other state and federal grant and loan programs. The United Way funds many worthwhile organizations that address the high priority needs of the community's low-income residents. The City continues to support agencies and developers in applying for other federal, state and public funds.

The City's CDBG and HOME subgrants do not require matching funds, but consideration is taken regarding the amount of other funds leveraged in a project when making allocation decisions.

Citizen Comment

Citizen input is actively solicited through publication of notifications in the *Jackson Citizen Patriot*, the area's daily newspaper, and *The Jackson Blazer*, a bi-weekly newspaper with an 80% African American readership, and through the City's website. The public is informed of meetings and public hearings and given the opportunity to comment on CDBG/HOME applications received by the City, the Action Plan, how funding is being disseminated before the Request for Release of Funds, and also the CAPER.

To further solicit citizen participation, community service providers catering to low- and moderate-income persons posted flyers created by Neighborhood & Economic Operations staff announcing the day, date, time, and reason for the public hearing. Among the agencies that posted the flyers were: Community Action Agency, the AWARE shelter, Jackson County Department of Human Services, The Salvation Army, South Central Michigan Works!, the three Jackson Housing Commission public housing complexes, the Neighborhood & Economic Operation Department's lobby, and on the front entrance doors to City Hall. Draft copies of this CAPER were made available for public viewing and comment at the main branch of the public library, City Hall, and the three public housing complexes. The City also posted the draft CAPER on its website with a link to provide comment via e-mail.

Have a Say in Your Community!

The City of Jackson will hold a Public Hearing on Tuesday, September 25, 2012 at 7:00 p.m. on the 2nd Floor of City Hall. The purpose of this Hearing is to offer you an opportunity to voice your opinion on the City's performance with Community Development Block Grant and HOME funds.

Citizen comments are extremely important!

A copy of the City's Consolidated Annual Performance and Evaluation Report is available at City Hall, Jackson District Library Carnegie Branch, Reed Manor, Shahan-Blackstone North, Chalet Terrace, and on the internet at <http://www.cityofjackson.org/neighborhood-and-economic-operations/funding-reports>.

For more information or to provide your thoughts in writing, please contact:

Michelle L. Pultz-Orthaus
Records Management Coordinator
Department of Neighborhood & Economic Operations
161 W Michigan Avenue, 3rd Floor, Jackson, MI 49201
768-6436; mpultz@cityofjackson.org

Self-Evaluation

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

Monitoring

During review of applications received through an annual competition for grant funds, a risk analysis is conducted of the potential recipient of grant funds. Based on that risk analysis, prospective

organizations are assessed for strengths and weaknesses in order to develop support mechanisms to enhance program delivery. This assessment takes into consideration the nature and eligibility of the activity, whether it is a duplicative service conducted by another agency in a more efficient manner, whether the proposed plan for carrying out the activity is realistic, the organization’s capacity to conduct the activity in a timely fashion, and also for the possibility of any conflicts of interest.

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

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

Program Narratives

CDBG Program

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

Priority 1 – Rehabilitation of Owner-Occupied Housing

Rehabilitation Neighborhood & Economic Operations	Funding \$145,927 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Improved housing conditions for owner-occupied residences	Planned Units 21 units	Actual Units 1 Residential Rehab project 12 Emergency Hazard projects

Priority 2 – Code Enforcement

Code Enforcement Neighborhood & Economic Operations	Funding \$500,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Improved neighborhoods	Planned Units 1,500 households	Actual Units 11 rental houses inspected 1,455 garbage citations issued 215 Inoperable/Unlicensed Vehicle citations issued 184 Dead Trees issued

Code Enforcement City Attorney's Office	Funding \$29,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Provide legal support in the Administrative Hearings Bureau for the City's Code Enforcement program	Planned Units 200	Actual Units 132

Priority 3 – Local Street Improvements

Street Paving/Reconstruction City Engineering	Funding \$303,000 CDBG	Target Area CT006900 (fka CT000300, BG 2); CT001000, BG1; CT001100, BG1
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Improved drivability of local streets	Planned Units 3 street segments	Actual Units 6 street segments

Priority 4 – Other Public Facility/Infrastructure Improvements

Sidewalk Handicap Curb Ramps Department of Public Works	Funding \$10,000 CDBG	Target Area CT006900 (fka CT000700)
	Planned Beneficiaries Low- and Moderate-Income Clientele (presumed)	
Outcome Improved accessibility for elderly or disabled residents	Planned Units 8	Actual Units 6

Ash Tree Removal/Replacement City Forestry	Funding \$15,000 CDBG	Target Area CT006900 (fka CT000700 & CT000300)
	Planned Beneficiaries Low- and Moderate-Income Area	
Outcome Removed dead, dying, diseased, and/or dangerous tree to beautify neighborhoods	Planned Units 100	Actual Units 110

Priority 5 – Economic Development Activities

Jobs Creation Initiative Neighborhood & Economic Operations	Funding \$50,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Jobs	
Outcome Provided loans to businesses for improvements while creating/ retaining jobs for low-income residents	Planned Units 1	Actual Units 0

Medium Priority Activities

Client Advocate Positions Aware, Inc.	Funding \$5,500 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Provided staffing to assist survivors of domestic violence and sexual abuse	Planned Units 360	Actual Units 703

Emergency Adult Dental Care Center for Family Health	Funding \$10,000 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Provided affordable oral health care	Planned Units 430	Actual Units 971

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

Utility Assistance The Salvation Army	Funding \$55,954 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Allowed families to keep their power and heat on	Planned Units 363 persons	Actual Units 371

2-1-1 Call Center United Way of Jackson County	Funding \$7,500 CDBG	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Provide an information and referral service	Planned Units 5,150	Actual Units 6,059

Use of CDBG Funds for National Objectives

All CDBG funds received were allocated to meet National Objectives, specifically targeted to the City's low- and moderate-income residents, eliminating slum/blight, or meeting urgent needs. As indicated on the Financial Summary Report (PR 26), 99.51% of Jackson's CDBG funds benefited low- and moderate-income persons during the 2011 reporting period.

Anti-Displacement and Relocation

No projects were funded that involved demolition of occupied property. Temporary relocation was necessary during two rehabilitation projects during Program Year 2011.

The City of Jackson and/or its funding recipients provide for reasonable benefits to any person involuntarily and temporarily or permanently displaced as a result of the use of CDBG or HOME funds for

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

Low/Mod Job Activities

The City of Jackson implemented its Jobs Creation Initiative Loan Program in 2003 as an economic development incentive to expand business and create jobs for low- and moderate-income residents. Although the loans are still being offered as part of an economic development incentive package, no businesses have applied for assistance since the economic recession beginning in 2008. However, City Council has chosen to retain a minimal amount of funding in the program so it is available should an opportunity present itself.

Program Income Received

Program Income Type	Amount
CDBG	
Sale of Real Property	\$ -0-
Economic Development Loan Repayments	1,586
Deferred Loan Repayments	14,512
MSHDA PIP Loan/Inspection Fees	-0-
HOME Administration	32,189
Accounts Receivables, Permits, Code Enf., etc.	22,458
Other Program Income	<u>901</u>
Total CDBG Program Income:	<u>\$ 71,646</u>
HOME	
HOME Program Loan Repayment	-0-
Miscellaneous	<u>\$ 25</u>
Total HOME Program Income:	<u>\$ 25</u>

Loans and Other Receivables

As of June 30, 2012, the City of Jackson has the following open outstanding loans:

No. of Loans	Type	Balance
218	Rehab (repayable)	\$2,760,688
60	Lead (forgivable)	182,184
97	Emergency Hazard (repayable)	530,482

The City's only outstanding Section 108 loan was recently paid off. In November 2000, American 1 Federal Credit Union received \$1,285,000 in a Section 108 loan to finance, in part, the renovation of two commercial properties and parking area at 718 and 801 East Michigan Avenue. The objective to create 50 FTE jobs, including hiring 47 low- to moderate-income individuals was successfully fulfilled. American

1 was recently able to obtaining financing with a lower interest rate and, therefore, requested an early payoff of the \$570,000 balance.

The City of Jackson implemented a Deposit Loan program in the early 1980s when mortgage and home improvement loan interest rates were 17% - 20%. It was originally a lump sum deposit and the bank interest earned was used to subsidize the high interest on home improvement loans to between 4% and 8%. As interest rates improved, there was no longer a need for this program; however, the City's agreement with Flagstar Bank required sufficient funds remain in the account to cover the outstanding principal on existing Title I loans. Over time, as the loans have been repaid and less and less interest was needed to subsidize existing loans, the unneeded interest was declared as program income and reused in other block grant eligible activities. Due to inactivity, the Deposit Loan program account will be closed during PY 2012.

No. of Loans	Type	Balance
0	Deposit Loan (repayable)	-0-

The City of Jackson has the following properties for sale that were acquired and/or improved using CDBG funds and are available to sale to low- and moderate-income persons. Several properties will be rehabilitated utilizing Neighborhood Stabilization Program (NSP) funding.

Tax ID No.	Address	
5-0591	208 E Morrell	Demolished December 2011; rehabilitation deemed cost prohibitive
5-1090	140 Stanley	NSP rehab; sold April 2012
5-1345	115 Damon	NSP rehab; sold April 2012
4-0654	941 S Jackson	NSP rehab; sold November 2011
3-1083	702 S Grinnell	Acquired with HOME funds; rehabilitation bids opened July 31, 2012

The following houses are also available for sale, but no CDBG or HOME funds were utilized to acquire or rehabilitate:

Tax ID No.	Address	
7-0348	604 Detroit	NSP rehab; offer accepted August 2012
3-0128	509 W Franklin	NSP rehab; sold May 2012
7-1057	1707 E Ganson	NSP rehab; sold August 2012
3-1630	733 Oakdale	NSP rehab; sold December 2011
8-0356	544 N Pleasant	NSP rehab; sold August 2011

JAHC, Community Action Agency, and Habitat for Humanity have the following properties for sale:

Tax ID No.	Address	
8-1449	622 N Waterloo	Acquired in May 2011; rehab ongoing
4-0925.2	140 Rockwell	Original partner family backed out, new partner family identified and will close in the near future

Tax ID No.	Address	
4-0595	708 S Mechanic	YouthBuild collaborative; original partner family backed out, new partner family identified and will close in the near future
4-0599	806 S Mechanic	YouthBuild collaborative; construction ongoing
7-0702	626 Harris	Construction ongoing
4-0780	132 W Wilkins	Sale closed in August, 2012

HOME Program

Rehabilitation Assistance Neighborhood & Economic Operations	Funding \$185,453 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased availability of improved housing units	Planned Units 18	Actual Units 10

New Construction Greater Jackson Habitat for Humanity	Funding \$75,000 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased homeownership opportunities	Planned Units 2	Actual Units 0

Acquisition/Rehab/Resale Community Action Agency	Funding \$53,250 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased availability of improved housing units	Planned Units 1	Actual Units 0

Acquisition/Rehab/Resale Neighborhood & Economic Operations	Funding \$240,000 HOME	Target Area City-wide
	Planned Beneficiaries Low- and Moderate-Income Clientele	
Outcome Increased availability of improved housing units	Planned Units 1	Actual Units 0

The goal of using HOME funds in the City of Jackson is to provide decent, affordable housing to low- and moderate-income persons. To accomplish this goal, HOME funds were allocated for rehabilitation assistance, acquisition/rehabilitation/resale, and new construction.

After careful consideration of Jackson Affordable Housing Corporation's (JAHC) performance, staff experience and developer capacity as the City's only Community Housing Development Organization (CHDO), it was determined a new CHDO was required to undertake CHDO-eligible activities. During the past few years, JAHC's progress on completing activities has been slow, the Board of Directors has been

reluctant to start new activities, they no longer have qualified staff except for the Executive Director, and the Executive Director has experienced health and family issues in the past few years that hindered her ability to consistently perform her job duties. For instance, with their last funded project as the City's CHDO, JAHG acquired a modest home at 622 North Waterloo in May 2011, and only recently awarded the rehabilitation bid in June 2012.

The Jackson Overall Economic Stabilization (JOES) Program established the need for strategic initiatives aimed at consolidating and enhancing the City's economic base. To that end, Neighborhood & Economic Operations staff reviewed the viability of homeowner rehabilitation in stabilizing residential neighborhoods. While staff recommended continuance of the owner-occupied rehabilitation program, especially in the City's target neighborhood near Allegiance Health Systems, it also recommended the City Council consider a new approach to providing housing rehabilitation.

The current program of homeowner rehabilitation establishes a cap to the amount of assistance the City can offer in a 20 year deferred loan to the homeowner, thereby limiting the level of rehabilitation that can be conducted. However, establishing a homebuyer program where the City acquires modest single-family homes in need of minor to moderate repair will permit a higher level of rehabilitation to be completed, raising not only the home's value but also that of the neighborhood in which it is sited. This concept is similar to that of the Neighborhood Stabilization Program from the Housing and Economic Recovery Act of 2008. To that end, on June 6, 2012, the City acquired the property at 702 S Grinnell Street. Currently, a rehabilitation cost estimate is being developed for soliciting bids in the near future.

The City of Jackson controls the resale of homebuyer property during the period of affordability using the recapture option as follows:

- 1) Should a homebuyer receiving a direct HOME subsidy in the amount of \$5,000 or less sell the property during the affordability period, repayment of the entire direct HOME subsidy will be triggered.
- 2) Should a homebuyer receiving a direct HOME subsidy in excess of \$5,000 sell the property during the affordability period, repayment of the direct HOME subsidy will be directly tied to the length of time the homebuyer has occupied the home in relation to the period of affordability.

If there are no net proceeds from the sale or the net proceeds are insufficient to repay the HOME subsidy due, the City will recapture the amount of the net proceeds, if any. Recaptured funds will be used for any HOME-eligible activity. The homeowner will receive a return on investment only if there are remaining net proceeds from the sale after payment of all outstanding mortgages, including the HOME mortgage and closing costs.

Based on these factors, City Council invited Community Action Agency to apply for 2011-2012 funds as the City's CHDO. After filing an Application of Certification and deemed qualified, CAA applied for and was awarded funding to complete a homebuyer project. Because CAA was very aware of the planning and evaluation processes the City was conducting on vacant housing, it held off selecting a project to acquire and rehabilitate. However, CAA is committed to working with the City to identify a suitable project, especially in light of the FY 2012 HOME Appropriations Laws. The City has set a goal for CAA to identify a project by the end of March 2013 and complete the rehabilitation and resale by June 2016.

The City of Jackson does not use HOME funds for rental housing, so no on-site inspections of rental units were conducted of HOME funded rental housing, and no affirmative marketing was required. No HOME match is required to be paid by the City of Jackson for FY2011 as HUD continues to determine the City is in severe fiscal distress. Forms HUD-40107 (HOME Program +Annual Performance Report) and HUD-40107-A (HOME Match Report) are attached to the CAPER as required.

Housing Opportunity for People with Aids (HOPWA) Program

The City of Jackson does not receive HOPWA funding.

Emergency Shelter Grants (ESG) Program

The City of Jackson does not receive ESG funding.



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Report of Fourth Street Public Meetings and Request for Approval of the Conceptual Project Layout

RECOMMENDATION: RECEIPT OF THE REPORTS FROM FOURTH STREET PUBLIC MEETINGS AND APPROVAL OF THE CONCEPTUAL LAYOUT

The reconstruction of Fourth Street between Linden and Griswold is scheduled for reconstruction in 2014. In preparation for the design of this project, Engineering held a public meeting at The Middle School at Parkside on January 26, 2011. There were 34 in attendance, 17 of which live in the project area representing 11 properties. The purpose of the meeting was to gather input from the neighborhood and the public at large concerning the priorities for this project. By the end of the meeting, the general consensus reached by those present was that the primary goals of the design are 1) maintaining the residential nature of Fourth Street, 2) the inclusion of traffic calming measures and 3) maintaining connectivity of the neighborhood from one side to the other. Features to do this include 1) preservation of existing trees, 2) maximized parkway widths, 3) narrow travel lanes and 4) minimized total pavement width (no center turn lane).

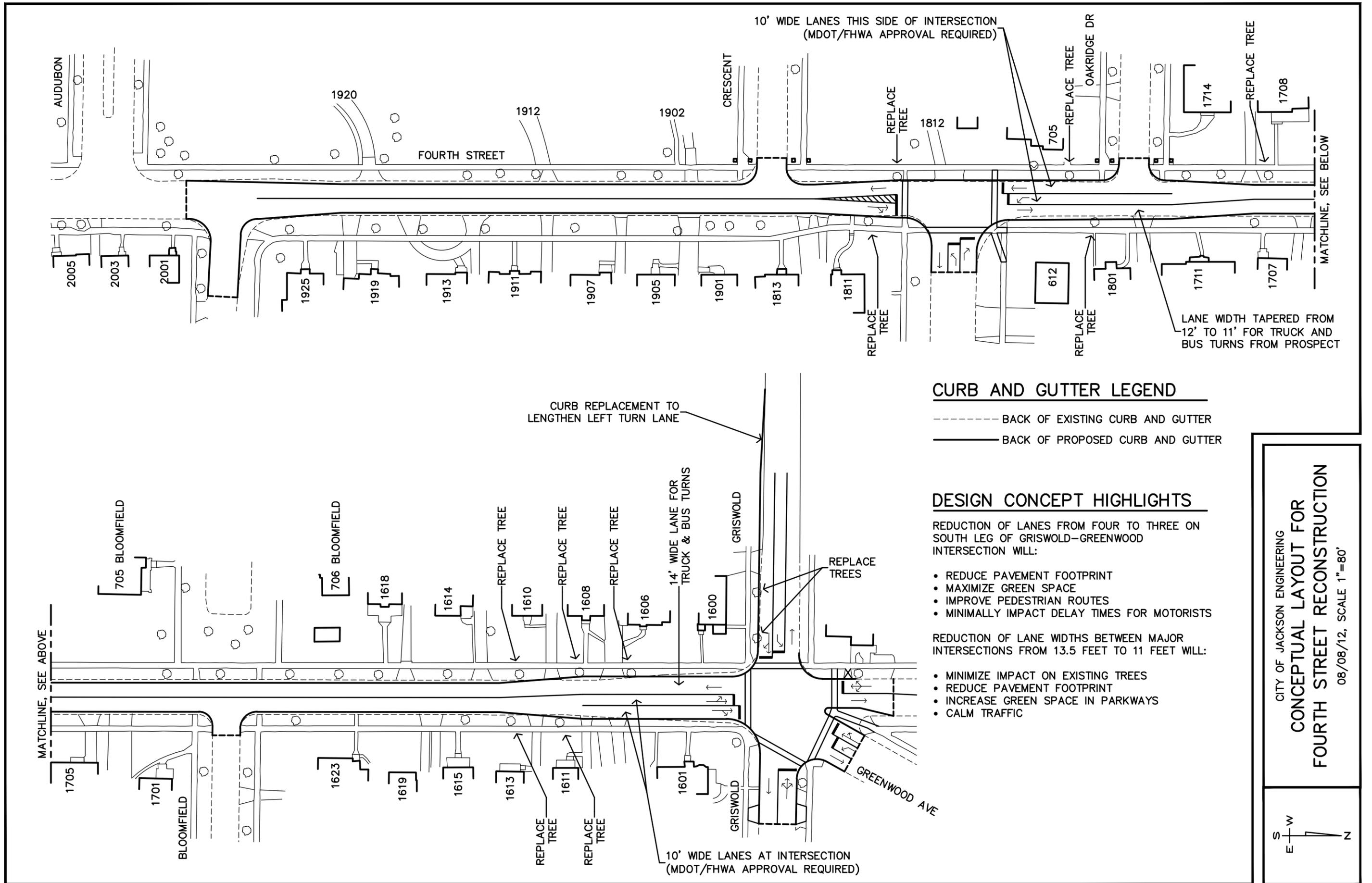
To reconcile these priorities with governing design requirements to ensure Fourth Street's high volumes are accommodated and safety standards are not compromised, Engineering hired Hubble Roth and Clark (HRC), consultant engineers specializing in traffic issues. HRC generated a computerized model of traffic conditions that was used to analyze various scenarios for the major intersections at Prospect Street and Griswold-Greenwood Avenue. For an intersection scenario to be viable, it had to provide sufficient storage for stopped vehicles at traffic signals and minimize delay times for vehicles moving through the intersection. At the end of this process, the attached conceptual layout was selected for recommendation as the option that best addressed the goals from the public meeting and met the governing design standards for accommodating Fourth Street's high traffic volumes.

Following the completion of work by HRC, Engineering held another public meeting at The Middle School at Parkside on August 9, 2012. There were 36 in attendance, nine of which live in the project area representing six properties. At that meeting, HRC gave a presentation showing the highlights of their study and the process of their work that ultimately resulted in the attached recommended conceptual layout. When this layout was presented at public meeting, the discussion was favorable to this proposal. Also attached are the PowerPoint slides used by HRC at the August 9 meeting and four comment cards that we received afterwards, two are anonymous and two are from property owners in the project area in favor of the conceptual layout.

Review and approval of the conceptual layout for the reconstruction of Fourth Street is now requested of City Council. Upon City Council approval, Engineering will begin detailed design and plan preparation. The intent is to construct this project during Parkside's 2014 summer recess.

JHD/sms

Attachments



CURB AND GUTTER LEGEND

- BACK OF EXISTING CURB AND GUTTER
- BACK OF PROPOSED CURB AND GUTTER

DESIGN CONCEPT HIGHLIGHTS

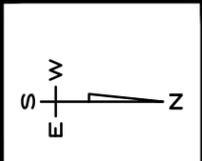
REDUCTION OF LANES FROM FOUR TO THREE ON SOUTH LEG OF GRISWOLD-GREENWOOD INTERSECTION WILL:

- REDUCE PAVEMENT FOOTPRINT
- MAXIMIZE GREEN SPACE
- IMPROVE PEDESTRIAN ROUTES
- MINIMALLY IMPACT DELAY TIMES FOR MOTORISTS

REDUCTION OF LANE WIDTHS BETWEEN MAJOR INTERSECTIONS FROM 13.5 FEET TO 11 FEET WILL:

- MINIMIZE IMPACT ON EXISTING TREES
- REDUCE PAVEMENT FOOTPRINT
- INCREASE GREEN SPACE IN PARKWAYS
- CALM TRAFFIC

CITY OF JACKSON ENGINEERING
**CONCEPTUAL LAYOUT FOR
 FOURTH STREET RECONSTRUCTION**
 08/08/12, SCALE 1"=80'

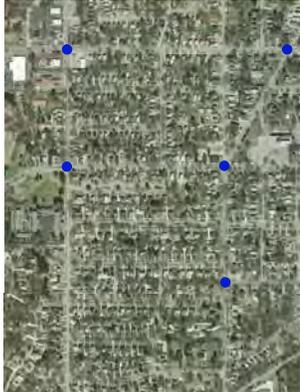


**West Avenue & Fourth Street
Traffic Study**
August 9, 2012




Study Area

- Greenwood Ave & High St
- Greenwood Ave & Griswold St & Fourth St
- Fourth St & Prospect St
- West Ave & High St
- Griswold St/Kibby Rd & West Ave

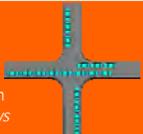
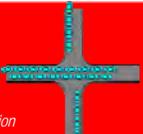


Study Overview

- Traffic Data Collection
- Crash Analysis
- Existing Conditions
- Alternatives Analysis
- Refined Alternatives
- Preferred Alternative

Existing Conditions

- Analyzed existing level of service (LOS) for five study intersection for three peaks
 - AM
 - Off Peak
 - PM
- Overall level of service for all intersections was LOS B for all three peaks

<p>A <10 sec/veh <i>Little or no delay</i></p> 	<p>D 35 ≤ 55 sec/veh <i>Long Delays</i></p> 
<p>B 10 ≤ 20 sec/veh <i>Short Delays</i></p> 	<p>E 55 ≤ 80 sec/veh <i>Very Long Delays</i></p> 
<p>C 20 ≤ 35 sec/veh <i>Average Delays</i></p> 	<p>F >80 sec/veh <i>Severe Congestion</i></p> 

Alternatives Analysis

- Roundabout
- Cul-De-Sac East Leg of Griswold
- Tee Fourth Street into Greenwood
- Split Griswold/Fourth and Greenwood/Fourth
- Signal Modifications to Eliminate One Lane on Northbound Fourth Street
- Signal Phasing and Timing Improvements and Correct Storage Lengths



- Refined Alternatives**
0. Existing Lane Configuration with Required Storage Lengths & Optimized Signal Timings
 1. Reduce Number of Lanes on Fourth Street
 - 1A. Reduce Number of Lanes on Fourth Street and Eliminate the East Leg of Griswold
 2. Tee Fourth Street into Greenwood Avenue
 - 2A. Tee Fourth Street into Greenwood Avenue and Eliminate the East Leg of Griswold

- Level of Service – Refined Alternatives**
- Existing volumes overall intersection LOS A or B for all options for all peaks
 - Future volumes overall intersection LOS B, with some PM peak LOS C

0.
Existing Lane Configuration with Required Storage Lengths & Optimized Signal Timings



1.
Reduce Number of Lanes on Fourth Street



1A.
Reduce Number of Lanes on Fourth Street and Eliminate the East Leg of Griswold



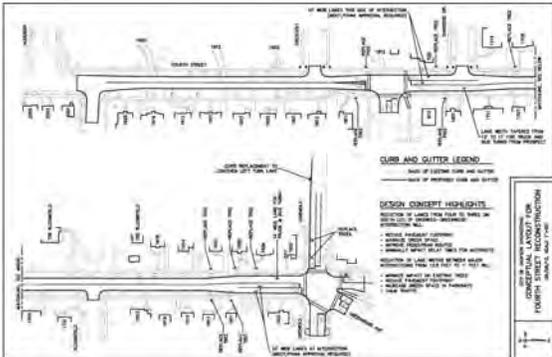
2.
Tee Fourth Street into Greenwood Avenue



2A.
Tee Fourth Street into Greenwood Avenue and Eliminate the East Leg of Griswold



Preferred Alternative



Public Comment Form

AUG 14 2012

Please use the space below to tell us your thoughts on the present Fourth Street area – from Griswold to Linden or on aspects you think are important to consider regarding the plan presented at the meeting tonight. You can either leave the completed form with us today or mail it to us within the next 14 days. You may also call 788-4160 and comment or email comments to TWhite@CityofJackson.org. Thank you for your interest and assistance.

Meeting Date: August 9th, 2012

Praise God! I could not be more pleased. Giving back green space is an answer to prayer. Thank you for listening to us Jackson.

I love the plan to make the lanes less wide so that people may even drive slower through a family neighborhood.

I also hope that you reduce the speed limit on Prospect so that traffic will distribute more evenly with High St + other roads.

We are sincerely happy with the current plan.

Name Danielle Belien
Address 1912 Fourth
City Jackson State MI
Zip 49203

Fold and tape to mail

Public Comment Form

AUG 14 2012

Please use the space below to tell us your thoughts on the present Fourth Street area – from Griswold to Linden or on aspects you think are important to consider regarding the plan presented at the meeting tonight. You can either leave the completed form with us today or mail it to us within the next 14 days. You may also call 788-4160 and comment or email comments to TWhite@CityofJackson.org. Thank you for your interest and assistance.

Meeting Date: August 9th, 2012

I Like it! It feels good to have the city listen to the people. I like the idea & plan put forth as far as design goes. Make the Speed limit uniform to 30 mph as well on project + Fourth St. please continue to listen to the people. I hope the city council will listen as well to the people's choice.

Name Brad Bivens
Address 1912 4th St
City Jackson State MS
Zip 39203

Fold and tape to mail

Public Comment Form

Please use the space below to tell us your thoughts on the present Fourth Street area – from Griswold to Linden or on aspects you think are important to consider regarding the plan presented at the meeting tonight. You can either leave the completed form with us today or mail it to us within the next 14 days. You may also call 788-4160 and comment or email comments to TWhite@CityofJackson.org. Thank you for your interest and assistance.

Meeting Date: August 9th, 2012

CONSIDER USING PROPOSED ROAD TO
SHARE W/ CYCLISTS.

Name _____
Address _____
City _____ State _____
Zip _____

Fold and tape to mail

Public Comment Form

Please use the space below to tell us your thoughts on the present Fourth Street area – from Griswold to Linden or on aspects you think are important to consider regarding the plan presented at the meeting tonight. You can either leave the completed form with us today or mail it to us within the next 14 days. You may also call 788-4160 and comment or email comments to TWhite@CityofJackson.org. Thank you for your interest and assistance.

Meeting Date: August 9th, 2012

I think the lanes should be 11 FT all the way including at the intersection. What about snow at the side of the road in winter.

A 3 lane road all the way into the city should be considered

Replace trees when replacing trees put in larger trees - so we can benefit now rather than 25 years from now.

Name _____
Address _____
City _____ State _____
Zip _____

Fold and tape to mail



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 28, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk 
SUBJECT: Receipt of Alley Vacation Petition

SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL MEETING AGENDA.

RECEIPT OF A PETITION CIRCULATED BY MICHAEL OVERTON, COUNTY OF JACKSON, TO VACATE A 16.5 FOOT WIDE ALLEY IN DURAND'S ADDITION AND REFERRAL TO STAFF FOR APPROPRIATE ACTION.

Attached please find the subject petition and map, circulated by Michael Overton, County of Jackson. Recommended action is to receive the petition and refer it to staff for appropriate action.

Thank you.

C: City Manager

PETITION FOR 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 IN BLOCK 3, DURAND'S ADDITION, LYING NORTHERLY OF LOT 4 AND SOUTHERLY OF LOT 5, BEGINNING ON THE EAST LINE OF LANSING AVE AT THE SOUTH CORNER OF LOT 5, THENCE RUNNING NORTHEASTLY APPROXIMATELY 128.04 FEET TO THE EAST CORNER OF LOT 5, THENCE SOUTHEASTERLY TO THE NORTH CORNER OF LOT 4, THENCE SOUTHWESTERLY APPROXIMATELY 126 FEET TO THE WEST CORNER OF LOT 4 & THE EASTERLY LINE OF LANSING AVE, THENCE NORTHWESTERLY 16.5 FEET ALONG THE EASTERLY LINE OF LANSING AVE TO THE POINT OF BEGINNING, BLOCK 3, 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*
COUNTY OF JACKSON 120 W MICHIGAN AVE JACKSON, MI 49201	LOT 2, EX E 65.5 FT, ALSO LOT 4 BLK 3 DURAND'S ADD 1-031000000; 511 LANSING AVE 1617-1287	
<i>Michael Overton</i>		
MICHAEL OVERTON County Administrator (Sign above - please type/print name & title beneath signature.)		
COUNTY OF JACKSON 120 W MICHIGAN AVE JACKSON, MI 49201	LOTS 5 & 8 & PART OF LOT 9 DESC AS COM AT A PT ON ELY LN OF LANSING AVE 40 FT SLY FROM NLY LN OF LOT 9 TH ELY PARA TO NLY LN OF LOT 9 125 FT TH SLY PARA WITH LANSING AVE 8 FT TH ELY PARA WITH NLY LN OF LOT 9 TO AN ALLEY RUNNING E & W TH E TO NW COR OF LOT 7 & SELY LN OF LOT 9 TH SWLY ALG SELY LN OF LOT 9 TO NELY LN OF LANSING AVE TH NWLY 26 FT ALG SD NELY LN OF LANSING AVE TO BEG BLK 3 DURAND'S ADD 1-031500000; 521 LANSING AVE 1617-1287	
<i>Michael Overton</i>		
MICHAEL OVERTON County Administrator (Sign above - please type/print name & title beneath signature.)		

*Needed for street vacations only.

Petition Circulated By:

Name: County of Jackson

Date: 7/10/12

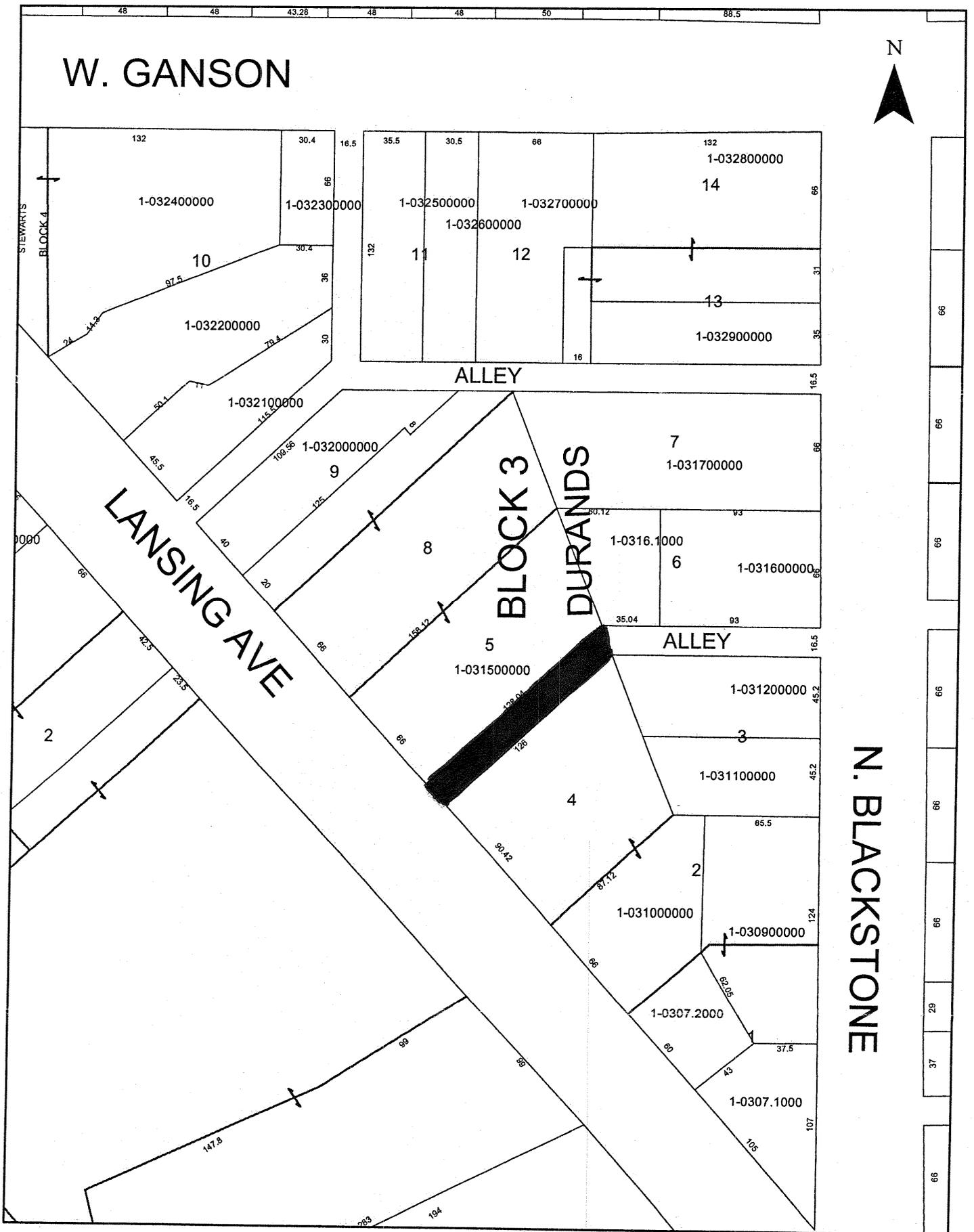
Address: 120 W Michigan Ave

Signature: *Michael Overton*

City, State, Zip: Jackson, MI 49201

Phone: 517-788-4335

Alley Vacation





CITY COUNCIL MEETING
September 11, 2012

MEMO TO: City Councilmembers

FROM: Martin J. Griffin, Mayor *mjg*

DATE: September 10, 2012

SUBJECT: City Affairs/Rules & Personnel Committee

RECOMMENDATION:

Approval of the Mayor's recommendation to appoint himself to the City Affairs/Rules & Personnel Committee filling a current vacancy.

Due to the resignation of Councilmember Carl Breeding from the City Affairs/Rules & Personnel Committee, I am willing to fill the vacancy. Your consideration and approval of my appointment is appreciated.

MJG:skh

CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 29, 2012
MEMO TO: Honorable Mayor and City Council Members
FROM: Lynn Fessel, City Clerk 
SUBJECT: Confirmation of Special Assessment Roll Nos. 4212 - 4216

SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL MEETING AGENDA:

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

A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4212 DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE

1. RESOLUTION CONFIRMING ROLL NO. 4212

B. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4213 DELINQUENT MISCELLANEOUS BUILDING FUND ACCOUNTS RECEIVABLE

1. RESOLUTION CONFIRMING ROLL NO. 4213

C. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4214 DELINQUENT MISCELLANEOUS CDBG FUND ACCOUNTS RECEIVABLE

1. RESOLUTION CONFIRMING ROLL NO. 4214

D. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4215 DELINQUENT MISCELLANEOUS WASTE WATER FUND ACCOUNTS RECEIVABLE

1. RESOLUTION CONFIRMING ROLL NO. 4215

E. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4216 DELINQUENT MISCELLANEOUS PUBLIC WORKS FUND ACCOUNTS RECEIVABLE

1. RESOLUTION CONFIRMING ROLL NO. 4216

ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS CITY COUNCIL

Public hearings were established at the City Council's August 14th meeting for September 11, 2012. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included on the rolls. Recommended action is to adopt the resolutions after the public hearings are held.

C: Deputy City Manager

RESOLUTION

BY THE BOARD OF REVIEW:

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. 4212 in the amount of \$31,869.30 and were reported to the City Council at its regular meeting held on the 14th day of August, 2012; and

WHEREAS, notice has been duly given that the City Council and Assessor will sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 11th day of September, 2012, at 7:00 p.m. and hear any and all objections and suggestions by interested parties to said special assessments as contained in said Assessment Roll, and the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all objections and suggestions made thereto and having fully considered same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to present said roll to the City Treasurer for collection; and

BE IT FURTHER RESOLVED, that payment of each individual assessment shall be due and payable sixty (60) days after approval of this resolution.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous Building Fund accounts receivable which assessments were by him placed on Assessment Roll No. 4213 in the amount of \$59,280.15 and were reported to the City Council at its regular meeting held on the 14th day of August, 2012; and

WHEREAS, notice has been duly given that the City Council and Assessor will sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 11th day of September, 2012, at 7:00 p.m. and hear any and all objections and suggestions by interested parties to said special assessments as contained in said Assessment Roll, and the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all objections and suggestions made thereto and having fully considered same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to present said roll to the City Treasurer for collection; and

BE IT FURTHER RESOLVED, that payment of each individual assessment shall be due and payable sixty (60) days after approval of this resolution.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous Community Development Block Grant Fund accounts receivable which assessments were by him placed on Assessment Roll No. 4214 in the amount of \$3,319.21 and were reported to the City Council at its regular meeting held on the 14th day of August, 2012; and

WHEREAS, notice has been duly given that the City Council and Assessor will sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 11th day of September, 2012, at 7:00 p.m. and hear any and all objections and suggestions by interested parties to said special assessments as contained in said Assessment Roll, and the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all objections and suggestions made thereto and having fully considered same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to present said roll to the City Treasurer for collection; and

BE IT FURTHER RESOLVED, that payment of each individual assessment shall be due and payable sixty (60) days after approval of this resolution.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous WasteWater Fund accounts receivable which assessments were by him placed on Assessment Roll No. 4215 in the amount of \$89.02 and were reported to the City Council at its regular meeting held on the 14th day of August, 2012; and

WHEREAS, notice has been duly given that the City Council and Assessor will sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 11th day of March, 2012, at 7:00 p.m. and hear any and all objections and suggestions by interested parties to said special assessments as contained in said Assessment Roll, and the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all objections and suggestions made thereto and having fully considered same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to present said roll to the City Treasurer for collection; and

BE IT FURTHER RESOLVED, that payment of each individual assessment shall be due and payable sixty (60) days after approval of this resolution.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous Public Works Fund accounts receivable which assessments were by him placed on Assessment Roll No. 4216 in the amount of \$48,859.14 and were reported to the City Council at its regular meeting held on the 14th day of August, 2012; and

WHEREAS, notice has been duly given that the City Council and Assessor will sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 11th day of September, 2012, at 7:00 p.m. and hear any and all objections and suggestions by interested parties to said special assessments as contained in said Assessment Roll, and the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all objections and suggestions made thereto and having fully considered same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to present said roll to the City Treasurer for collection; and

BE IT FURTHER RESOLVED, that payment of each individual assessment shall be due and payable sixty (60) days after approval of this resolution.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council sitting as a Board of Review on the 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 29, 2012
MEMO TO: Honorable Mayor and City Council Members
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Meterless Parking for 2012-2013

SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL MEETING
AGENDA:

**PUBLIC HEARING ON THE NECESSITY OF CONTINUING THE METERLESS
PARKING SYSTEM IN THE DOWNTOWN AREA OF THE CITY FOR 2012-2013**

- A. RESOLUTION DETERMINING THE NECESSITY OF CONTINUING THE
METERLESS PARKING SYSTEM, ORDERING THE CITY ASSESSOR TO
PREPARE SPECIAL ASSESSMENT ROLL NO. 4217 AND ESTABLISHING
SEPTEMBER 25, 2012, AT THE CITY COUNCIL MEETING AS THE TIME
AND PLACE TO HOLD A PUBLIC HEARING CONFIRMING THE
METERLESS PARKING SYSTEM ASSESSMENT ROLL.**

Attached for your consideration is a resolution determining the necessity of continuing the meterless parking system in the downtown area of the City for 2012-2013. Recommended action is to adopt the resolution after the public hearing is held.

C: Deputy City Manager

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, City staff has diligently studied the question of continuing the operation of a downtown meterless parking system as a public improvement with an estimated total annual assessable cost of \$48,207.00; and

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

WHEREAS, notice had been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 11th day of September, 2012, at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the continuation of the meterless parking system for the downtown area is a necessary public improvement and directs the Assessor to prepare Assessment Roll No. 4217 in the amount of \$48,207.00 reflecting the estimated costs of same, assessing such costs to the property owners receiving a benefit therefrom in accordance with the benefits to be received by each.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that a public hearing will be held on Tuesday, the 25th day of September, 2012, at the hour of 7:00 p.m. in the Council Chambers of City Hall in the City of Jackson to hear any and all objections and suggestions by interested parties that may be made as to the assessments contained in said roll.

* * * * *

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

I, 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 11th day of September, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 12th day of September, 2012.

Lynn Fessel, City Clerk



Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING SEPTEMBER 11, 2012

MEMO TO: Honorable Mayor Griffin & City Councilmembers

FROM: City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, AICP, Planning Director *PMB*

DATE: September 6, 2012

SUBJECT: Proposed Ordinance Amendments to Chapter 28 (Zoning); Building Design Standards

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would revise Sec. 28-115, building design standards.

RECOMMENDATION FROM THE PLANNING COMMISSION:

To adopt an ordinance amending Chapter 28 (Zoning) of the City of Jackson Code of Ordinances, revising Sec. 28-115, building design standards.

Attached, you will find the memorandum that was sent to the Planning Commission, which provides more details regarding the proposed ordinance.

The Planning Commission reviewed and considered this ordinance at their September 5, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

BH

Att': Planning Commission Memorandum
Proposed Ordinance
Public Notice



Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

PLANNING COMMISSION MEETING SEPTEMBER 5, 2012

MEMO TO: Planning Commissioners

FROM: Barry Hicks, AICP, Planning Director (City of Jackson)
Grant Bauman, AICP, Principal Planner (Region 2 Planning Commission)

DATE: August 29, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Building Design Standards**

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances by revising Sec. 28-115, building design standards.

MOTION: Consideration of recommending that City Council adopt revisions to Sec. 28-115, building design standards (*Staff recommends approval*).

The Planning Commission recommended that City Council adopt ordinances pertaining to Building Design Standards at your April 4, 2012 meeting and City Council held a public hearing at their May 15, 2012 before adopting the recommended ordinances on May 29, 2012.

Now that staff has some experience in administering the City's new building design standards, the following minor revisions to the text are suggested:

- Sec. (c)(1). Increase the ratio of a building in the C-1, C-2, and C-3 (commercial) districts that can be covered in finishes (e.g., exterior insulation and finishing systems (EIFS), plaster, stucco, etc.) from 25% to 50% - pg. 2.
- Sec. (d)(2)(b). Allow standing seam metal roof systems on non-residential structures located in the R-4 and R-6 (mixed residential/office) zoning districts - pg. 4.
- Sec. (d)(3) and (d)(5)(b). Decreasing the minimum slope of pitched roofs from nine on twelve (9:12) to six on twelve (6:12) - pgs. 5 and 6.
- Sec. (d)(4). Add the requirement of 3-foot high (minimum) parapet walls around buildings in the C-3 district (Downtown Jackson), which the obligatory flat roofs, as well as enclosures around rooftop mechanical equipment that is taller than the required parapet wall - pg. 5.
- Sec. (d)(5)(d). Permit the Zoning Administrator (or designee) to allow a gentler roof slope than six on twelve (6:12) - including a flat roof if the standards for flat roofs located in Sec. (d)(4) are followed - pg. 6.
- Sec. (f)(3). Limits the height of awnings to 35% of the height of the building story on which it will be installed - pg. 7.
- The following general changes -which are in line with similar modifications to other recent Zoning Ordinance amendments- are also suggested throughout the text:
- Change "shall" to "must" or "will" in order to clarify any potential ambiguity.



- Permit the Zoning Administrator (or designee) the authority to administratively approve various exceptions to the standards and/or require additional requirements.

Att': Proposed Ordinance
Public Notice

ORDINANCE 2012.____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to make minor revisions to Sec. 28-115, which deals with building design standards.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To make minor revisions to the standards for building design which preserve and protect the traditional urban form of the City of Jackson, enhance the economic vitality of its various commercial areas, prevent blight, and protect property values.

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. 28-115. Building design standards.

- (a) *Intent.* The intent of these regulations is to provide specific design guidelines that achieve the following:
- (1) Encourage development and redevelopment that protects and enhances the traditional character of neighborhoods and other areas of the City, fits within its traditional urban form, and creates a character that reinforces a sense of community identity;
 - (2) Encourage a form of development that will achieve the physical qualities necessary to maintain and enhance the economic vitality of the various business districts, maintain the desired character of the City, prevent the creation of blight, and protect property values;
 - (3) Promote the preservation and renovation of historic buildings and sites; and ensure new buildings are compatible with, and enhance the character of, the City's cultural, social, economic, and architectural heritage;
 - (4) Implement objectives of the Comprehensive Plan.
- (b) *Applicability.* All uses except one-family and two-family residential must comply with the design standards of Subsections 28-115 (c), (d), and (e) under the following circumstances:
- (1) *New buildings:* All uses, except one-family and two-family residential, that receive site plan approval for construction of a new building after the effective date of this Section must fully comply with its design standards. Refer to Subsection 28-115 (g) for building design standards for one-family and two-family dwellings.

- (2) *Expansions to buildings:* For buildings existing prior to the effective date of this Section, major building improvements or expansions that require site plan approval may be permitted by the Zoning Administrator (or designee) or Planning Commission without a complete upgrade to meet the standards of this Section, provided there are reasonable improvements to the building in relation to the scale and construction cost of the building improvements or expansion. Major exterior renovations must be consistent with the building design standards herein to the extent deemed practical.
 - (3) *Minor improvements to buildings:* For buildings existing prior to the effective date of this Section, minor changes, improvements, and modifications that are approved administratively will be permitted, provided the improvements do not increase non-compliance with the requirements of this Section.
- (c) *Exterior wall design standards.*

- (1) *Wall materials.* The use of exterior wall materials on walls that are visible from a public road, alley or a parking lot must be in compliance with the maximum percentages permitted in the “Table of Acceptable Exterior Wall Materials.”

Table of Acceptable Exterior Wall Materials

Building Materials	Maximum Percent of Wall That May be Covered by Certain Building Materials by Zoning District (see Subsections (a) and (b))					
	R-3 R-4 R-6	C-1 C-2	C-3	C-4	I-1	I-2
Brick or face brick	100%	100%	100%	100%	100%	100%
Stone (cut)	100%	100%	100%	100%	100%	100%
Split face block	NP	NP	NP	50% (f)	50% (f)	50% (f)
Cast stone (see Subsection (e))	100%	100%	100%	100%	50%	50%
Precast concrete	NP	NP	NP (g)	NP (g)	100%	100%
Concrete formed in place	NP	NP	NP (g)	NP (g)	100%	100%
Metal	NP	NP	NP (h)	NP (h)	75% (c)	75% (c)
Reflective glass	NP	NP	25%	25%	50%	50%
Glass block	25%	25%	NP	25%	25%	25%
Wood siding (see Subsection (i))	100%	100%	NP	50%	75%	25%
Vinyl siding	100%	50%	NP	25%	50%	25%
Finishes (see Subsection (d))	50%	50%	50%	50%	50%	50%

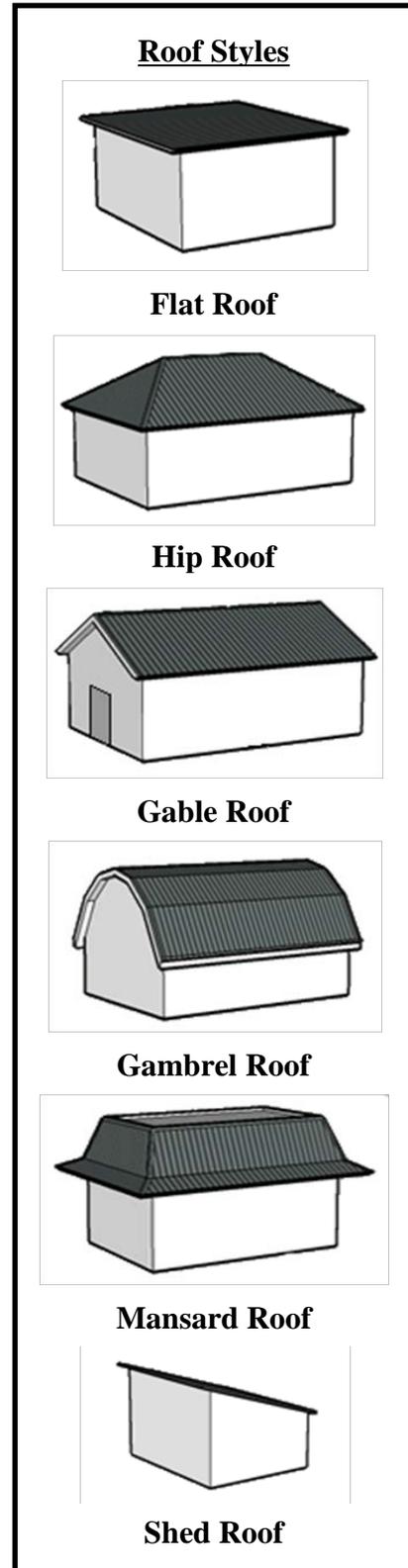
Key: NP = not permitted

- a. Does not include facade areas consisting of doors and windows.
- b. All walls exposed to public view from a public street, alley or an adjacent residential area must be constructed of not less than seventy-five (75%) brick, face brick, stone or cast stone.
- c. Includes flat sheets and seamed or ribbed panels, including aluminum, porcelain and stainless steel and similar material. Such materials cannot be used where contact with vehicles may occur, such as parking areas, traffic ways, and loading areas, unless such walls are adequately protected to prevent damage.

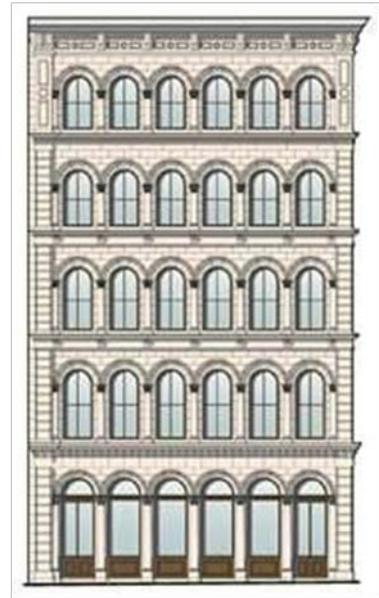
- d. Includes fiberglass, reinforced concrete, polymer plastic (fypon), exterior insulation and finishing systems (EIFS), plaster, stucco and similar materials. Such materials cannot be used where contact with vehicles may occur, such as parking areas, traffic ways, and loading areas, unless such walls are adequately protected to prevent damage.
 - e. The cast stone, including lightweight artificial stone building panels, must complement other materials found in the surrounding area and be approved by the Zoning Administrator (or designee) upon the review of building facade elevations submitted by the applicant.
 - f. A maximum coverage of 50% split faced concrete block is permitted in the C-4 District only upon special approval from the Zoning Administrator (or designee) where the applicant demonstrates special conditions that limit use of other materials and demonstration that other site and building design enhancements are provided. The height limit for split-faced concrete block in the I-1 and I-2 districts is six (6) feet or 30% of the building facade.
 - g. Parking structures may use precast concrete or concrete formed in place if approved by the Zoning Administrator (or designee) upon the review of building facade elevations submitted by the applicant.
 - h. Decorative metal and other embellishments may be used if approved by the Zoning Administrator (or designee) upon the review of building facade elevations submitted by the applicant.
 - i. Must be clapboards, shiplap, cedar shingles, or similar materials approved by the Zoning Administrator (or designee) upon the review of building facade elevations submitted by the applicant.
- (2) *Allowance for other materials.* The Zoning Administrator (or designee) or Planning Commission may waive strict compliance with the Subsection 28-115 (c)(1) when the qualities below listed as a through e can be demonstrated. Review and consultation by the appropriate design professional is encouraged before a final determination is made. The proposed building design and materials schedule must be accompanied by a written design statement which describes how the selected wall materials and material combinations will be consistent with and enhance the building design.
- a. The design and materials are found to be in keeping with the character and history of the neighborhood or other area of the City;
 - b. The materials are found to be permanent and durable;
 - c. The design and materials are compatible with the type of use and development proposed;
 - d. The design and materials can easily be adapted to another use in the future; and
 - e. The design and materials meet the intent of this Section.

- (3) *Mixture of materials.* The application of these standards promotes integration and mixture of materials where more than one (1) material is used on a building. If only one (1) material is used, architectural detailing and articulation, massing, texture and form must be introduced into the building design. Building roof materials must be in harmony with the style and material used on the building walls.
 - (4) *Long walls.* When building walls are one hundred (100) feet or greater in length, design variations must be applied to assure that the building is not monotonous in appearance. Such variations include but are not limited to the following:
 - a. Recess and projections along the building facade. Variations in depth should be a minimum of ten (10) feet;
 - b. Architectural details or features;
 - c. Enhanced ornamentation around building entryways;
 - d. Landscaping;
 - e. Streetscape elements; and
 - f. Variations in building height.
 - (5) *Colors.* Information on building colors must be submitted with the site plan and considered to be part of any site plan approval under Section 28-135. Colors must be compatible with the surrounding area, as agreed to by the Zoning Administrator (or designee) or Planning Commission.
- (d) *Roof design standards.*
- (1) *Compatible design character.* Roof design and materials are considered to be key elements to the City character, and thus must be consistent with the character of the neighborhood or other area of the City. As a part of building design, roofs must be designed in keeping with the overall architecture of the building.
 - (2) *Roof materials.* The following regulations apply to roof materials:
 - a. Asphalt, fiberglass, tile, slate or cedar shingles may be used in all districts.
 - b. Standing seam metal roof systems will be permitted only in the C-1, C-2, C-4, I-1, and I-2 districts, with the exception of non-residential structures in the R-4 and R-6 districts.
 - c. In the I-1 and I-2 Districts, asphalt, fiberglass, tile, slate, cedar or standing seam metal roofing are permitted.
 - d. Asphalt shingles must be heavily textured with colors that are compatible with the building architecture.
 - e. When permitted, the color of standing metal seam roof systems must be subtle and compatible with exterior building materials.

- (3) *Roof style in the R-3, R-4 and R-6 districts.* These districts are intended to maintain a residential character in the City and to be compatible with nearby one-family and two-family neighborhoods. To meet this intent the following roof style elements are required:
- a. Pitched roofs are required.
 - b. All roofs must be gambrel, hip or gable roof styles.
 - c. The slope of the roof must not be less than six on twelve (6:12).
 - d. Additional roofline treatments are encouraged and may be required by the Zoning Administrator (or designee) or Planning Commission in order to minimize the mass of the roof and in order to promote the residential character. These treatments include, but are not limited to offset rooflines, dormer windows, cupolas, additional accent gables and covered entryways.
- (4) *Roof style in the C-3 district.* New building construction must blend with the existing established building line of the Central Business District. The buildings must be a minimum of two stories or have the appearance of multiple stories. Roofs must be flat with a minimum three (3) foot high parapet and decorative cornices, in keeping with the historic architecture of the Central Business District. An enclosure must be provided that is at least one (1) foot higher than rooftop mechanical equipment that is taller than three (3) feet.
- (5) *Roof style in the C-1, C-2, I-1, and I-2 districts.* New building construction in these districts should attempt to emulate the design character and history of the City. At the same time, the buildings must accommodate the types of uses and sites proposed. As such, the following roof styles are required:



- a. A pitched roof is required;
 - b. The slope of the roof must be at least six on twelve (6:12);
 - c. Additional roofline treatments are encouraged and may be required by the Zoning Administrator (or designee) or Planning Commission in order to minimize the mass of the roof and in order to promote the residential character. These treatments include, but are not limited to dormer windows, cupolas, additional accent gables and covered entryways; and
 - d. The Zoning Administrator (or designee) or Planning Commission may allow a gentler slope roof – including a flat roof with a minimum three (3) foot high parapet and decorative cornices consistent with the design standards of Subsection 28-115 (d)(4).
- (6) *Screening rooftop equipment.* Rooftop equipment must be screened from view of adjacent properties and public rights-of-way. The method to screen rooftop equipment must be compatible with the building through color, scale, materials, and architectural style. The Zoning Administrator (or designee) or Planning Commission may require cross-section details to confirm compliance.
- (e) *Fenestration of nonresidential buildings in the R-4, R-6, C-1, C-2, C-3 and C-4 Districts.*
- (1) Windows and doors must comprise at least forty percent (40%) of the first floor front facade of a building.
 - (2) The window area of a facade above the first floor cannot exceed thirty-five percent (35%) of the total facade area of that floor.
 - (3) Windows above the first floor must be vertical in proportion. Large windows must be broken-up to maintain a vertical proportion.
 - (4) Window areas must be non-reflective glass and clear or lightly tinted in color.
 - (5) Double or fixed hung windows must be used in all retail applications.
 - (6) Sliding windows and doors will not be permitted in the C-3 District.
 - (7) The window encasement cannot have exposed metal in the C-3 District.
 - (8) Window areas cannot be permanently blocked in a manner that obstructs views into the buildings, such as shelving, unless it is used as a display case for products sold on-site.

Fenestration Example

- (f) *General building design accent standards.*
- (1) *Front facade.* Blank walls cannot face a public street. Walls facing a public street must include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or other decorative finish materials. A prominent and usable public building entrance must be provided at the front of the building. Wall massing must be broken up with vertical pilasters or other architectural elements to reduce scale.
 - (2) *Pedestrian orientation.* Buildings must be designed at a pedestrian scale with relationship to the street and sidewalk. Buildings must include windows that face the sidewalk and street. Convenient and safe pedestrian access must be provided between the public sidewalk and the building entrance.
 - (3) *Awnings.* Awnings with straight sheds may supplement facades. Awnings cannot be cubed or curved except over doorways. Awnings must be of an opaque material. Translucent or internally lit awnings will not be permitted. In no case may awnings be designed to cover more than thirty-five (35%) percent of the height of each story of a building.
 - (4) *Canopies.* Canopies, such as over gasoline pumps or drive-through structures, must be designed to be consistent with the approved building materials and colors. Support columns must be brick or comprised of materials compatible with the principal structure. The Zoning Administrator (or designee) or Planning Commission may require a peaked roof to complement the principal building. Any canopy lighting must be flush with the canopy.
 - (5) *Neon.* Exposed neon will not be permitted on a building.
 - (6) *Quality and workmanship.* This Section is not intended to regulate the quality, workmanship and requirements for materials relative to strength and durability.
- (g) *Building design standards for one-family and two-family dwelling units.* The following are building design standards for one-family and two-family dwelling units.
- (1) *Applicability.* The regulations of this Subsection apply to one-family and two-family dwelling unit construction under the following circumstances:
 - a. *New dwellings:* All new one-family and two-family dwelling construction that requires a building permit after the effective date of this Section must fully comply with the design standards of this Subsection.
 - b. *Expansions to dwellings:* For dwellings existing prior to the effective date of this Section, major improvements or expansions that require a building permit may be permitted without a complete upgrade to meet the standards of this Subsection. Reasonable improvements are required in relation to the scale and construction cost of the project. Major exterior renovations must be consistent with the building design standards herein to the extent deemed practical.

- c. *Minor improvements to dwellings*: For dwellings existing prior to the effective date of this Section, minor changes, improvements, and modifications that require a building permit will not be required to comply with this Subsection, provided the improvements do not increase non-compliance with the requirements of this Subsection.
- (2) *Intent*. The purpose of this Subsection is to establish standards and regulations governing the location and appearance of one-family and two-family dwelling units in the City of Jackson that are either developed as a new neighborhood or as in-fill housing in an existing neighborhood. It is the intent of these regulations to allow a mix of housing types and living styles in a manner that will not adversely affect existing neighborhoods. For this reason, standards have been set that will regulate the appearance of one-family and two-family dwellings, allowing only those that are compatibly similar in appearance to houses on individual lots in all zoning districts that allow one-family and two-family residences. These regulations will not apply to one-family dwellings located within a state licensed manufacturing housing community.
- (3) *Permits*: Prior to the construction or installation of a one-family or two-family dwelling unit on a residential lot, the individual must obtain a building permit from the Chief Building Official (or designee).
- (4) *General appearance and site standards*. To ensure the compatibility in appearance of one-family and two-family dwelling units, such units must meet the following design and site standards:
- a. Be constructed to the most current State or Federal Building Standards. These include the Stille-DeRossett-Hale Single State Construction Code Act (PA 230 of 1972, MCL 125.1501 et seq.), as amended, and the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), as amended (regulations are at 24 CFR parts 3280, 3282, 3284, 3285, 3286, 3288, and 3800).
 - b. Have a minimum dimension of twenty (20) feet.
 - c. Comply with the gross floor area and lot coverage standards for one-family or two-family dwelling units set forth in Section 28-73. To ensure that neighboring dwellings are compatible in scale and mass, the City may require units to be not less than 90% and no more than one hundred and thirty-five percent (135%) of the average floor area and lot coverage of other one-family or two-family dwelling units within three hundred (300) feet of the subject lot, including dwelling units on both sides of the street of the same block.
 - d. Have two (2) exterior doors (front and rear, or front and side), and where there is a difference in ground elevation, steps must be permanently attached on a frost depth foundation either to the perimeter wall, as outlined in Subsection 28-115 (f) below, or to porches connected to the perimeter wall.

- e. Have a roof with a minimum four on twelve (4:12) pitch and minimum eight (8) inch eave, and with a drainage system that will collect and concentrate the discharge of storm water or snow away from the sides of the dwelling. The roof must have wood shake, asphalt or other acceptable shingles, and meet the snow load standards for this portion of the State of Michigan.
- f. Have an exterior finish architecturally compatible to that of other similar homes in the surrounding area.
- g. Be firmly attached to a permanent foundation constructed on the site in accordance with Chapter 5 of the City Code and must have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for one-family or two-family dwellings. In the event that the dwelling is a manufactured home, as defined herein, such dwelling must be installed pursuant to the manufacturer's setup instructions and must be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Manufactured Housing Commission and must have a perimeter wall as required above.
- h. Have a design and appearance determined compatible by the Zoning Administrator upon review of the plans submitted for a particular dwelling. An aggrieved party may appeal the Zoning Administrator's decision to the Board of Appeals as required by Section 28-239.
- i. Be determined compatible, based upon the character, design and appearance of one (1) or more residential dwellings within two thousand (2,000) feet of the subject dwelling provided the surrounding existing dwellings considered are located outside of a manufactured housing community. The foregoing will not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard design homes.
- j. Be connected to a public sewer or water system and/or waste treatment or potable water supply system approved by the City of Jackson, or other applicable agencies such as the Michigan Department of Environmental Quality.
- k. Orient all dwelling units toward the public right-of-way such that the facade that faces the street contains a door, windows and other architectural features customary of the front facade of a residence.
- l. Provide concrete sidewalks in accordance with the City sidewalk policy within the dedicated right-of-way along the frontage length of all parcels. An inclined approach is required where sidewalks intersect curbs for barrier free access. The inclined approach must comply with grades established by MDOT. Required sidewalks may be installed following the construction of the dwelling unit. However, a certificate of occupancy will not be issued until the sidewalk is installed along the individual lot's frontages. If the Zoning Administrator determines that, due to weather conditions, sidewalk installation should be de-

layed, a certificate of occupancy may be issued. In which case, a performance guarantee must be provided to the City as required by Section 28-165. The sidewalk must be installed within six months of issuance of the certificate of occupancy. The Zoning Administrator will schedule a follow-up inspection.

- m. All residential driveways must have a concrete approach and a hard-surfaced driveway of concrete or plant-mixed bituminous material in accordance with specifications of the City or other applicable agencies such as the Michigan Department of Transportation. Approaches must be six (6) inches thick, concrete, with the sidewalk floating separate from approaches. The minimum asphalt depth for driveways must be three (3) inches. The minimum concrete depth for driveways must be four (4) inches. Up to two (2) dwellings may be permitted to share a driveway provided it complies with these construction standards.
- n. The provisions of this Subsection will not apply to manufactured homes situated in licensed manufactured housing communities.
- o. Accessory structures must comply with the standards of Section 28-120 and the building design must match that of the dwelling on the site.

Section 3. Effective Date

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



Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

Published in the Jackson Citizen Patriot on August 19, 2012

Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider text amendments to the City's planning and zoning ordinances. This notice was prepared and distributed in accordance with Sec. 103 of the Michigan Zoning Enabling Act (MCL 125.3103).

The request was made by:

The City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

The proposed text amendments:

The proposed amendments to the zoning ordinance (Chapter 28) include revisions to Sec. 28-115. – Building design standards. Additional amendments to other sections of the zoning ordinance may be made for the purpose of keeping the language throughout the ordinance consistent with the proposed text amendments to the aforementioned section.

The reason for the text amendments:

The proposed amendments will revise standards to which building designs and architectural elements will be held, including but not limited to the types of building material standards and architectural standards that are context sensitive and consistent with the City's various residential, commercial, and industrial neighborhoods.

The effect of adopting the text amendments:

The proposed changes will revise minimum architectural standards for new developments or structures are proposed or when alterations or expansions are made to existing sites or structures.

The public hearings before the City Planning Commission and City Council will be held on:

Planning Commission – Wednesday, September 5, 2012 at 6:30 pm

City Council – Tuesday, September 11, 2012 at 7:00 pm

The meetings will be held in the

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

The meetings will be held in the

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

Please contact Barry Hicks at (517) 768-6433 or bhicks@cityofjackson.org to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks, AICP
Planning Director



Neighborhood & Economic Operations

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CITY COUNCIL MEETING SEPTEMBER 11, 2012

MEMO TO: Honorable Mayor Griffin & City Councilmembers

FROM: City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, AICP, Planning Director *PBF*

DATE: September 6, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Environmental Standards**

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would revise Sec. 28-110 (environmental protection standards) and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards.

RECOMMENDATION FROM THE PLANNING COMMISSION:

To adopt an ordinance amending Chapter 28 (Zoning) of the City of Jackson Code of Ordinances, revising Sec. 28-110 (environmental protection standards) and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards.

Attached, you will find the memorandum that was sent to the Planning Commission, which provides more details regarding the proposed ordinance.

The Planning Commission reviewed and considered this ordinance at their September 5, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

BH

Att': Planning Commission Memorandum
Proposed Ordinance
Public Notice



Neighborhood & Economic Operations

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

PLANNING COMMISSION MEETING SEPTEMBER 5, 2012

MEMO TO: Planning Commissioners

FROM: Barry Hicks, AICP, Planning Director (City of Jackson)
Grant Bauman, AICP, Principal Planner (Region 2 Planning Commission)

DATE: August 29, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Environmental Protection Standards**

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances by revising Sec. 28-110 (environmental protection standards) and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards.

MOTION: Consideration of recommending that City Council adopt ordinances revising Sec. 28-110 (environmental protection standards) and amending Sec. 28-5 (definitions) to accommodate the new environmental protection standards (*Staff recommends approval*).

The proposed ordinance revisions were developed to as part of an ongoing effort and series of Zoning Ordinance revisions that enhance the City of Jackson's quality of life, stabilize property values, and protect the health, safety, and general welfare of its residents and business owners. Additionally, the proposed revisions will make it easier to administer the Zoning Ordinance by streamlining approval procedures and reducing the number of Planning Commission and Zoning Board of Appeals approval requests.

The Zoning Ordinance Revisions Task Force (ZORTF) is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission). The task force is also joined by Troy White from the City Engineering Department to assist with establishing and assuring that certain engineering standards within the ordinance are in coordination with similar engineering requirements, and by Jonathan Greene of the Jackson Downtown Development Authority (DDA) to obtain input regarding certain sections that may have an impact on the City's downtown. An initial draft was created to fit into the existing structure of the City Code. Once that was complete, City staff commenced editing Sec. 28-110 into its current form over the course of several meetings with the assistance of a Region 2 Planner. Amendments to Sec. 28-5 are also recommended in order to define certain terms used as a result of the proposed revisions.

The remainder of this memo contains a summary of salient points regarding the proposed Ordinance:

- Soil removal, filling and grading. Requires a permit for topographical changes, provides some exceptions (e.g., gardening), and establishes application requirements and the procedure for reviewing them - pgs. 2-5.
- Preserving existing vegetation. Provides the details regarding the existing vegetation survey required as part of the landscaping standards (Sec. 28-105), including an inspection by the Zoning Administrator (or



designee), credits towards the landscaping standards for preserved vegetation, and standards for the mitigation of existing vegetation that is mature and healthy - pgs. 5-6.

- Limiting the external effect of uses. Prevents uses from becoming obnoxious or dangerous by providing standards on various emissions (e.g., odor, noise, vibration, etc.) and the screening of trash storage areas and outdoor storage facilities - pgs. 6-8.
- Hazardous materials. Standards for the storage of the aboveground (indoor and outdoor) and underground storage hazardous materials, including loading/unloading areas and underground storage tanks- pgs. 8-9.
- Storage of flammable or explosive materials. Setback standards for materials that are flammable or explosive- pg. 9.

Several definitions are also added to Sec. 28-5 needed to clarify terminology utilized in Sec. 28-110 or other sections of the Zoning Ordinance - pgs. 1-2.

Att': Proposed Ordinance
Public Notice

ORDINANCE 2012.____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to revise Sec. 28-110, which contains standards for environmental protection, and adding select definitions to Sec. 28-5.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To add and revise various standards, which protect the environment of the City of Jackson, thereby enhancing its economic vitality and protecting property values.

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

ARTICLE I. IN GENERAL

...

Section 28-5. Definitions.

...

Dumpster means a waste receptacle having a capacity of at least one (1) cubic yard and utilized for the temporary storage of refuse pending collection.

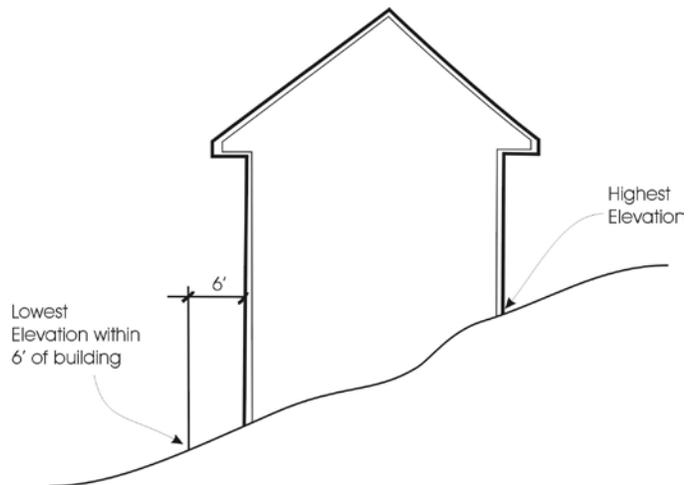
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Filling means the depositing or dumping of any matter onto, or into the ground, except common household gardening and general farm care.

...

Grade

- (1) *Average grade* means the arithmetic average of the finished grade and highest elevation in an area within six (6) feet of the foundation line of a building or structure.
- (2) *Existing grade* means the elevation of the ground surface in its natural state, before construction begins.
- (3) *Finished grade* means the lowest point of elevation between the exterior wall of the structure and a line within six (6) feet from the exterior wall of the structure.



...

Soil removal means the removal of any kind of soil or earth matter, including top soil, sand, gravel, clay, or similar materials, or combination thereof, except common household gardening and general farm care.

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

ARTICLE IV. SITE AND BUILDING DESIGN STANDARDS

...

Section 28-110. Environmental protection standards.

- (a) *Intent.* The intent of including environmental protection standards is to ensure that development in the City of Jackson that is reviewed, approved and completed under the regulations of this Ordinance is compatible with the natural systems of this City including woodlands, wetlands, the Grand River and other drainage courses, soils, air and the overall natural quality of life. These features are sensitive and can be negatively impacted by development. The following standards seek to minimize these impacts and are in addition to state regulations related to natural features such as the Natural Resources Environmental Protection Act (PA451 of 1994, MCL 324.101 *et sec*), as amended.
- (b) *Soil removal, filling, and grading standards.*
- (1) *Applicability.* No person is authorized to undertake any tree clearing, grading, stripping, excavating or filling, or undertake any earth change, unless the Zoning Administrator (or designee) has issued a valid grading permit in consultation with the City Engineer (or designee).
 - (2) *Exceptions to applicability.* A grading permit is not required under the circumstances described below. Even though no permits are required for these instances, those operations and construction exempted from obtaining permits must still be in compliance with the rules and regulations concerning grading and erosion specified in this ordinance or other applicable laws and ordinances.
 - a. The activity is associated with an approved site plan, subdivision plat, site condominium plan or private street approval.
 - b. Plowing and tilling of land for purposes of gardening or urban farming provided that:
 1. The activity meets the requirements of this section;
 2. The activity complies with Article V, Post-Construction Stormwater Management for New Development and Redevelopment, of Chapter 27 and the City's Stormwater Management Manual; and
 3. A soil erosion and sedimentation control permit is obtained from Jackson County, if required by Part 91, Soil Erosion and Sedimentation Control,

of the Natural Resources and Environmental Protection Act (PA 451 of 1994, MCL 324.9101), as amended.

- c. The activity involves a volume of soil less than one hundred (100) cubic yards, provided the alteration meets the requirements of this Section.
 - d. The activity is associated with grading or excavating for a building or structure that was authorized by another valid permit.
 - e. If the Zoning Administrator (or designee) certifies in writing that the planned work and the final structure or topographical changes will not: result in or contribute to soil erosion or sedimentation of the water of the state; interfere with any existing drainage course in such a manner as to cause damage to any adjacent property or result in the depositing of debris or sediment on any public way; create any hazard to any persons or property; or have a detrimental influence upon the public welfare or upon the total development of the watershed.
- (3) *Grading permit review and approval procedures.* A separate application is required for each grading permit and the following procedure will apply:
- a. Submission of a completed application as required in Subsection 28-110 (b)(4) and the required fee to the Zoning Administrator (or designee).
 - b. The Zoning Administrator (or designee) will review the application for conformance with Subsection 28-110 (b)(4) and (5). The Zoning Administrator (or designee) may require a re-submittal, or additional information. If the Zoning Administrator (or designee) determines the application complies with the ordinance, the permit will be issued.
 - c. The Zoning Administrator (or designee) will inspect the work upon completion to confirm compliance with the approved plan.
- (4) *Application information requirements.* The plans must be prepared or approved by a person who is trained and experienced in soil erosion and sedimentation control methods and techniques. The plans and specifications accompanying the grading permit application and required fee will be submitted to the Zoning Administrator (or designee) and contain the required data listed below.
- a. A vicinity sketch indicating the site location as well as the adjacent properties within one hundred (100) feet of the site boundaries.
 - b. Scale and north arrow for the plan.
 - c. Name, address and telephone number of the landowner, developer and petitioner.
 - d. The location of existing and proposed utility structures, ditches, culverts.
 - e. The location and distance of drainage structure to which the site will drain.

-
- f. The location of existing and proposed buildings and structures.
 - g. A description and details of soil erosion control methods.
 - h. Existing and proposed spot elevations and indicators of existing and proposed drainage patterns for the site and adjacent properties within one hundred (100) feet of its boundaries. The Zoning Administrator (or designee), in consultation with the City Engineer (or designee), may also require existing and proposed topographic contours at no less than 2-foot intervals if he or she determines them to be necessary.
 - i. A timing schedule indicating the anticipated starting time and completion dates for the project.
 - j. Any additional information deemed necessary by the Zoning Administrator (or designee) in consultation with the City Engineer (or designee)
- (5) *Review standards.* All applications will comply with the following standards:
- a. New grades must slope away from buildings and structures, thereby causing surface water to drain away from the walls of the building to a natural or established drainage course.
 - b. New grades cannot be established that will permit an increase surface water run-off onto adjacent properties and public roadways except through established drainage courses.
 - c. New grades cannot result in the creation of standing water; the erosion or filling of a roadside ditch and cannot result in the blockage of public water courses.
 - d. Any land development, dredging, filling or other activity requiring a permit pursuant to Part 91 of the Natural Resources and Environmental Protection Act (PA 451 of 1994, MCL 324.9101 *et sec*) must obtain said permit from the County of Jackson prior to the issuance of a grading permit. The Zoning Administrator (or designee) may require the applicant to submit a letter from the County to confirm non-jurisdiction.
 - e. Any land development which disturbs the existing grade of more than one (1) acre of land or lies within five hundred (500) feet of a river, stream lake or open drain, requires a soil erosion and sedimentation control (SESC) permit per the requirements of Part 91 of the Natural Resources and Environmental Protection Act (PA 451 of 1994, MCL 324.9101), as amended, prior to issuance of a grading permit.
 - f. Any project requiring a grading permit is also required to obtain a letter from the City Engineer (or designee) confirming compliance with Article V, Post-Construction Stormwater Management for New Development and Redevelopment, of Chapter 27 and the City's Stormwater Management Manual.

-
- (6) *Performance Guarantee.* The City may require a performance guarantee, as authorized by Section 28-165 of this Chapter, to assure the completion of any improvements shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the City to protect the natural resources or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.
- (7) *Extension of time.* If the applicant is unable to complete work within the specified time, he may, at least ten (10) days prior to the expiration of the permit, present in writing to the Zoning Administrator (or designee) a request or extension of time setting forth the reasons for the requested extension. If such an extension is warranted, the Zoning Administrator (or designee) may grant additional time for the completion of the work, but no such extension releases the owner from the obligation of the performance guarantee, if required, set forth in Subsection 28-110 (b)(6) above.
- (c) *Preserving existing vegetation.*
- (1) *Intent.* The intent of this Section is to preserve existing vegetation unless there are no other site design alternatives. Where healthy plant material exists on a site prior to its development or redevelopment, as determined by the Zoning Administrator (or designee) or the Planning Commission, variations from the landscape requirements contained in Section 28-105 may be approved to allow credit for such plant material if such adjustment is in keeping with the intent of this Ordinance.
- (2) *Inspection.* All existing vegetation must be inspected by the Zoning Administrator (or designee) to ensure the vegetation is high quality and will fulfill the requirements of this Section.
- (3) *Credit for trees.* Credit for tree preservation will be applied at the following rate:
- For preserved trees of equal to or greater than twelve (12) inches in caliper, a credit of three (3) trees is permitted.
 - For preserved trees less than twelve (12) inches in caliper, a credit of two (2) trees is permitted.
- (4) *Credit for shrubs.* Shrubs may be credited toward shrub requirements on a one (1) for one (1) basis.
- (5) *Removed credit trees.* In the event that healthy plant material credited towards required plantings are removed, damaged, or destroyed, as determined by the Zoning Administrator (or designee), they must be replaced with new plant material meeting the standards of this Section.
- (6) *Mitigation.* Every attempt must be made to preserve healthy mature existing vegetation. In the event that an existing tree with greater than a four (4) inch caliper or

eight (8) feet tall is removed when there are obvious alternatives to its removal, as determined by the Zoning Administrator (or designee), all such trees must be replaced at a ratio of 2 for 1. Each new tree must have a caliper of no less than three (3) inches or a height of no less than six (6) feet.

- (d) *Standards for limiting the external effect of uses.* All uses must comply with the following standards which limit their effect on the surrounding area:
- (1) *Enclosure of uses.* Every use must be operated in its entirety within a completely enclosed structure, unless such mode of operation is deemed impractical by the Zoning Administrator (or designee) or Planning Commission.
 - (2) Every use must be so operated that it is not obnoxious or dangerous to adjacent properties by reason of the following:
 - a. *Smoke.* It is unlawful for any person, firm or corporation to permit the emission of smoke from any source in an amount which is injurious or substantially annoying to persons residing in the affected area.
 - b. *Airborne Solids.* It is unlawful for any person, firm or corporation to operate and maintain (or cause to be operated and maintained) any process or activity that causes injury to neighboring properties.
 - c. *Odor.* The emission of odors found to be obnoxious to any considerable number of persons at their place of residence is prohibited.
 - d. *Gases.* The emission or release of corrosive or toxic gases (in amounts which are injurious or substantially annoying to persons living or working in the affected area) is prohibited.
 - e. *Glare and exterior lighting.* Glare from any process or operation must be shielded so as to be invisible beyond the property line of the premises on which the process is performed. Exterior lighting must also be shielded so that no more than one-half (0.5) of a foot candle is visible beyond that property line.
 - f. *Radioactive materials.* Radiation, including radioactive materials and electromagnetic radiation such as that emitted by the x-ray process or diathermy, cannot exceed quantities established as safe by federal regulations, when measured at the property line.
 - g. *Noise:* The emission of measurable noises from the premises cannot exceed sixty-five (65) decibels (dBs) as measured at the property lines, except that where normal street traffic noises exceed sixty-five (65) dBs, the measurable noise emanating from the premises may equal, but not exceed, traffic noise levels.

-
- h. *Vibration.* Machines or operations which cause vibrations are permitted in industrial districts, provided that vibrations do not cause displacement exceeding three thousandths (.003) of an inch as measured at the property line.
- (3) *Outdoor storage and waste disposal.*
- a. All outdoor storage facilities must be enclosed by a fence or wall adequate to conceal such facilities from adjacent properties and adjoining rights-of-way and constructed in accordance with the standards established for them in Section 28-125.
- b. All materials or wastes which might cause fumes or dust or which could constitute a fire hazard or which may be edible by rodents or insects must be stored outdoors in closed containers and screened from the street or adjacent property.
- c. No materials or wastes can be deposited on the property in such form or manner that they may be transferred off the premises by natural causes or forces.
- d. Waste materials cannot be allowed to accumulate on the property in such manner as to be unsightly, constitute a fire hazard or contribute to unsanitary conditions or conditions which will or would be likely to pollute or impair natural resources.
- e. *Screening of trash storage areas.* Any new or altered use which has an outdoor trash storage area containing a dumpster, must comply with the following requirements:
1. Any such area is be limited to normal refuse which is collected on a regular basis and must be maintained in a neat, orderly, and sanitary condition.
 2. In no instance may any such refuse be visible above the wall, as required in section 28-110 (d)(3)(e)(3).
 3. A wall, six (6) feet in height, must enclose three (3) sides of the storage area. Such wall must be constructed in accordance with the standards established for it in Section 28-125. Bollards and/or other protective devices must be installed at the opening and to the rear of any storage area to prevent damage to the screening walls. The surface under any such storage area must be constructed of concrete which complies with local building requirements.
 4. Any such storage area must be located in a rear yard and/or be so located and arranged as to minimize its visibility from adjacent streets and uses. The Zoning Administrator (or designee) or Planning Commission may require an obscuring gate when the visibility of such a storage area, from

a public street or adjacent use, is deemed to render an adverse influence. In no instance may any such area be located in an addressed front yard.

(e) *Hazardous materials.*

- (1) *Intent.* Protection of groundwater and surface water quality is of paramount importance to the City of Jackson. No uses or developments are permitted which threaten water quality or which violate standards of County, State, and Federal agencies.
- (2) *Storage of hazardous substances.* Uses that utilize, store, or generate hazardous substances in quantities greater than one hundred (100) kilograms (equal to about twenty-five (25) gallons or two hundred and twenty (220) pounds) must provide secondary containment (double enclosure) for all above ground storage containers.
- (3) *Outdoor aboveground storage.* Secondary containment structures must be designed to protect containers from the effects of storms, wind, fire, and vandalism. Structures that are covered and protected from rain and precipitation must provide secondary containment for ten percent (10%) of the volume of all containers or the volume of the largest container, whichever is greatest. Structures that are not protected from rain and precipitation must provide secondary storage capacity to hold one hundred fifty percent (150%) of the stored substances, unless the Zoning Administrator (or designee) or Planning Commission approves a lesser quantity.
- (4) *Indoor aboveground storage.* Hazardous substances should not be stored indoors in locations which are near a floor drain connecting to soils, groundwater, sanitary sewer lines, or nearby drains and rivers unless secondary containment is provided. Sump pumps and floor depressions to collect and hold leaks and spills may be required by the Zoning Administrator (or designee) in consultation with the City Engineer (or designee).
- (5) *Loading/unloading areas.* Areas used for the loading and/or unloading of hazardous substances must be designed and constructed to trap hazardous materials spilled or leaked and designed to prevent discharge of hazardous substances to floor drains, sanitary sewer lines, rivers, or storm drains.
- (6) *Underground storage tanks.*
 - a. At a minimum, regulations of the Michigan Department of Environmental Quality, Michigan Fire Marshal Division, and the City of Jackson for the installation, inspection, maintenance of a leak detection system, inventory and record keeping, emergency response, and closure must be met.
 - b. All underground storage tanks that have been out-of-service for nine (9) months or longer must be removed from the site before a building permit is issued. The Fire Chief (or designee) may adjust this requirement when a clear timetable for the safe use of the underground tank is established.

-
- (7) *County, state, and federal requirements:* At minimum, county, state and federal requirements for storage, leak detection, record keeping, spill prevention, emergency responses, transport and disposal of hazardous substances must be met. It is the responsibility of the commercial facility owner to obtain any applicable county, state, or federal permits or approvals.
- (8) *Site plan review and approval:* Site plans for facilities with hazardous substances must also be reviewed by the Fire Chief (or designee) prior to the approval by the Zoning Administrator (or designee) or Planning Commission.
- (9) Enforcement and Penalties:
- a. Any person who fails to comply with this Section is subject, upon adjudication, to the penalty provided in Chapter 2.5 (Administrative Hearings Bureau), in addition to any other penalties as may be prescribed herein.
 - b. In addition to any other penalty or sanction provided in this Section, or by any other applicable state or federal law, any person violating Section 28-110(h) must pay the costs of removing all hazardous materials that are the subject of the violation, plus the costs of damage to any land, water, wildlife, vegetation or other natural resource, or to any facility which is damaged by the violation.
- (f) *Storage of flammable or explosive materials.* The location or storage of flammable or explosive materials will be regulated as follows. However, Section 28-145 may contain additional requirements for certain conditional uses. The storage of normal household chemicals is exempt from these regulations.
- (1) On any parcel of land in any floodplain in an office, commercial or industrial district, the owner or tenant cannot store flammable materials closer than one hundred (100) feet from a residential district and/or three hundred (300) feet from a residential building. Furthermore, no residential building can be constructed within three hundred (300) feet of an existing flammable storage facility.
 - (2) The storage of flammable materials must be in containers or storage facilities as approved by the local Fire Marshal or other designated fire official.
 - (3) Said containers or storage facilities must be at least forty (40) feet from any side or rear lot line and one hundred fifty (150) feet from the front lot line as measured from the edge of the street right-of-way.
 - (4) The storage of explosive materials must be in accordance with applicable State regulations

Section 4. Effective date.

This ordinance takes effect thirty (30) days from the date of adoption.



Neighborhood & Economic Operations Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

Published in the Jackson Citizen Patriot on August 19, 2012

Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider text amendments to the City's planning and zoning ordinances. This notice was prepared and distributed in accordance with Sec. 103 of the Michigan Zoning Enabling Act (MCL 125.3103).

The request was made by:

The City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

The proposed text amendments:

The proposed amendments to the zoning ordinance (Chapter 28) include the addition of: Sec. 28-110. – Environmental protection standards. Additional amendments to other sections of the zoning ordinance may be made for the purpose of keeping the language throughout the ordinance consistent with the proposed text amendments to the aforementioned section.

The reason for the text amendments:

The proposed amendments will add requirements to protect the natural environment in harmony with the built environment and urban character of the City and to protect neighborhoods from conflicting uses.

The effect of adopting the text amendments:

The proposed changes will require set standards which will require that old growth trees are preserved and maintained, sites are graded and drained properly, natural features are buffered, refuse and recyclables are stored in such a fashion they do not affect neighboring properties or the environment, and that all hazardous materials are stored in a safe manner to protect the health, safety, and welfare of the citizens.

The public hearings before the City Planning Commission and City Council will be held on:

Planning Commission – Wednesday, September 5, 2012 at 6:30 pm

City Council – Tuesday, September 11, 2012 at 7:00 pm

The meetings will be held in the

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

The meetings will be held in the

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

Please contact Barry Hicks at (517) 768-6433 or bhicks@cityofjackson.org to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks, AICP
Planning Director



Neighborhood & Economic Operations

Building a Stronger Jackson

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

CITY COUNCIL MEETING SEPTEMBER 11, 2012

MEMO TO: Honorable Mayor Griffin & City Councilmembers

FROM: City of Jackson Planning Commission
Patrick Burtch, Deputy City Manager
Barry Hicks, AICP, Planning Director *PMB*

DATE: September 6, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Visibility at Intersections**

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would create Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards.

RECOMMENDATION FROM THE PLANNING COMMISSION:

To adopt an ordinance amending Chapter 28 (Zoning) of the City of Jackson Code of Ordinances, creating Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards.

Attached, you will find the memorandum that was sent to the Planning Commission, which provides more details regarding the proposed ordinance.

The Planning Commission reviewed and considered this ordinance at their September 5, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

BH

Att': Planning Commission Memorandum
Proposed Ordinance
Public Notice



Neighborhood & Economic Operations Building a Stronger Jackson

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

PLANNING COMMISSION MEETING SEPTEMBER 5, 2012

MEMO TO: Planning Commissioners

FROM: Barry Hicks, AICP, Planning Director (City of Jackson)
Grant Bauman, AICP, Principal Planner (Region 2 Planning Commission)

DATE: August 29, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Visibility at Intersections**

HEARING: Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances by adding Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards.

MOTION: Consideration of recommending that City Council adopt ordinances adding Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards (*Staff recommends approval*).

The proposed ordinances are designed to increase visibility at intersections in the City of Jackson, thereby enhancing its safety and economic vitality, aiding in the creation of a pedestrian friendly environment

The Zoning Ordinance Revisions Task Force (ZORTF) is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission). The task force is also joined by Troy White from the City Engineering Department to assist with establishing and assuring that certain engineering standards within the ordinance are in coordination with similar engineering requirements, and by Jonathan Greene of the Jackson Downtown Development Authority (DDA) to obtain input regarding certain sections that may have an impact on the City's downtown. An initial draft was created to fit into the existing structure of the City Code. Once that was complete, City staff commenced editing Sec. 28-126 into its current form over the course of several meetings with the assistance of a Region 2 Planner. Amendments to Sec. 28-105 and Sec. 28-125 are also recommended in order to define certain terms used as a result of the proposed revisions.

This new section addresses the issue of visibility at intersections, reconciling the landscaping standards located in Sec. 28-105 with motorized and non-motorized traffic safety:

- Requires the establishment of 20-foot "site clearance triangle" at public right-of-way (e.g. streets and alleys) intersections and a smaller 10-foot "site clearance triangle" whenever a driveway intersects a public right-of-way (see the figures).
- Prohibits placing any structure or landscape feature within the "site clearance triangle" which obstructs views between the heights of 2½ and 10 feet above the surface of the roadway (excluding the trunks of canopy tree, provided that any branching is maintained above the 10-foot requirement).

Att': Proposed Ordinance
Public Notice

ORDINANCE 2012.____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan by adding Sec. 28-126 (visibility at intersections) to accommodate recent amendments to the City's landscaping (Sec. 28-105) and fencing (Sec. 28-125) standards.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To add standards regarding visibility at intersections in the City of Jackson, thereby enhancing its safety and economic vitality, aiding in the creation of a pedestrian friendly environment, and protecting property values.

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. SITE AND BUILDING DESIGN STANDARDS

...

Sec. 28-126. Visibility at intersections.

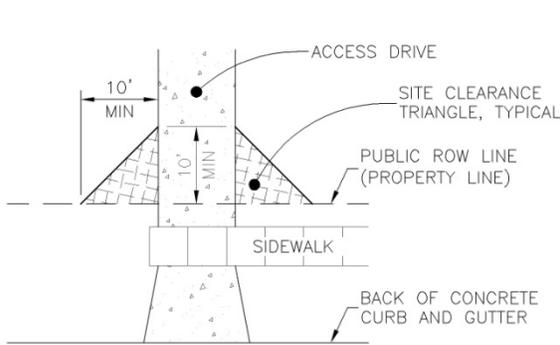
When a driveway intersects a public right-of-way or when the subject property abuts the intersection of public rights-of-way, all fences, walls, hedges, screens, structures, plantings or other landscaping within the site clearance triangle areas described below must permit unobstructed cross-visibility. Shrubs and groundcovers (see 'landscaping' under Sec. 28-5 for a definition and example) located in a site clearance triangle may not be permitted to grow to a height of more than two and one half (2-1/2) feet above the grade at the edge of the pavement. Portions of required berms located within sight clearance triangle cannot exceed a height of two and one half (2-1/2) feet above the pavement grade at the edge of the pavement. Canopy trees may be maintained in this area provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface. Other landscaping, except turf grass or ground cover maintained at a height of two and one half (2-1/2) feet, cannot be located closer than three (3) feet from the edge of a driveway.

The site clearance triangles referred to above are:

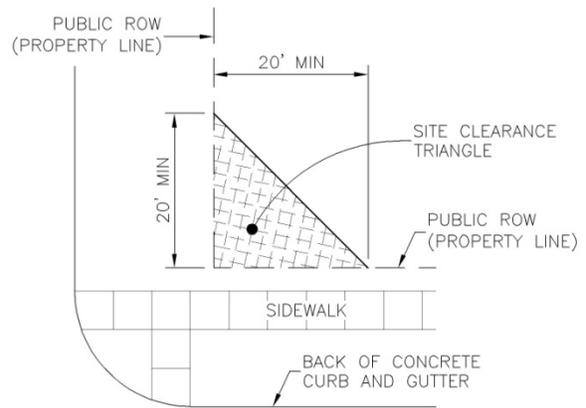
- (a) The area formed at the corner intersection of a public right-of-way and a driveway, two (2) sides of the triangle area being ten (10) feet in length measured along the right-of-way line and access drive line and the third side being a line connecting these two (2) sides. For the purpose of plantings located in the lawn extension/terrace, the site clearance triangle extends beyond the right-of-way line to the curb/edge of pavement at an angle perpendicular to both of those lines.

- (b) The area formed at a corner intersection of two (2) public right-of-way lines, the two (2) sides of the triangular area being twenty (20) feet in length measured along the abutting public right-of-way lines and the third side being a line connecting these two (2) sides. For the purpose of plantings located in the lawn extension/terrace, the site clearance triangle extends beyond the right-of-way line to the curb/edge of pavement at an angle perpendicular to both of those lines.

Site Clearance Triangle Figures



Driveway



Public Rights-of-Way

Section 3. Effective Date

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



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Published in the Jackson Citizen Patriot on August 19, 2012

Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider text amendments to the City's planning and zoning ordinances. This notice was prepared and distributed in accordance with Sec. 103 of the Michigan Zoning Enabling Act (MCL 125.3103).

The request was made by:

The City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

The proposed text amendments:

The proposed amendments to the zoning ordinance (Chapter 28) include the addition of: Sec. 28-126. Visibility at intersections. Additional amendments to other sections of the zoning ordinance may be made for the purpose of keeping the language throughout the ordinance consistent with the proposed text amendments to the aforementioned section.

The reason for the text amendments:

To protect the safety of pedestrians and to prevent automobile related accidents by requiring a clear line of visibility at intersections.

The effect of adopting the text amendments:

The proposed changes will require that buildings, landscaping, fences, accessory structures, and other like structures or features out of an area that may cause visibility issues for pedestrians and automobiles at intersections

The public hearings before the City Planning Commission and City Council will be held on:

Planning Commission – Wednesday, September 5, 2012 at 6:30 pm

City Council – Tuesday, September 11, 2012 at 7:00 pm

The meetings will be held in the

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

The meetings will be held in the

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

Please contact Barry Hicks at (517) 768-6433 or bhicks@cityofjackson.org to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks, AICP
Planning Director

CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 11, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Kelli Hoover, Director of Parks and Recreation

SUBJECT: Bloomfield Park Improvement

**RECOMENDATION TO APPROVE RESOLUTION FOR BLOOMFIELD PARK
IMPROVEMENT AGREEMENT WITH THE STATE OF MICHIGAN DEPARTMENT
OF NATURAL RESOURCES TRUST FUND GRANT TO MATCH THEIR GRANT OF
\$70,000 DOLLARS AS APPROVED IN OUR 2012-2013 BUDGET.**

We are requesting approval of the attached resolution with authorization for the City Clerk to sign the resolution and authorization for staff to sign the project agreement subject to the approval of the City Attorney.

We have received notification that the State of Michigan Department of Natural Resources has approved our grant application for improvements to Bloomfield Park. The project includes the renovation of the Bloomfield Park tennis and basketball courts.

The total cost of this project is \$140,000 dollars. The State of Michigan will pay \$70,000 dollars and the City of Jackson Public Improvement Fund as approved in the 2012-2013 Budget will pay the remaining \$70,000 dollars

KH:sw

attachment

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE



161 West Michigan Avenue
Jackson, MI 49201
(517) 788-4050
(517) 788-4023
Fax: (517) 788-4059

CITY ATTORNEY

CITY COUNCIL MEETING
September 11, 2012
NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Julius A. Giglio 

SUBJECT: Jackson Housing Commission

REQUESTED ACTION: The requisite action is to adopt the resolution that establishes City Council's authority to approve compensation for officers and employees of the Jackson Housing Commission, and to adopt amendments to the Jackson Housing Commission Ordinance (Article 3, Chapter 14 of Jackson City Code)

It has come to our attention there were amendments to Michigan's housing facilities act, 1933 P.A. 18, (Ex. Sess.), MCL 125.651 et seq. (hereinafter "the Act"). The Act allowed the City to establish the Jackson Housing Commission. Section 5 of the Act was amended in 1996 to provide that a governing body of an incorporating unit that had established a housing commission could adopt a resolution to have oversight for compensation being paid to officers or employees of a housing commission. Additionally, in 2003 the Michigan Supreme Court case of AFSCME et al v. City of Detroit and Detroit Housing Commission, 468 Mich 388 (2003), held that the 1996 amendments to the Act "severe the city's employment relationship with the DHE (Detroit Housing Commission) as a matter of law, unless the mayor recommends, and city council approves, a resolution declaring otherwise." (468 Mich at 399)

In 1999, City Council adopted a resolution establishing the Mayor as the appointing authority for the Jackson Housing Commission subject to City Council confirmation. (See Attachment 1)

Based on the holding in the AFSCME case, I have prepared the attached resolution for Council's consideration. The resolution provides that City Council must approve compensation for all officers and employees of the Jackson Housing Commission. Additionally, we have drafted proposed amendments to the Housing Commission Ordinance (Jackson City Code 14-121 et seq.), which provides that the City Council, upon the recommendation of the Mayor, must approve the compensation for all officers and employees of the Jackson Housing Commission.

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

JAG/dn
Enc.

cc w/enc: Patrick Burtch, Acting City Manager
Crystal Dixon, Personnel Director
Bethany Smith, Deputy City Attorney

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Michigan Public Act 18 of 1933 (Ex. Session) as last amended provides that the chief administrative officer of the City shall be the appointing authority for members of a City Housing Commission, unless a City Council designates otherwise; and

WHEREAS, in 1984 the then City Commission opted to place this appointment power within the office of Mayor, without City Council confirmation, until further action of the City Council; and

WHEREAS, the City Council wishes to modify the action of 1984 so that the Mayor continues the role of appointing authority for members of the Jackson Housing Commission, subject, however, to City Council confirmation, as provided in Section 8.2 of the new City Charter.

NOW, THEREFORE, BE IT RESOLVED that the Resolution of the Jackson City Commission dated August 28, 1984, vesting the Mayor as the appointing authority for members of the Jackson Housing Commission, be, and the same hereby is, revoked and rescinded.

BE IT FURTHER RESOLVED that it is the intent of the City Council that under Michigan Public Act 18 of 1933 (Ex. Session) as last amended, the Mayor shall be reconstituted as the appointing authority for all Jackson Housing Commission appointments, subject to City Council confirmation, as required by Section 8.2 of the City Charter.

* * * * *

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

I, Sandra L. Price, 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 21st day of December, 1999.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of December, 1999.

Martin J. Price Mayor Sandra L. Price City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has heretofore established the Jackson Housing Commission under the authority of the housing facilities act, 1933 P.A. 18 (Ex. Sess.), MCL 125.651 et seq. (hereinafter "the Act"); and

WHEREAS, Section 5 of the Act was amended in 1996 to provide, in part, that "upon the recommendation of the appointing authority, the governing body of an incorporating unit may adopt a resolution either conditioning the establishment of any compensation of an officer or employee of a commission upon approval of the governing body..." [MCL 125.655(3)]; and

WHEREAS, the Mayor, as the appointing authority, recommends to the City Council that compensation for an officer or employee of the Jackson Housing Commission be approved by the City Council; and

WHEREAS, the City Council wishes to adopt a resolution to provide that compensation for an officer or employee of the housing commission be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to 1933 P.A. 18 (Ex. Sess.), as amended, MCL 125.651 et seq., all compensation of any officer or employee of the Jackson Housing Commission must be approved by the City Council.

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 _____, 2012.

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

Lynn Fessel

ORDINANCE 2012 - _____

An Ordinance amending Article III of Chapter 14 of the City of Jackson Code of Ordinances to provide that the City Council has the authority, upon the recommendation of the Mayor, to establish and approve compensation of Jackson Housing Commission officers and employees.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council wishes to specifically provide for the power of the City Council, upon the recommendation of the Mayor, to fix and determine the compensation for Jackson Housing Commission officers and employees.

Section 2. That Article III of Chapter 14 of the City of Jackson, Michigan Code of Ordinances be amended to read as follows:

ARTICLE III. HOUSING COMMISSION

Sec. 14-121. Continuation.

The Jackson Housing Commission heretofore created pursuant to Act No. 18 of the Public Acts of Michigan of 1933 (Ex. Sess.), as amended, (MCL 125.651 et seq.), is hereby continued.

Sec. 14-122. Membership.

The members of the housing commission shall be appointed in conformity with a resolution adopted by the city council in accordance with Section 4 of Michigan Public Act 18 of 1933 (Ex. Sess.), as amended, (MCL 125.654).

Sec. 14-123. Powers and duties.

Except as provided herein, or as otherwise may be established by the city council, the housing commission shall have all the powers and duties vested in housing commissions by Act No. 18 of the Public Acts of Michigan of 1933, as amended, (Extra Session), as amended, (MCL 125.651 et seq.), and any laws which are supplemental thereof, ~~it being the legislative intention to vest in the housing commission all powers and duties permitted by law.~~

Sec. 14-124. Employees.

The housing commission shall select and appoint such employees as it shall deem necessary for the proper exercise of its powers, functions and duties, ~~and shall pay them such compensation as it shall, with the approval of the mayor, fix and determine.~~

Sec. 14-125. Compensation

The City Council, upon the recommendation of the Mayor, shall establish and approve the compensation of all officers and employees of the Jackson Housing Commission.

Secs. 14-126 - 14-130. Reserved.

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

CITY COUNCIL MEETING
September 11, 2012
NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Deputy City Attorney

SUBJECT: Revisions to the Water and Sewers Collection Provisions

REQUESTED ACTION: Approve the amendment to the Water and Sewers Ordinance and place it on the next regular City Council meeting agenda for adoption.

Attached please find a black-lined version of a proposed ordinance that revises Section 27-112 of the City Code of Ordinances regarding collection of delinquent water and sewers accounts receivables. The amendment will allow the manager to certify unpaid charges for water and sewer services to the assessor for entry onto the tax rolls more frequently to aid in the collection of delinquent water and sewers accounts. Presently, the manger may only certify the unpaid accounts twice per year.

The requisite action is to approve the ordinance and place it on the next regular council meeting agenda for adoption.

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

cc w/att: Patrick Burtch, Deputy City Manager
David Taylor, Assessor

ORDINANCE 2012 - _____

An Ordinance amending Article IV of Chapter 27 of the City of Jackson Code of Ordinances to provide for more frequent placement of liens upon the tax rolls for delinquent water and sewer charges for the health, safety and welfare of the Citizens of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council wishes to specifically provide for more frequent placement of liens for delinquent water and sewer charges upon the tax rolls in order to increase the amount of delinquent charges collected.

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

ARTICLE IV. RATES AND CHARGES

Sec. 27-112. Collection.

The manager is authorized to enforce the payment of charges for water service to any premises by discontinuing the water service to such premises and to enforce the payment of charges for wastewater service to any premises by discontinuing either the water service or the wastewater service, or both, to such premises and a civil action may be instituted by the city against the customer for recovery of such amounts. The charges for water service and wastewater service which, under the provisions of Act No. 94 of the Public Acts of Michigan of 1933 (MCL 141.101 et seq.), as amended, are made a lien on the premises to which furnished, are hereby recognized to constitute such lien; and the manager shall, ~~on April thirtieth and September thirtieth of each year,~~ certify all unpaid charges for such services furnished to any premises which as of these dates have remained unpaid for a period of six (6) months, to the city assessor, who shall enter the lien on the next city tax roll against the premises to which the services shall have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien for the taxes. In cases where the city is properly notified in accordance with Act No. 94 of the Public Acts of Michigan of 1933 (MCL 141.101 et seq.), as amended, that a tenant is responsible for water or wastewater service charges, no such service shall be commenced or continued to such premises until there has been deposited with the manager a sum sufficient to cover three (3) times the average quarterly bill for such premises as estimated by the manager. Where the water service to any premises is turned off to enforce payment of water service

charges or wastewater service charges, the water service shall not be recommenced until all delinquent charges have been paid and a deposit as in the case of tenants is made, and there shall be a water turn-on charge of an amount established from time to time by city council rate resolution. In any other case where, in the discretion of the manager, the collection of charges for water or wastewater services may be difficult or uncertain, the manager may require a similar deposit. Such deposits may be applied against any delinquent water or wastewater service charges and the application thereof shall not affect the right of the city to turn off the water service and/or wastewater service to any premises for any delinquency thereby satisfied. No such deposit shall bear interest and such deposit, or any remaining balance thereof, shall be returned to the customer making the same when the customer shall discontinue receiving water and wastewater service. The customer shall notify the city, in writing, of the forwarding address where the deposit, or any remaining balance thereof, shall be mailed. The failure of a customer to notify the city of their forwarding address within six (6) months of termination of service shall result in the deposit, or other remaining balance thereof, being forfeited by the customer.

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



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager

SUBJECT: Approve the Amendment to Chapter 14, Section 14-61 Adding the Requirement of Carbon Monoxide Detector Installation

RECOMMENDED ACTION

Approve the amendment to Chapter 14, Section 14-61, and place it on the next regularly scheduled City Council Agenda for adoption.

It was noted during training sessions with the inspectors recently hired in the Department of Neighborhood & Economic Operations that Chapter 14 of the City of Jackson Code of Ordinances regulating Housing lacked a requirement for installation of carbon monoxide detectors. Attached is a proposed revision to Section 14-61 Fire Safety Regulations adding this requirement to the Ordinance as item 14-61(6).

ORDINANCE 2012.____

An Ordinance to amend Section 14-61 of Article II, Division 3 of Chapter 14 of the City of Jackson Code of Ordinances to add the requirement of carbon monoxide detectors.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 14-61 of Article II, Division 3 of Chapter 14 of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended as follows:

Sec. 14-61. Fire safety regulations.

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Cooking and heating equipment. All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the manufacturer's installation and maintenance instructions or other laws or ordinances of the City. Portable cooking equipment employing flame and portable heating equipment employing flame are prohibited, except that unvented fuel-burning room heaters equipped with oxygen depletion sensors and listed in accordance with ANSI Standard Z21.11.2 shall be permitted in single-family, owner-occupied dwelling units only.
- (2) Storage of flammable liquids prohibited.
 - a. No dwelling or dwelling unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
 - b. No dwelling or dwelling unit shall handle, dispense, or store flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
- (3) Egress. The owner of every existing dwelling shall be responsible for the safety of all persons in or occupying such premises with respect to the adequacy of means of egress therefrom.
 - a. Any existing dwelling not now provided with exitway facilities as herein prescribed for new dwellings and in which the exitways are deemed inadequate for safety by the Chief Building Official or Fire Official shall be provided with such additional safe means of egress as shall be ordered by the Chief Building Official or Fire Official.
 - b. If new or altered exitway facilities are installed or constructed, they shall comply with all requirements of the Michigan Building Code or Michigan Residential Code.
 - c. It shall be unlawful to obstruct or reduce in any manner the clear width of any doorway, hallway, passageway or any other exitway required by this article. All egress doors shall be readily openable from the side from

- which egress is to be made without the use of a key or special knowledge or effort. Double keyed deadbolt locks are strictly prohibited.
- d. Every sleeping room shall have at least one (1) window or one (1) door opening directly to the outside to serve as an emergency exit if the normal avenues of escape are blocked, which can be opened from the inside without the use of tools and of such size as required by the Michigan Building Code or Michigan Residential Code.
 - e. Fire escapes shall be permitted only by special order of the Chief Building Official in existing buildings when more adequate exitway facilities cannot be provided. Fire escapes shall be constructed in accordance with Michigan Building Code.
- (4) Fire suppression systems. Automatic fire suppression systems shall be provided in non-fire-rated storage and workshop areas larger than one hundred (100) square feet in area in multiple-family or mixed use residential structures.
 - (5) Smoke detectors. Smoke detectors shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.
 - (6) Carbon Monoxide Detectors. Carbon monoxide detectors shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.

Section 2. This Ordinance takes effect thirty (30) days after adoption.



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor Griffin and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager

SUBJECT: Approve the Amendment to Chapter 17, Section 17-27 Establishing Provisions for Recording Documents

RECOMMENDED ACTION

Approve the amendment to Chapter 17, Section 17-27, and place it on the next regularly scheduled City Council Agenda for adoption.

When a property is condemned by the Department of Neighborhood & Economic Operations, it is posted as unsafe as required by Section 17-27(d) of Chapter 17 of the City of Jackson Code of Ordinances. However, staff has found that many times those postings have been illegally removed from structures, thereby causing the property to appear safe to the unsuspecting public.

Staff in the Department of Neighborhood & Economic Operations has determined that recording certain documents will aid in the notification to potential purchasers that a property is condemned. Recording the Notice and Order and decisions to Uphold the Notice and Order issued by the Building Code Board of Examiners and Appeals will provide sufficient notice to a potential purchaser during a title search.

Attached is a proposed revision to Section 17-27(d) incorporating the requirement to record notices, decisions, or orders issued by the Department of Neighborhood & Economic Operations and Building Code Board of Examiners and Appeals. Other minor revisions throughout this section is replacing “department of community development” with “Department of Neighborhood and Economic Operations.”

ORDINANCE 2012.____

An Ordinance to amend Section 17-27 of Article II of Chapter 17 of the City of Jackson Code of Ordinances to establish provisions for recording documents.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 17-27 of Article II, Chapter 17 of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended as follows:

Sec. 17-27. Abatement of nuisances; procedure.

- (a) Dangerous buildings as public nuisances. All dangerous buildings are hereby determined to be public nuisances and shall be abated by repair, rehabilitation, or demolition in accordance with the procedures specified in this article.
- (b) Departmental examination. The building inspection division of the ~~eD~~Department of ~~community development~~**Neighborhood and Economic Operations** shall examine or cause to be examined any building or structure it believes to be abandoned, unsafe, or damaged, and if same is found to be a dangerous building, the division shall commence proceedings to cause its repair, rehabilitation or demolition. Whenever a building or structure designed or zoned for use as a residence has remained vacant and boarded up for a period in excess of six (6) continuous months, it shall be subject to periodic inspection by the building inspection division of the ~~eD~~Department of ~~community development~~**Neighborhood and Economic Operations** under the provisions of chapter 14 of this Code.
- (c) Commencement of proceedings; notice and order.
 - (1) The building inspection division of the ~~eD~~Department of ~~community development~~**Neighborhood and Economic Operations** shall commence proceedings under this section by issuing a notice and order directed to the owner or owners of record of a building or structure alleged to be dangerous. This notice and order shall require the owner of the building or structure alleged to be dangerous to commence, within the period of time established by the inspection division, the required repairs, rehabilitation or demolition of the building or structure. All required work shall be completed within the period of time set forth in the notice and order by the inspection division. If a building is occupied, the notice and order shall require the affected building, structure, or portion thereof to be vacated and not reoccupied until all required work has been completed and approved by the inspection division.
 - (2) Service of the notice and order shall be made upon the owner or owners of record by:
 - a. Personally delivering a copy to the owner; or

- b. Mailing a copy by certified mail, postage prepaid, return receipt requested, to the owner as indicated by the records of the city assessor and posting a copy thereof upon a conspicuous part of the building or structure; or
- c. When service cannot be made by either of the above methods, by publishing a copy in a newspaper of general circulation within the county at least once each week for three (3) consecutive weeks and posting on or before the date of the last publication, a copy upon a conspicuous part of the building or structure.

(d) Posting of signs on buildings deemed to be dangerous; **recording documents.**

- (1) The building inspection division shall cause to be posted in a conspicuous place on any dangerous building or structure a notice to read:

"Do Not Enter—Unsafe to Occupy"

Such notice shall remain posted until the required repairs, rehabilitation or demolition is completed. Such notice shall not be removed without written permission of the building inspection division, and no person shall enter this building except for the purposes of repairing, rehabilitating, or demolishing same.

- (2) **The building inspection division shall record with the Jackson County Register of Deeds all dangerous structure condemnation notices and orders and Building Code Board of Examiners and Appeals decisions upholding notices and orders within ten (10) business days of such notice, decision or order.**

(e) Abatement procedures. If at the expiration of the time limit in the notice and order the owner has not complied with the requirements thereof, the building inspection division may institute proceedings hereunder to abate the nuisance.

(f) Hearing; testimony; order; findings; noncompliance; costs.

- (1) Upon the request of the building inspection division in cases where a respondent has not complied with a notice and order issued under this article, the building code board of examiners and appeals shall conduct a hearing in order to determine whether the notice and order of the inspection division should be upheld.
- (2) At least seven (7) days prior to the hearing referred to above, the building inspection division shall notify by first class mail the owner as shown by the city assessor's records. This notice shall consist of a copy of a complaint alleging noncompliance with the notice and order and a notice of hearing specifying the time and place of the hearing.

- (3) The building code board of examiners and appeals shall take testimony and consider evidence presented by the building inspection division. In addition, the owner of the property and any interested party may present testimony and evidence if they so desire. Any board member may inspect any structure involved in the hearing prior to its commencement. The building code board of examiners and appeals shall render written findings of fact and a decision at the conclusion of the hearing either upholding the notice and order; upholding the notice and order with modifications; or dismissing the notice and order.
- a. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, it shall uphold such order; or
 - b. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, but that the notice and order requires more than is reasonably necessary to abate the nuisance, it shall uphold such order with modifications thereto consistent with any action it deems necessary to abate such nuisance; or
 - c. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is not a dangerous building, the notice and order shall be dismissed.
- (4) If the owner fails to comply with the decision of the board, the building inspection division shall take any and all action needed to bring the building or structure into compliance. The owner in whose name the property appears upon the last local assessment records shall be billed, if possible, for all costs of such action at the address shown on such records. If such owner fails to pay the same within thirty (30) days after mailing of the bill, the city council may cause such costs to be levied and assessed as a special assessment upon the property and against the owner, and the city may bring suit against the owner of record to recover such costs.
- (g) Judicial review. An owner aggrieved by any final decision or order of the building code board of examiners and appeals may appeal the decision or order to the circuit court by filing a petition for an order of superintending control within twenty (20) days from the date of the decision or order.
- (h) Consent provision. The owner of any building or structure may at any time admit in writing that such building is a dangerous building within the meaning of this section and consent that such building may be demolished.
- (i) Emergency order of the city manager. Where it reasonably appears that there is immediate danger to the life or safety of any person unless a dangerous building is immediately altered, repaired or demolished, and notwithstanding the procedures set forth in this article, the city manager may cause the immediate repair, alteration, or

demolition of such structure, and the cost thereof to be charged against the premises and the owner as provided in this section.

- (j) Owner defined. For purposes of this section, the term "owner" means the person shown as owner by the records of the city assessor.
- (k) Building inspector not considered as ex officio member of board of appeals. The building inspector shall not serve as an ex officio member of the building code board of examiners and appeals in any proceeding instituted under this section.
- (l) Transfer of ownership. It shall be unlawful for the owner of any building or structure alleged to be dangerous who has received a notice and order, or upon whom a notice and order has been served pursuant to subsection (c)(2), to sell, transfer, or otherwise dispose of to another until the provisions of the notice and order have been complied with, or until such owner shall first furnish the grantee or transferee a true copy of said notice and order issued by the building official, and shall furnish to the building official a signed and notarized statement from the grantee or transferee acknowledging the receipt of such notice and order, and fully accepting the responsibility, without condition, for making the required repairs, rehabilitation, or demolition to the alleged dangerous building or structure as required by such notice and order.
- (m) Penalties. Any person who willfully refuses to vacate a building ordered vacated under this section, who reoccupies or causes or allows such a building to be reoccupied without satisfying all requirements of a notice and order issued under subsection (c)(1), who, without permission, removes a notice posted on a building pursuant to subsection (d), or who transfers property in violation of subsection (l), shall be guilty of a misdemeanor and punished upon conviction thereof as provided in section 1-18 of the City Code.
- (n) Fees. The city council shall establish by resolution, fees for charges in relation to costs or expenses incurred by the city in initiating or commencing proceedings before the building code board of examiners and appeals (board). Such fees shall include, but not necessarily be limited to, costs or expenses incurred for inspections conducted by city staff prior to board hearings, for actual proceedings before the board, and other costs or expenses relating to prosecution of a case before the board. All fees established pursuant to this subsection shall include the costs associated with reasonable overhead and administrative costs.

If an owner fails to pay an invoice for fees directed to him or her under this subsection, within thirty (30) days of mailing of said invoice, the city may cause the cost reflected in said invoice to be assessed against the premises as a special assessment, pursuant to Serial Section 273 of the City Charter, and the city may institute an action against the owner for the collection of said costs in any court of competent jurisdiction. However, the city's attempt to collect such costs by any process shall not invalidate or waive any lien filed against the property.



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 28, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Final Adoption of Ordinance No. 2012.19

SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL MEETING AGENDA:

FINAL ADOPTION OF ORDINANCE NO. 2012.19 AMENDING CHAPTER 28, CITY CODE, REPLACING SEC. 28-125 (STANDARDS FOR FENCES, WALLS, AND LANDSCAPE BERMS) AND AMENDING SEC. 28-5 (DEFINITIONS) TO ACCOMMODATE THE NEW FENCING AND LANDSCAPING (SEC. 28-105) STANDARDS.

Attached please find Ordinance No. 2012.19 approved by the Council at the August 14 meeting. Requested action is to adopt the Ordinance.

C: Deputy City Manager

ORDINANCE 2012. ____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan by replacing Sec. 28-125 (standards for fences, walls ,and landscape berms) and amending Sec. 28-5 (definitions) to accommodate the new fencing and landscaping (Sec. 28-105) standards.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To revise the fencing standards to enhance the traditional urban character and form of the City of Jackson, thereby enhancing its economic vitality, aiding in the creation of a pedestrian friendly environment, and protecting property values.

Section 2. That Article I of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended to include the following definition(s):

ARTICLE I. IN GENERAL

...

Sec. 28-5. Definitions.

...

~~Fence means any artificially constructed barrier which is used to enclose, separate, or screen areas of land or as a means of protection.~~

Fence or wall means any artificially constructed barrier which is used to enclose, separate, or screen areas of land or as a means of protection. For the purposes of this Chapter a fence or wall is considered an accessory structure and must be constructed of materials that are all weather and zero maintenance. Treated wood must meet the American Wood Protection Association's UC4B standard for ground contact (heavy duty).

- (1) *Privacy fences or walls* are eighty (80) percent or more opaque and of sufficient height to provide a visual buffer.
- (2) *Non-privacy fences or walls* are less than eighty (80) percent opaque or of insufficient height to provide a visual buffer.

Wall (please see 'fence or wall')

~~Yard, front means an open space extending the full width of a lot between any part of a building and the front lot line, unoccupied and unobstructed from the ground upward, except as hereinafter specified (see "yards" diagram following this section).~~

~~Yard, rear means an open space extending the full width of a lot between any part of a building and the rear lot line, unoccupied and unobstructed from the ground upward, except as~~

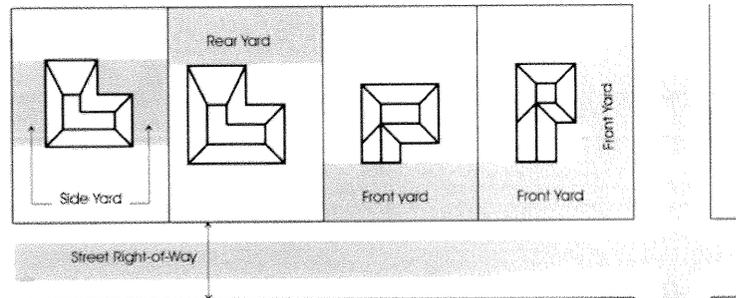
~~hereinafter specified. In the case of double frontage lots and corner lots, there will be no rear yard (see "yards" diagram following this section).~~

~~Yard, side means an open space extending from the front yard to the rear yard between the side lot line and the nearest point of the main building or of an accessory building attached thereto, unoccupied and unobstructed from the ground upward, except as hereinafter specified (see "yards" diagram following this section). In the case of double frontage or corner lots, all yards other than front yards shall be deemed side yards.~~

Yard means a required open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed by a principal structure or portion of a structure from the ground upward, except as provided otherwise in this Chapter.

- (1) **Front Yard** means a yard extending the full width of a lot and situated between a street line and a front building line parallel to the street line. The depth of the front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines in the case of rounded property corners at street intersections.

Yard Example



Where the radius of the curve is thirty (30) feet or less, the foremost point of the side lot line shall be assumed to be the point at which the side and front lot lines would have met without such rounding. If the radius of such curve exceeds thirty (30) feet, the yard shall be parallel to the street line. The front and rear yard lines shall be parallel.

- a. **Addressed Front Yard**, means all front yards will be considered the addressed (primary) front yards of the lot, excluding corner and through lots.
- b. **Non-Addressed Front Yard** means that the non-addressed front yard will be considered the secondary front yard and regulated accordingly, for corner and through lots.
- (2) **Rear Yard** means a yard extending the full width of the lot between the interior side yard lines and situated between the rear lot line and the rear building line and parallel to the rear lot line. In the case of corner and through lots, there shall be no rear yards but only front and side yards.
- (3) **Side Yard** means a yard situated between the side building line and adjacent side lot line and situated between the rear yard and front yard. In the case of corner lots and through lots it is the yard situated between the side building line and adjacent lot line situated between the front yards.

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

ARTICLE IV. SITE AND BUILDING DESIGN STANDARDS

...

Sec. 28-125. Standards for fences, walls, and landscape berms.

All fences, walls, and landscape berms of any nature, type or description located in the City of Jackson must conform to the following regulations:

- (a) *Approval required.* The erection, construction or alteration of any fence, wall or other type of protective barrier must be approved by the Zoning Administrator (or designee) as to conformance with the requirements of the zoning district and this Section.
- (b) *General fence, wall, and landscape berm standards.*
 - (1) *Fence wall, or landscape berm height measurement.* The height of a fence, wall, or landscape berm will be measured using the following method:
 - a. The permitted height of all fences, walls, and landscape berms will be measured from the ground elevation adjacent to the fence, wall, or berm, as determined by the Zoning Administrator (or designee).
 - b. Where elevations differ by more than four (4) feet within ten (10) feet of side or rear lot lines, the Zoning Administrator (or designee) may allow additional fence, wall, or landscape berm height for the property at the lower elevation.
 - c. The permitted height of fences or walls will not be measured from an area of the ground that has been built-up or constructed in a manner that would have the effect of allowing a taller fence than permitted by this Chapter (e.g. the height of fences erected on a berm will be measured from the finished grade adjacent to the edge of the berm).
 - (2) *Masonry walls.* Masonry walls must be constructed of the same or complementary building material to that of the principal structure and must be un-pierced (except for pedestrian and vehicular connections) and have a decorative cap. Cement or slag blocks will not be permitted.
 - (3) *Visibility at intersections:* All fences in the front yards must comply with the requirements of Subsection 28-126, visibility at intersections.
 - (4) *Decorative fences, walls and landscape berms.* Fences, walls, and landscape berms which are two and a one-half (2½) feet or less in height are considered decorative and do not require a permit.
 - (5) *Landscape berms.* Where provided, landscape berms must conform to the following standards.

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- a. Berms must comply with the height restrictions for fences and walls in Subsections 28-125 (c) and (d), but in no case may they be maintained at a continuous height. All berms must be undulating and include gaps where deemed necessary.
 - b. Sides of the berm must be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal.
 - c. In measuring slope and height, grade elevation will be the average ground elevation adjacent to the proposed berm.
 - d. Side slopes must be protected from erosion by sod, seed or other living ground cover. If slopes are seeded, they must be protected until the seed germinates and a permanent lawn is established.
- (c) *Fences and walls in the residential districts and manufactured housing communities*
- (1) Ornamental fences and walls located in the required and addressed front yard –meeting the definition of a non-privacy fence and not intended to restrain animals of any kind– may be up to three (3) feet in height, unless otherwise approved by the Zoning Administrator (or designee), and must be set back at least one (1) foot from the sidewalk/right-of-way line.
 - (2) Fences and walls located in the required and non-addressed (secondary) front yard of a corner or through-lot must be setback from the property line as follows, unless otherwise approved by the Zoning Administrator (or designee):
 - a. No less than one (1) foot for ornamental fences and walls –meeting the definition of a non-privacy fence and not intended to restrain animals of any kind– up to three (3) feet in height;
 - b. No less than four (4) feet for fences and walls up to four (4) feet in height with at least 4 shrubs per each 20 linear feet in the required setback.
 - c. No less than six (6) feet for fences and walls up to six (6) feet in height with at least 4 shrubs per each 20 linear feet in the required setback.
 - (3) Fences and walls located in the side and rear yards may have a maximum height of six (6) feet, unless otherwise approved by the Zoning Administrator (or designee), and may be located on the property line assuming the front yard fencing requirements are satisfied.
 - (4) Residents are encouraged to utilize ornamental materials, including but not limited to materials such as wrought iron, brick, stone, and similar replications of these materials, such as vinyl fencing that has the appearance of one of these materials.
 - (5) Fencing materials must be all weather and zero maintenance. Treated wood must meet the American Wood Protection Association’s UC4B standard for ground contact (heavy duty)

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- (6) Chain link or similar fencing is permitted everywhere except within the front yard.
 - (7) The finished side of a fence or wall must face outward toward any adjacent property or right-of-way.
 - (8) No fences or walls are permitted within the required site clearance triangles (see Section 28-126). The same site clearance triangle applies to solid fences abutting detached garages located on the non-addressed frontage of a corner lot (see Section 28-126).
- (d) *Fences and walls in commercial and industrial districts.*
- (1) No fence or wall may exceed eight (8) feet in height, unless otherwise approved by the Zoning Administrator (or designee).
 - (2) No fences or walls may be located in the required and addressed front yard unless it is part of a conditional use permit request for an automobile wrecking and salvage yard (see Section 28-71 (14)), junkyard (see Section 28-71 (80)), or similar use,
 - (3) Fences located in the required non-addressed (secondary) front yard of a corner or through-lot, must be set back from the property line, unless otherwise approved by the Zoning Administrator (or designee), as follows:
 - a. No less than one (1) foot for ornamental fences and walls –meeting the definition of a non-privacy fence and not intended to restrain animals of any kind–up to three (3) feet in height;
 - b. No less than four (4) feet for fences up to four (4) feet in height with at least 4 shrubs per each 20 linear feet in the required setback;
 - c. No less than six (6) feet for fences up to six (6) feet in height with at least 4 shrubs per each 20 linear feet in the required setback; and
 - d. No less than eight (8) feet for fences up to eight (8) feet in height with at least 4 shrubs per each 20 linear feet in the required setback.
 - (4) All fences or walls must be ornamental in nature and should be made of wrought iron, wood, brick, stone and similar replications of these materials. However, when abutting residentially zoned and/or used property, and when used to screen parking or outdoor storage areas, the fence must be constructed of an opaque weatherproof material.
 - (5) Fencing materials must be all weather and zero maintenance. Treated wood must meet the American Wood Protection Association’s UC4B standard for ground contact (heavy duty).
 - (6) Chain link or similar fencing is permitted everywhere except within the front yard and when abutting residentially zoned and/or used property.

-
- (7) No fences or walls are permitted within the required site clearance triangles (see Section 28-126).
- (e) *Protective fences.* During construction, protective fencing must be placed around existing vegetation proposed for preservation and other site elements which cannot be easily removed or stored.
- (1) Proposed protective fencing must be clearly identified on the landscape plan and approved by the Zoning Administrator (or designee) in terms of height and materials.
 - (2) Protective fencing cannot be located closer than one (1) foot outside the perimeter of the following, as identified on the landscape plan:
 - a. The drip lines of existing trees and shrubs; and
 - b. Planting beds and other site element.
- (f) *Prohibited fences.* The following fences are prohibited:
- (1) A fence consisting in whole or part of coils of barbed wire, concertina wire or razor wire;
 - (2) A fence with razored edges, broken glass, affixed spikes, projecting nails or other pointed instruments of any kind or description attached; fence gates cannot be constructed so as to create a hazard to the public by the projection of any pointed instrument or member when open or partially open;
 - (3) A fence charged or connected with an electrical current, provided however, this provision cannot be construed to apply to electrical fences installed below ground as elements of an animal control or security system;
 - (4) A standard barbed wire fence except upon essential service sites or industrial properties which do not abut property zoned or used for residential purposes; in such locations, standard barbed wire may be installed on the top of a fence on arms or cradles extending inward over the owner's property provided that the fence has a minimum height of six (6) feet above the adjacent grade and the combined height of the fence and barbed wire and arms does not exceed eight (8) feet above the adjacent grade;
 - (5) A chain link or similar fencing, unless otherwise permitted in this Section.
 - (6) A fence which consists in whole or part of woven plastic or other similar materials utilized within a chain link fence; and
 - (7) A fence with all metal opaque paneling (e.g., barn siding, roof material, etc.) unless it is part of a conditional use permit request for an automobile wrecking and salvage yard (see Section 28-71 (14)), junkyard (see Section 28-71 (80)), or similar use.



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 28, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk 
SUBJECT: Final Adoption of Ordinance No. 2012.20

SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL MEETING AGENDA:

FINAL ADOPTION OF ORDINANCE NO. 2012.20 AMENDING CHAPTER 28, CITY CODE, REPLACING SEC. 28-105 (LANDSCAPE STANDARDS) AND AMENDING SEC. 28-5 (DEFINITIONS) AND SEC. 28-135 (SITE PLAN REVIEW PROCEDURES AND REQUIREMENTS) TO ACCOMMODATE THE NEW LANDSCAPING STANDARDS.

Attached please find Ordinance No. 2012.20 approved by the Council at the August 14 meeting. Requested action is to adopt the Ordinance.

C: Deputy City Manager

ORDINANCE 2012.____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan by replacing Sec. 28-105 (landscape standards) and amending Sec. 28-5 (definitions) and Sec. 28-135 (site plan review procedures and requirements) to accommodate the new landscaping standards.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To revise the landscaping standards which enhance the traditional urban character and form of the City of Jackson, thereby enhancing its economic vitality, aiding in the creation of a pedestrian friendly environment, and protecting property values.

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

ARTICLE I. IN GENERAL

...

Sec. 28-5. Definitions

...

Landscaping means the treatment of the ground surface with live plant materials such as, but not limited to, turf grass (i.e., lawns), ground covers, trees, shrubs, and other live plant material. In addition, a landscape design may include other decorative natural materials, as well as various types of mulch. Structural features such as fountains, pools, statues and benches shall also be considered a part of landscaping if provided in combination with live plant material. The following are applicable definitions related to landscaping:

- (1) *Buffer zone* means a strip of land required between certain zoning districts reserved for plant material, berms, walls or fencing singularly or in combination to serve as a visual and noise barrier.
- (2) *Caliper* means the diameter of a tree trunk in inches measured at diameter breast height (dbh) (i.e., four and one-half (4½) feet above the existing grade).
- (3) *Deciduous* means a tree or shrub that sheds its foliage at the end of the growing season.
- (4) *Drip line* means an imaginary vertical line that extends downward from the outermost tips of tree or shrub branches to the ground.
- (5) *Evergreen* means a tree or shrub with persistent foliage (i.e., needles or broadleaves) that remains green throughout the year.

- (6) *Greenbelt* means the land abutting a public street, private street or access drive that shall be reserved as a landscaped area to serve as an obscuring screen, noise abatement and visual enhancement along roadway corridors in accordance with Section 28-105, landscape standards.
- (7) *Ground covers* mean low-growing plants, including various types of:
 - a. Woody plants and vines (e.g., myrtle, pachysandra, ivy) planted to become dense after one (1) complete growing season and prevent weeds and soil erosion;
 - b. Perennials (i.e., flowers, herbs, ornamental grasses and other plants) which die back at the end of each growing season and regenerate at the beginning of the next growing season (including bulbs), planted to become dense after one (1) complete growing season and prevent weeds and soil erosion.
 - c. Annuals (i.e., flowers, herbs, ornamental grasses and other plants) which die at the end of each growing season in USDA Plant Hardiness Zone 6a, planted at sufficient density to prevent weeds and soil erosion.
- (8) *Landscape features* mean various manmade items typically found in the landscape including, but not limited to, outdoor furniture (e.g., benches, tables, and chairs, etc.), statuary, and birdbaths.
- (9) *Mulch* means processed pervious organic (e.g., shredded bark, wood chips, etc.) and inorganic (e.g., pea gravel, larger stones and rocks, etc.) materials utilized in planting areas to prevent weeds and soil erosion and retain soil moisture.
- (10) *Plant schedule* means a listing of the plants proposed as part of a landscape design which is keyed to the landscape plan as includes the following information: quantity (i.e., number of plants), common name, botanical name (i.e., genus, species, and variety (if applicable)) type (as defined in this Chapter), size (at time of installation), and root ball (i.e., ball and burlap (B&B), bare root, or container). Please see the Plant Schedule Example.

Plant Schedule Example

Key	Quant.	Common Name	Botanical Name	Type of Plant	Size	Root Ball
AE	4	Celebration® Maple	Acer x freemanii 'Celzam'	Canopy Tree	3-in Cal	B&B
CF	1	Flowering Dogwood	Cornus florida	Ornamental Tree	6-ft height	B&B
EA	5	Dwarf Burning Bush	Euonymus alatus 'Compacta'	Large Deciduous Shrub	3-ft height	Container
SJ	9	Little Princess Spirea	Spiraea japonica 'Little Princess'	Small Deciduous Shrub	2-ft height	Container
CO	3	Hinoki Fernspray Cypress	Chamaecyparis obtusa 'Filicoides'	Upright Evergreen Shrub	2-ft height	Container
TD	5	Densi Yew	Taxus densiformis 'Densi'	Spreading Evergreen Shrub	2-ft spread	Container
HH	80	Baltic Ivy	Hedera helix 'Baltica'	Ground Cover	N/A	Container

- (11) *Shrub* means a deciduous or evergreen plant which at maturity is less than thirteen (13) feet in height with multiple stems and having a general bushy appearance or maintained as a hedge.

- a. *Small* means a mature (or maintained) height of thirty (30) inches or less.
 - b. *Large* means a mature height between thirty (30) inches and thirteen (13) feet.
 - c. *Upright form* means taller than its width at maturity.
 - d. *Spreading form* means shorter than its width at maturity.
- (12) *Tree* means a woody plant which at maturity is thirteen (13) feet or more in height with a perennial trunk and having a definite crown of foliage.
- a. *Canopy tree* means a deciduous tree which has a height of twenty-five (25) feet or more and a single trunk with at least five (5) feet of clear stem at maturity.
 - b. *Ornamental tree* means a deciduous or evergreen tree that is typically grown because of its shape, flowering characteristics or other attractive features (e.g., exfoliating bark, multiple-stems, fruit, etc.) and typically grows to a mature height of twenty-five (25) feet or less.
- (13) *Turf grass* means any family of plants with narrow leaves normally grown as permanent lawns (i.e., turf) in southern Michigan.

Lawn extension and/or terrace means the area between the road curb and sidewalk (or the property line if no sidewalk exists).

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

ARTICLE IV. SITE AND BUILDING DESIGN STANDARDS

...

Sec. 28-105. Landscape standards

- (a) *Intent.* Landscaping is necessary for the protection and enhancement of the environment and for the continued vitality of all land uses in the City. The intent of this Section is to promote the public health, safety and welfare by establishing minimum standards for the design, installation, and maintenance of landscape improvement. The requirements of this Section are intended to help achieve a number of functional and environmental objectives such as:
- (1) To promote the implementation of the City’s Comprehensive Plan and any related subarea plans;
 - (2) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and storm water runoff retardation, while at the same time aiding in noise, glare and heat abatement;
 - (3) To encourage the preservation of existing trees and vegetation;

- (4) To assist in providing adequate light and air and in preventing overcrowding of land;
- (5) To provide visual buffering and enhance the beautification of the City;
- (6) To reduce the physical impact between adjacent land uses by requiring complementary landscape treatments and providing a transitional area adjacent to natural areas;
- (7) To safeguard and enhance property values and to protect public and private investment;
- (8) To preserve, protect and restore the unique identity and environment of the City of Jackson and preserve the economic base attracted to the City by such factors;
- (9) To define, articulate and integrate outdoor spaces, architectural elements, and various site elements;
- (10) To conserve energy, and to protect the public health, safety, and general welfare;
- (11) To provide habitat for living things that might not otherwise occur or be found in urban environs; and
- (12) To provide reasonable standards to bring developed sites that existed prior to the adoption of these standards into compliance with the requirements contained herein.

(b) *Scope of application.*

- (1) The requirements set forth in this Section will apply to all uses, lots, sites, and parcels that are developed or expanded following the effective date of this Ordinance. No site plan that is reviewed in accordance with Section 28-135, site plan review procedures and requirements, may be approved unless the site plan shows required landscaping consistent with the provisions of this Section.
- (2) Where landscaping is required, a building permit will not be issued until the required landscape plan is submitted and approved, and a certificate of occupancy will not be issued unless provisions set forth in this Section have been met or by providing a performance guarantee as authorized by Section 28-165.
- (3) The Zoning Administrator (or designee) or Planning Commission will determine if the existing landscaping or screening identified for preservation meets the intent of this Section (see Subsection. 28-105 (d)).
- (4) The Zoning Administrator (or designee) or Planning Commission may determine that there exist unique circumstances that would prevent the installation of all or a portion of the required site landscaping, greenbelts, buffer zones, and parking lot landscaping or detention/retention basin landscaping requirements.
 - a. Such a determination must be made based upon criteria such as the following:
 1. Topography;
 2. Existing woodlands, wetland, floodplain, drainage conditions and poor soils;

3. Types and distance to adjacent land uses;
 4. Dimensional conditions unique to the parcel;
 5. Provision of adequate sight distances/clearance for motorists and pedestrians;
 6. Health, safety and welfare of the City;
 7. Clearance from overhead utility lines and separation from underground utilities; and
 8. Accessibility to fire hydrants.
- b. In return the applicant will be required to incorporate at least one (1) of the following elements in the landscape plan:
1. The utilization of credits obtained by preserving existing vegetation per the standards of Section 28-105 (c)(3)(e) and Section 28-110 (c).
 2. Placing the required plant material elsewhere on the site, as approved by the Zoning Administration (or designee) or Planning Commission;
 3. Use of larger plant material (see Subsection 28-105 (c)(1)); or
 4. An alternative proposed by the applicant in writing and approved by the Zoning Administrator (or designee) or Planning Commission (see Subsection 28-105 (g)).
- (5) *Landscape plan review required.* A separate landscape plan detailing the landscape changes consistent with the standards of this Chapter must be submitted to the Zoning Administrator (or designee) when:
- a. A full site plan (FSP) is mandated, per the requirements of the Table of Required Review Process located in Section 28-135 (a);
 - b. Where the building and/or parking area is being increased by at least twenty-five percent (25%) or reconstructed; or
 - c. The building is being changed to a more intense use, as determined by the Zoning Administrator (or designee). The change in use intensity must consider factors such as required parking, amount of traffic generated, maximum building occupancy or change to a different use category in the Building Code.
- (c) *Landscape plan specifications.*
- (1) *Minimum requirements.* The requirements contained in this Section are considered the minimum necessary to achieve the intent of this Section, but nothing herein will preclude the use of more extensive landscaping to further improve the function, appearance and value of the property. The use of larger plant material may be used to count towards the overall minimum planting requirements (i.e. planting a 12 foot tall evergreen when a 6 foot is required equals credit for one and one-half (1½) trees).

-
- (2) *Appropriate design professional requirement.* The Zoning Administrator (or designee) may require the landscape plans to be prepared by an appropriate design profession due to the complexity of a project or another compelling issue.
- (3) *Required information.* The landscape plan must demonstrate that all requirements of this Section are met and must include the following information:
- a. Illustration of the location, spacing, species, size and root ball of proposed plant material, including a plant schedule (see ‘landscaping’ under Sec. 28-5 for a definition and example);
 - b. Separately identify compliance with the minimum numeric requirements (rounded up) for site landscaping, greenbelts, buffer zones, parking lot landscaping, and detention/retention ponds;
 - c. Clearly identify and delineate proposed planting beds and turf grass areas;
 - d. Provide typical cross sections to illustrate views from adjacent land uses, and the slope, height, and width of proposed berms or landscape elements, as required by the Zoning Administrator (or designee) or Planning Commission,;
 - e. *Existing vegetation survey.* Provide a survey of existing vegetation in accordance with Sec. 28-110 (c) which denotes the following (see ‘landscaping’ under Sec. 28-5 for pertinent definitions):
 1. Trees, noting their size (i.e., caliper or height) and type (i.e., canopy, evergreen, or other ornamental);
 2. Shrubs, noting their size and type/form (i.e., upright or spreading evergreen or small or large deciduous);
 3. Ground covers, noting their size/coverage and type (i.e., woody plants and vines or perennials); and
 4. Identify the vegetation proposed for preservation and the credits (if any) that will be claimed per the standards cited in Section 28-110 (c).
 - f. Delineate the location of protective fencing around existing vegetation identified for preservation per the standards of Sec. 28.125 (e). A detail of all such fencing must be provided on the landscape plan and meet the standards for such fencing included in Section 28-125 (h);
 - g. Provide construction details to resolve specific conditions such as limits of grading adjacent to areas with trees and vegetative cover to be preserved, tree wells to preserve existing trees or culverts to maintain natural drainage patterns;
 - h. Provide details to ensure proper installation and establishment of proposed plant material (e.g., tree stakes, guy wires, protective fencing, etc.), as directed by the Zoning Administrator (or designee) or the Planning Commission; and

- i. Identify a landscape maintenance program, including a statement that all diseased, damaged or dead materials will be replaced in accordance with the requirements of this Section.

(d) *Landscape standards.*

- (1) All landscaping must conform to the following standards, unless otherwise approved by the Zoning Administrator (or designee) or Planning Commission, each of which will be calculated separately. Please see ‘landscaping’ in Section 28-5 for definitions of the various plant types cited in the following table:

Table of Landscape Standards

Location	Dimensions (min.)	Landscape Quantities (a)		
		Trees (min.)	Shrubs (min.) (b)	Other Materials
SITE LANDSCAPING				
Within the lawn extension/terrace (i.e., between the sidewalk and street curb).		1 canopy tree per each 30 linear feet of frontage.	Turf grass (i.e., lawns) and planting beds (per the requirements of Subsection 28-105 (e)(5)).	
Cul-de-sac islands (if applicable).		1 canopy or evergreen tree per each 1,000 sq. ft. area.	Turf grass (i.e., lawns) and planting beds (per the requirements of Subsection 28-105 (e)(5)).	
Front Yard (new residential only).	Between the principal structure and the sidewalk/right-of-way line.	1 tree per each 30 linear feet of frontage.	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views to the adjacent street, as well as turf grass (i.e., lawns).	
Outdoor ground mounted equipment (i.e. HVAC units, etc.).			Evergreen hedge or privacy fence or wall no less than the height of the equipment.	
Entire property.	Open areas remaining after accounting for the required landscape areas.	1 tree per each 1,200 sq. ft. of total lot area.	1 small shrub per each 500 sq. ft. of total lot area	Turf grass and planting beds.

(continued)

Table of Landscape Standards

Location	Dimensions (min.)	Landscape Quantities (a)		
		Trees (min.)	Shrubs (min.) (b)	Other Materials
GREENBELTS (c)				
All zoning districts or uses.	Between the principal structure and the sidewalk/right-of-way line.	1 tree per each 30 linear feet of frontage (d, e).	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views as well as turf grass (i.e., lawns) (d, e).	
BUFFER ZONES				
Multiple-family residential district or use ADJACENT TO one-family and one- and two-family residential districts or uses.	Between the principal structure and the sidewalk/right-of-way line.	1 canopy or evergreen tree per each 20 linear feet.	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views as well as turf grass (i.e., lawns).	
Institutional uses ADJACENT TO any residential district or use.	Between the principal structure and the sidewalk/right-of-way line.	1 canopy or evergreen tree per each 20 linear feet.	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views as well as turf grass (i.e., lawns).	
Commercial and Industrial District or Use ADJACENT TO Any Residential District or Use.	Between the principal structure and the sidewalk/right-of-way line.	1 canopy tree and 2 evergreen trees per each 20 linear feet.	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views as well as turf grass (i.e., lawns).	
Industrial district or Use ADJACENT TO Any Commercial District or Use.	Between the principal structure and the sidewalk/right-of-way line.	1 canopy or evergreen tree per each 20 linear feet.	4 shrubs per each 20 linear feet or, if not feasible, sufficient ornamental trees and shrubs (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds to screen views as well as turf grass (i.e., lawns).	

(continued)

Table of Landscape Standards

Location	Dimensions (min.)	Landscape Quantities (a)		
		Trees (min.)	Shrubs (min.) (b)	Other Materials
BERM AND/OR MASONRY WALL (f)				
Along the lot line, but outside of the required front yard setback (g, h).	Between 4 and 6 feet tall (i).	Applicable buffer zone landscaping may also be required.		
PARKING LOT ISLANDS				
Within and/or immediately adjacent to the parking lot, protected by curbing, and spaced no more than 15 parking spaces apart in lots with less than 75 spaces or 20 spaces apart in lots with more than 75 spaces.	9 feet wide, 150 sq. ft. in area, 9 foot curve radius adjacent to aisle lanes.	1 canopy tree per 150 sq. ft. of the total area comprising parking lot islands (j).	Planting beds (per the requirements of Subsection 28-105 (e)(5)).	
PERIMETER PARKING LOT LANDSCAPING				
Perimeter of the parking lot envelope.	Parking lots must be set back at least 5 ft. from a right-of-way and required plantings must be within 10 feet from the edge of pavement.	1 canopy tree per each 2,000 sq. ft. of paved surface area (k).	3 foot tall perimeter hedge along a right-of-way or, if not feasible, sufficient shrubbery (as determined by the Zoning Administrator (or designee)) located in clearly defined planting beds, as well as turf grass (i.e., lawns). (m).	
LOADING AND OUTSIDE STORAGE AREAS				
Loading and outside storage areas.		The Zoning Administrator (or designee) or Planning Commission may require additional landscaping/screening for loading areas and outdoor storage areas when visible from adjoining parcels or streets.		

(continued)

Table of Landscape Standards

Location	Dimensions (min.)	Landscape Quantities (a)		
		Trees (min.)	Shrubs (min.) (b)	Other Materials
DETENTION AND RETENTION PONDS (k)				
Rear or side yards within a natural or man-made depression designed to appear natural or free formed.		1 tree per each 50 linear feet measured at the top bank of the pond (l, m).	10 shrubs per 50 linear feet measured at the top of the pond or, if not feasible, sufficient shrubbery (as determined by the Zoning Administrator (or designee)), located in clearly defined planting beds PLUS a native seed mix on the slopes to prevent erosion (l, m).	

(2) *Footnotes to the Table of Landscape Standards.*

- a. Adjustments in the placement of plantings are subject to any required site clearance triangles, per the requirements of Section 28-126.
- b. The type of shrubbery must be a mix of each type noted in Subsection 28-105 (e)(3).
- c. Pertains to the entire street frontage of a property, as measured from the right-of-way, excluding access drives (i.e., driveway cuts).
- d. Greenbelt plantings must be arranged to emulate the landscape character of the surrounding areas. Subject to Zoning Administrator (or designee) or Planning Commission determination, the greenbelt plantings may be waived within the C-3 (central commercial) district providing the buildings are located at or near the front property line.
- e. Nothing but landscaping, including decorative fencing and landscape features (as identified in Subsection 28-125 (d)), is allowed within the greenbelt
- f. A berm and/or masonry wall may be required as part of or in place of the buffer when deemed necessary by Zoning Administration (or designee) or Planning Commission to meet the intent of Subsection 28-105 (e)(9) and must conform to Section 28-125.
- g. The location may be modified by the Zoning Administrator (or designee) or Planning Commission upon recommendation of the City Engineer (or designee) due to unique circumstances, such as conflicts with underground utilities and better screening provided at alternative locations.
- h. See Subsection 28-105 (f)(9) for berm construction standards.
- i. Up to an eight (8) foot berm and/or wall may be permitted within the commercial and industrial districts.

- j. No branches may remain within five (5) feet above the grade of the parking lot, if the drip line extends outside of the landscape area.
- k. Decorative treatment may be incorporated into the perimeter parking lot landscaping such as the inclusion of tree clusters and decorative fencing and landscape features (as identified in Subsection 28-125 (d)) Treatment provided must be compatible with, or a site improvement to, surrounding properties. This decorative treatment is encouraged on sites within the commercial districts and multiple family developments near the downtown.
- l. The basin slopes must be sculptured to filter and soften the views.
- m. The plantings must be clustered in a natural pattern around the basin with trees above the freeboard line (i.e., the high water mark designed for the pond), and all other plantings must be tolerant of wet/moist soils. (e.g., London Plane Trees (*Platanus x acerifolia*), Red Maples (*Acer rubrum*), etc.) The location of plant material will also be done in consideration of the need to provide access for and minimize disruption of plant material during routine pond maintenance.

(e) *Specifications for landscape improvements and plant materials.*

- (1) *Plant material.* All plant material must be hardy to the City of Jackson (i.e., USDA Plant Hardiness Zone 6a), be free of disease and insects, and conform to the American Standard for Nursery Stock of the American Nursery and Landscape Association.
- (2) *Minimum sizes and spacing.* The minimum plant sizes must be provided in accordance with the following (please see ‘landscaping’ in Section 28-5 for definitions of the various plant types cited in the following table):

Table of Minimum Plant Sizes and Spacing

Plant Type	Minimum Plant Size	Spacing Requirements (max. on center)
Canopy Trees	Three (3) inch caliper	Twenty-five (25) feet
Evergreen Trees	Eight (8) foot height	Fifteen (15) feet
Other Ornamental Trees	Six (6) foot height	Fifteen (15) feet
Large Deciduous Shrubs	Three (3) foot height	Four (4) - six (6) feet
Small Deciduous Shrubs	Two (2) foot height	Three (3) feet
Upright Evergreen Shrubs	Two (2) foot height	Three (3) - four (4) feet
Spreading Evergreen Shrubs	Two (2) foot spread	Three (3) – four (4) feet

- (3) *Mixing of species.* The overall landscape plan may not contain more than one third (33.3%) of any one (1) plant species for each type of planting specified in the Table

of Landscape Standards (see Subsection 28-105 (e)). The use of native species and mixture of plants from the same plant community is strongly encouraged.

- (4) *Trees not permitted.* Various trees are not permitted for the following reasons, although the Zoning Administrator (or designee) or Planning Commission may allow them when associated with an appropriate ecosystem, for historic preservation, or another compelling objective:
- a. *Easily damaged or short lived.* Including, but not limited to, Black Locusts (*Robinia pseudoacacia*), Silver Maples (*Acer saccharinum*), and various Poplars and Cottonwoods (*Populus* species);
 - b. *Bears nuisance leaves, fruit, or other characteristics.* Including, but not limited to, Weeping Willows (*Salix babylonica*), nut-bearing Horse Chestnuts (*Aesculus* species), female Ginkgoes (*Ginkgo biloba*), various Mulberries (*Morus* species), Catalpas (*Catalpa speciosa*), various Poplars and Cottonwoods (*Populous* species), and Honey Locusts with thorns (*Gleditsia triacanthos* (i.e., not var. *inermis*));
 - c. *Weedy or invasive.* Including, but not limited to, Box Elders (*Acer negundo*), various Poplars and Cottonwoods (*Populus* species), Trees of Heaven (*Ailanthus altissima*), and Black Locusts (*Robinia pseudoacacia*);
 - d. *Roots clog drains and sewers and crack sidewalks and foundations.* Including, but not limited to, Weeping Willows (*Salix babylonica*) and Silver Maples (*Acer saccharinum*); and
 - e. *Unusually susceptible to disease or insects.* Including, but not limited to, American Elms (*Ulmus americana*) and various Ashes (*Fraxinus* species).
- (5) *Planting Beds.*
- (a) Planting beds are clearly defined areas surrounding a single tree, shrub, or grouping of trees and shrubs and may also include annuals, various other types groundcovers, and mulch (please see ‘landscaping’ in Section 28-5 for definitions of the various plant types cited in the following table).
- There is no size limit for a planting bed as long as dedicated open areas of mulch and annuals do not exceed one third (33.3%) of its total area. Plant coverage will be determined as follows:
1. An eighteen (18) inch radius circle around the trunk of a canopy tree;
 2. The drip-line of an ornamental tree or shrub at the time of planting; and
 3. Groupings of ground cover (excluding annuals) planted to become dense after one (1) complete growing season.

- Mulch is required in those areas at the time of planting, but will not be included when determining the percentage of a planting bed dedicated to open areas of mulch and annuals.
- (b) Mulch must be maintained at a minimum of two (2) inches deep in order to prevent weed growth and soil erosion and to retain soil moisture.
 - (c) Plantings beds must be edged (e.g., by hand (i.e., shovel), plastic or metal edging, etc.)), as identified on the landscape plan and approved by the Zoning Administrator (or designee) and maintained in good condition.
- (6) *Top soil.* Top soil must consist of a four (4) inch base for lawn areas and an eight (8) to twelve (12) inch base within planting beds. This also applies to berms.
 - (7) *Proximity to utilities.* Plant material cannot be located in a manner that will interfere with or cause damage to underground or overhead utility lines, public roads or other public facilities.
 - (8) *Turf grass.* Turf (i.e., lawn) grass must be planted in species normally grown as permanent lawns in Jackson County. Turf grasses may be seeded or sodded. Only rolled sod, erosion reducing net or suitable mulch may be used in swales or other areas susceptible to erosion and must be staked where necessary for stabilization. When complete sodding or seeding is not possible, nurse grass (i.e., fast growing temporary) seed must be sown and mulched for immediate protection until permanent coverage is achieved. Turf grass sod, seed, and top soil must be free of weeds and noxious pests or disease. Areas of turf grass must be adequately irrigated for the first two (2) growing seasons.
 - (9) *Regulations pertaining to sight distance* All proposed landscaping adjacent to the intersection of two or more streets or access drives must meet the standards of Section 28-126.
- (f) *Minimum standards for installation, irrigation and maintenance.*
- (1) *Timing of planting.* All required plant materials must be planted prior to issuing a Certificate of Occupancy by the Building Official (or designee) in consultation with the Zoning Administrator (or designee). In the event that the project is completed during a time of year when planting is impractical, a performance guarantee, as authorized by Section 28-165 of this Chapter, must be provided equal to the amount of installation of the proposed landscaping.
 - (2) *Completion of improvements.* Tree stakes, guy wires, and tree wrap installed to satisfy Section 28-105 (c)(3)(h) must be removed by the date indicated on the landscape plan.
 - (3) *Irrigation.* All landscaped areas must be provided with a readily available and acceptable water supply (e.g., irrigation systems, exterior faucets and hoses, tree watering bags, etc.); as indicated on the landscape plan and approved by the Zoning Ad-

ministrator (or designee); and in accordance with the Michigan Plumbing Code, as applicable.

- (4) *Maintenance.* The owner of the property must be responsible for the regular maintenance of all landscaping. Landscaped areas and plant materials required by this Section must be kept free from refuse and debris. Plant materials, including turf grass (i.e., lawns), must be maintained in a healthy growing condition, neat and orderly in appearance per the intent of the approved site plan. Additionally, all plantings approved as part of a site plan must be maintained in perpetuity or an amended landscape plan must be submitted for consideration by the Zoning Administrator (or designee) or Planning Commission. However, if any required plant material dies or becomes diseased, it must be replaced. Replacement must be within thirty (30) days unless an extended time period is necessary due to weather in which case a written request may be submitted and reviewed by the Zoning Administrator (or designee) prior to its potential authorization.
- (g) *Proposal by applicant for complying with requirement.*
- (1) *Proposal by applicant.* If the applicant demonstrates that compliance with this section is not feasible on the property, in lieu of complying with all of a part of the specific requirements set forth in this Section for landscaping, the applicant may propose in writing an alternative means of compliance. Subject to approval by the Zoning Administrator (or designee) or Planning Commission for a particular property and circumstance, such alternative may include, by way of example, installing landscape materials in the immediate area of the property being developed or paying moneys into the city tree fund in an amount by multiplying the total quantity of plantings that would not be installed by the cost per plant. That proposal must include a timetable for performance, and state whether a performance guarantee (see Section 28-165) would be filed to secure such performance.
 - (2) *Review by the Planning Commission.* The Planning Commission will review the written proposal of the applicant and determine whether the proposal would be accepted in place of the landscape requirements that would not be completed in accordance with this Section. If and to the extent the Planning Commission is satisfied that the applicant has demonstrated that it would not be feasible to fully comply with the landscaping requirements in this Section, the determination by the Planning Commission on whether to approve an applicant's proposal will be based on the standard of most closely achieving the intent of the ordinance, to the extent reasonably feasible. The expense of complying with this section shall not be a basis of consideration by the Planning Commission. Any bonding to be a part of the proposal shall be subject to review by the City Attorney, and shall conform with customary bonding requirements for development in the City.
 - (3) *Effect of approval.* If the applicant's written proposal is approved by the Planning Commission, the proposal shall be deemed to be a regulation required under this Or-

dinance, and a failure to comply with the approved proposal shall be deemed to be a violation of this Ordinance.

(h) City tree fund.

- (1) All revenues raised in lieu of complying with all of a part of the specific requirements set forth in this Section for landscaping (per Subsection 28-105 (g)(1)) must be placed in a city tree fund together with such other revenues from any source or combinations of sources of revenues otherwise legally available which have been designated to be used for the planting of trees and shrubs.
- (2) No part of the funds held in the city tree fund may be transferred to the general operating fund or used for any purpose other than undertaking the planting of trees and shrubs in the City.

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

ARTICLE V. DEVELOPMENT APPROVAL PROCEDURES

...

Section 28-135. Site plan review procedures and requirements.

...

(c) *Required Site Plan Contents.*

The following data must be included with, and as part of, all applications requiring site plan review:

Table of Required Site Plan Data		
	FSP	PSP
...		
LANDSCAPE PLANS:		
General location of An existing tree/vegetation survey per the requirements of Section 28-105 (c)(3)(e) and Section 28-110 (c);	X	<u>X</u>
Location, sizes, and types of existing trees six (6) inches or greater in diameter, with an identification of materials to be removed and materials to be preserved;	X	
Description of methods to preserve existing landscaping;	X	
The location of existing and proposed lawns and landscaped areas;	X	

Table of Required Site Plan Data		
	FSP	PSP
Landscape plan, including location and type of proposed shrubs, trees, and other plant material;	X	
Landscape irrigation plan, per the standards contained in Section 28-105 (f)(3); and	X	<u>X</u>
Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity. A plant schedule, per the requirements of Section 28-105 (e)(3)(a) and as defined under 'landscaping' in Section 28-5.	X	
Key: FSP = full site plan and PSP =plot site plan.		



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
September 11, 2012

DATE: August 28, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk 
SUBJECT: Final Adoption of Ordinance No. 2012.21

**SUGGESTED WORDING FOR SEPTEMBER 11, 2012, CITY COUNCIL
MEETING AGENDA:**

**FINAL ADOPTION OF ORDINANCE NO. 2012.21 AMENDING SECTION 19-56
OF ARTICLE II, DIVISION 2 (TRUSTEES OF THE ELLA W. SHARP PARK
FUND) OF CHAPTER 19, CITY CODE, TO ADD TWO ALTERNATE
MEMBERS TO THE ELLA W. SHARP PARK FUND BOARD OF TRUSTEES.**

Attached please find Ordinance No. 2012.21 approved by the Council at the August 14 meeting. Requested action is to adopt the Ordinance.

C: Deputy City Manager

ORDINANCE 2012. __

An Ordinance to amend Section 19-56 of Article II, Division 2 (Trustees of the Ella W. Sharp Park Fund) of Chapter 19 of the City of Jackson Code of Ordinances to add two alternate members to the Ella W. Sharp Park Fund Board of Trustees.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 19-56 of Article II, Division 2 of Chapter 19 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

Sec. 19-56. Board membership appointments/terms.

- (a) The Ella W. Sharp Park Board of Trustees shall consist of five (5) members, one of whom shall be a member of the city council selected by the city council and four (4) citizen members and (2) alternate citizen members, all of whom shall be appointed by the mayor and confirmed by the city council. Members shall serve without compensation for a term of three (3) years and may be reappointed. The citizen members shall not serve more than three (3) consecutive three-year terms after the effective date of this article without at least a one-year gap in service as a board member. The terms of the board members shall be staggered with existing board members continuing to hold office for the remainder of their current term and with new appointments under this ordinance to be made so that no more than two (2) members' terms expire in any year. The board shall meet in public and shall designate at the first meeting of each year a member to act as chair.
- (b) Alternate members may be called on a rotating basis to sit as board members in the absence of a member. An alternate member may also be called to serve in the place of a member for the purpose of reaching a decision on a case in which a member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a member.

Section 2. This Ordinance takes effect thirty (30) days from the date of adoption.



City Assessor

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

City Council Meeting
September 11, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: David Taylor, City Assessor *DT*
SUBJECT: Property Split, 1708 S. Cooper Street

Attached please find documentation regarding a property split at 1708 S. Cooper Street. The property is on the west side of South Cooper Street between Wall Street and Mansion Street.

Under P.A. 591 of 1996 (The Land Division Act), owners of unplatted property are required to obtain permission from the local municipality before a property is divided.

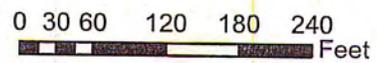
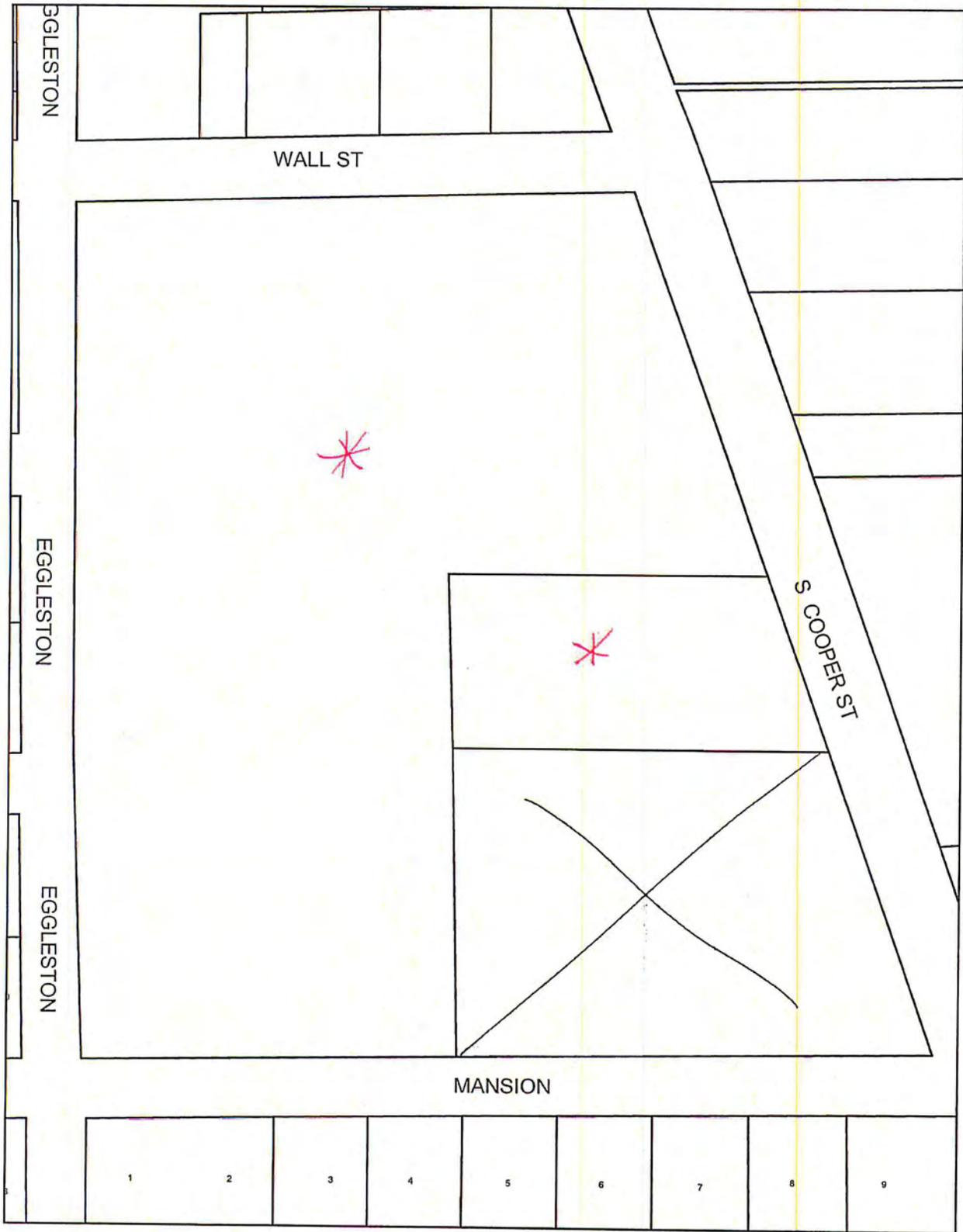
ACTION REQUESTED: Approval, in the form of a motion, of the land division for property at 1708 South Cooper Street according to the attached maps.

Please feel free to contact this office if you have questions regarding the split.

Attachments

Copy: Sharon Hasen, City Manager's Office
Lynn Fessel, City Clerk
Engineering Department
Water Department
Community Development Department
Duane Daugherty, Daugherty Tree Service
Robert Woodward, Ropa Investment Co LLC

Split Request



REQUEST TO SPLIT/COMBINE PROPERTY

NOTE: ALL TAXES & SPECIAL ASSESSMENTS MUST BE PAID BY DECEMBER 31 BEFORE PARCELS WILL BE SPLIT OR COMBINED. IF THE PROPERTY TO BE SPLIT IS UNPLATTED, YOU MUST OBTAIN PERMISSION FROM THE CITY COUNCIL. IF THERE IS A MORTGAGE ON ONE PARCEL BUT NOT THE OTHER, PROPERTIES WILL NOT BE COMBINED. IF THERE IS A LAND CONTRACT INVOLVED FOR ANY OF THE PARCELS, WRITTEN PERMISSION MUST BE OBTAINED FROM THE LAND CONTRACT HOLDER BEFORE THE PROPERTIES WILL BE COMBINED.

TAXPAYER NAME Ropff Investments LLC DATE 2-25-10
TAXPAYER SIGNATURE Robert Woodard Phone# 5172627894
TAXPAYER'S MAILING ADDRESS 1708 Cooper St
ADDRESS OF SUBJECT PROPERTY 1708 Cooper St
PARCEL NUMBER(S) TO COMBINE/SPLIT 5-2153.0100

OFFICE USE ONLY

BEGINNING YEAR _____ PROPERTY CLASSIFICATION C BOOK MAP _____

NEW PARCEL NUMBER(S) _____

NEW LOT SIZE(S) _____

NEW LEGAL DESCRIPTION(S) _____

NEW LEGAL(S): FLD BK _____ EQUAL _____ 400 _____ PRC _____

CURRENT LAND VALUE(S) _____

NEW LOT SIZE(S): PRC _____ EQUAL _____

RE-DRAW MAP(S): FLD BK _____ SML MAPS _____ GIS _____

DELINQUENT TAXES: _____

OUTSTANDING SPECIAL ASSESSMENTS: _____

NEW PARCEL NO(S) & ADDRESS(ES): RED BK _____

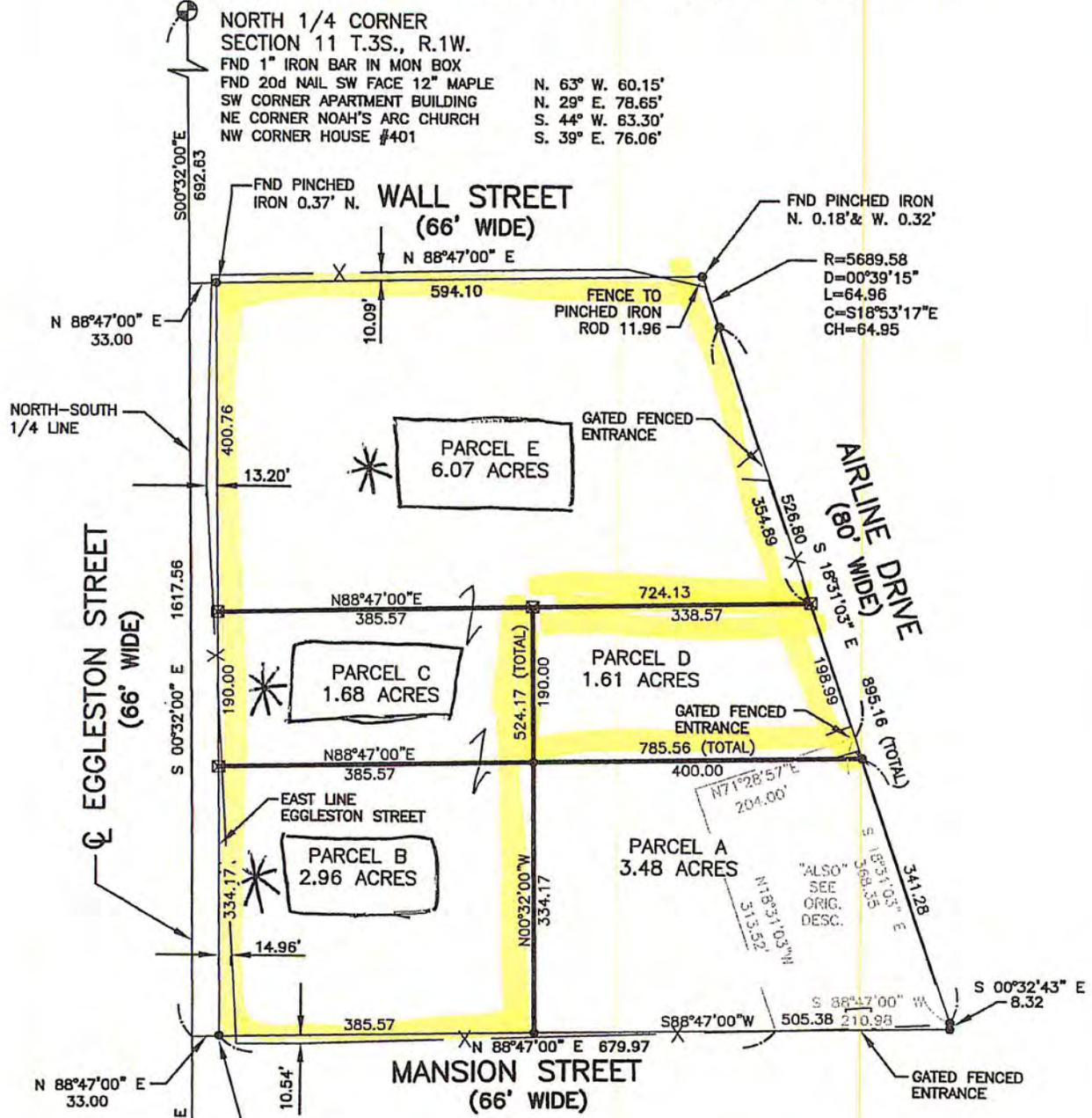
LIST OF SPLITS/COMBS TO VARIOUS DEPARTMENTS _____

Y:\Word_Doc\DKoehn\Splits & Combinations\Request to Split Combine Property Form.Doc

Approved by
Betsy Hicks
7/27/12

CERTIFICATE OF SURVEY

LAND IN WEST 1/2 OF NORTHEAST 1/4 SECTION 11, T.3S., R.1W., CITY OF JACKSON, JACKSON COUNTY, MICHIGAN



NORTH 1/4 CORNER
SECTION 11 T.3S., R.1W.
FND 1" IRON BAR IN MON BOX
FND 20d NAIL SW FACE 12" MAPLE
SW CORNER APARTMENT BUILDING
NE CORNER NOAH'S ARC CHURCH
NW CORNER HOUSE #401

N. 63° W. 60.15'
N. 29° E. 78.65'
S. 44° W. 63.30'
S. 39° E. 76.06'

NORTH-SOUTH
1/4 LINE

EGGLESTON STREET
(66' WIDE)

WALL STREET
(66' WIDE)

AIRLINE DRIVE
(80' WIDE)

MANSION STREET
(66' WIDE)

PARCEL E
6.07 ACRES

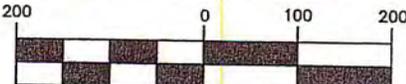
PARCEL C
1.68 ACRES

PARCEL D
1.61 ACRES

PARCEL B
2.96 ACRES

PARCEL A
3.48 ACRES

GRAPHIC SCALE



1 inch = 200 ft.

CENTER, SECTION 11
T.3S., R.1W.

FND HARRISON MON IN MON BOX
SW CORNER HOUSE #400
SE CORNER HOUSE #338
NE CORNER HOUSE #337
NW CORNER ST. JOHN'S
CATHOLIC CEMETARY

N. 43° E. 78.99'
N. 41° W. 68.78'
S. 41° W. 68.28'
S. 53° E. 141.11'

BEARINGS BASED ON AIRLINE DRIVE S. 18° 31' 03" E.
AND MANSION STREET N. 88° 47' 05" W.
JACKSON COUNTY ROW MAP 38-R-2, P. 92

LEGEND

- x — FENCE
- FOUND IRON
- (M) MEASURED
- (R) RECORD
- ⊠ SET IRON W/CAP



**CITY COUNCIL MEETING
SEPTEMBER 11, 2012**

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Daniel P. Greer, 3rd Ward City Councilmember *DPG*
DATE: August 15, 2012
SUBJECT: MML Annual Convention – Voting Delegate

Attached is information regarding the upcoming Annual Michigan Municipal League (MML) Convention to be held October 3-5, 2012, on Mackinac Island. Each year at the Annual Convention, the MML conducts its Annual Business Meeting. Each member City is represented by a voting delegate and an alternate delegate during this meeting. Due to the fact that I now serve on the MML Board of Trustees, I feel it is appropriate Councilmember Laura Schlecte have the opportunity to serve as our voting delegate. Therefore, I'm requesting an agenda item for the September 11, 2012, Council meeting, where I plan to nominate Councilmember Schlecte as the City of Jackson voting delegate at the MML Convention.

DPG:skh

Attachment



michigan municipal league

Better Communities.
Better Michigan.

1675 Green Road
Ann Arbor, MI 48105

TEL 734.662.3246 800.653.2483
FAX 734.662.8083
WEB www.mml.org

August 9, 2012

Michigan Municipal League Annual Meeting Notice

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

Dear Official:

The Annual Convention of the Michigan Municipal League will be held on Mackinac Island, October 3-5, 2012. The annual meeting is scheduled for 11:00 am on Wednesday, October 3 in the Terrace Room at the Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document. B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

A) In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

B) In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 3, 2012.**
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> **no later than September 21, 2012.**

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

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

principal representative.”

1. Election of Trustees

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

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus the deadline this year for the League to receive resolutions is **September 3, 2012**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, which serves as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

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

3. Posting of Proposed Resolutions and Core Legislative Principles

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

The Board of Trustees will meet on Wednesday, October 3 at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Karen Majewski
President
Mayor of Hamtramck



Daniel P. Gilmartin
Executive Director & CEO
Enc.



City of Jackson

Dept. of Personnel & Labor Relations

Crystal Y. Dixon, Director

CITY COUNCIL MEETING
September 11, 2012

MEMO TO: Honorable Mayor and City Council Members

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

SUBJECT: Consideration of a Request to Approve the Tentative Agreement between the City of Jackson and the Police Officers Labor Council, Non-Supervisory Unit.

RECOMMENDED

ACTION: To approve the Tentative Collective Bargaining Agreement Reached between the City of Jackson and the Police Officers Labor Council Non-Supervisory Unit, commencing July 1, 2012 through June 30, 2016.

Background Information:

The City of Jackson and the Police Officers Labor Council Non-Supervisory Unit have been negotiating a successor collective bargaining agreement since March 29, 2012. The parties were in mediation when a tentative agreement was reached on August 17, 2012. The Union voted to ratify the new contract on August 31, 2012. The terms of the tentative agreement shall be discussed in Executive Session at the September 11, 2012 City Council meeting.

It is respectfully requested that you approve this tentative agreement between the City of Jackson and the Police Officers Labor Council Non-Supervisory Unit. Thank you for your consideration.



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Contract Award Request – Third Street and Douglas Court Sewer Construction

RECOMENDATION: CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO BAILEY EXCAVATING, INC. FOR A TOTAL COST OF \$99,025.00, FOR THE THIRD STREET AND DOUGLAS COURT SEWER CONSTRUCTION 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.

On August 29, 2012, bids were opened in the Purchasing Department for the Third Street and Douglas Court Sewer Construction contract. See the attached map for project locations. Sanitary sewer and service construction on Third Street will eliminate a combined service for three houses and abandon an old sanitary sewer. Storm sewer construction on Douglas Court and sanitary sewer modifications will resolve neighborhood drainage and sewer problems. The engineer's estimate for the work is \$98,164.25. Bids were received as follows:

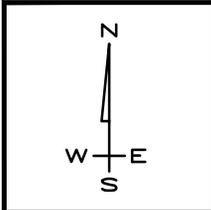
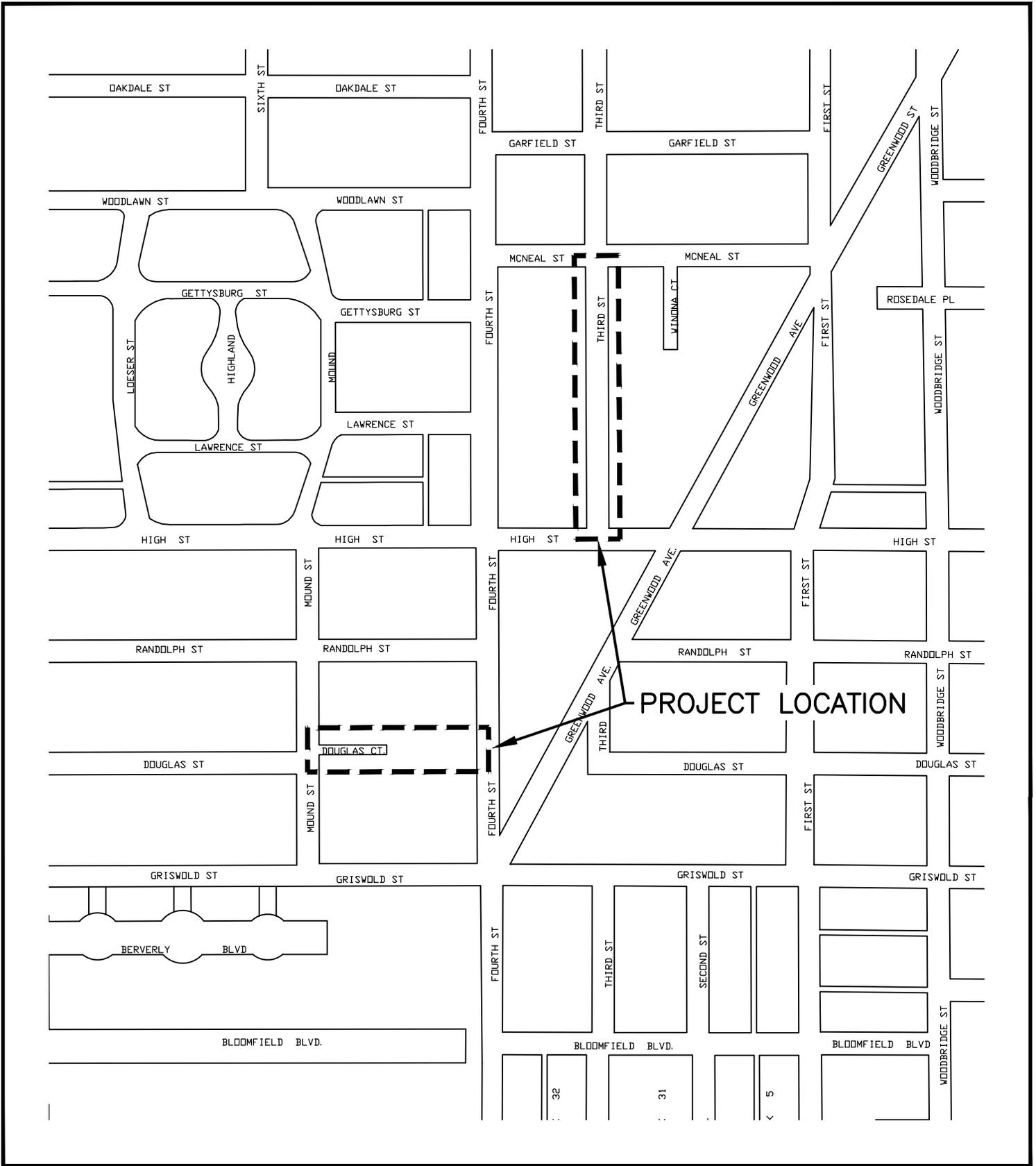
Bailey Excavating, Inc., Jackson, MI	\$99,025.00
Jule Swartz & Sons Excavating, Jackson, MI	\$104,940.00
Rothenberger Company, Inc., Concord, MI	\$131,691.75
C&D Hughes, Inc., Charlotte, MI	\$148,526.80

In concurrence with the Purchasing Agent, it is Engineering's recommendation that the Third Street and Douglas Court Sewer Construction contract be awarded to Bailey Excavating, Inc. of Jackson, Michigan at their low bid of \$99,025.00, and the Mayor and the City Clerk be authorized to sign the contract documents. This project will be paid from Local Street and Sanitary Sewer Replacement 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



SCALE:	N.A.
DATE:	09/06/12
DRAWN BY:	TRW
NEIGHBORHOOD & ECONOMIC OPERATIONS ENGINEERING DIVISION	

VICINITY MAP FOR THIRD STREET AND DOUGLAS COURT SEWER CONSTRUCTION



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

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

SUBJECT: Change to Consumers Energy Standard Streetlighting Contract

RECOMMENDATION: TO APPROVE CHANGES TO CONSUMERS ENERGY STANDARD STREETLIGHTING CONTRACT AND AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN THE APPROPRIATE DOCUMENTS.

As part of Consumers Energy's routine maintenance, all mercury vapor streetlights are being removed to eliminate the mercury from their lights over a ten-year program. These lights are being replaced with 100 watt high pressure sodium streetlights.

Attached are four Authorizations for Change in Standard Streetlighting Contract from Consumers Energy for the work that has occurred in the past two years. Consumers Energy resolutions authorizing these changes are also attached.

We request the approval of the changes to the Consumers Energy Standard Streetlighting Contract and the authorization for the Mayor and City Clerk to sign the appropriate documents.

JHD:sms

Cc: Lynn Fessel, City Clerk
Randall T. McMunn, P.E., Assistant City Engineer
Robert Dietz, Parking Manager/Engineering Assistant

AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)

Consumers Energy Company is authorized as of April 1, 2010, by the City of Jackson, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of Jackson, dated 10-1-2010.

General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.
 General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1012081508, 1011907354, 1010096391, 1009564573, 1011964381, 1013156669, 1008328678, 1009499314, 1006523202, 1012412082, 1007678613, 1012371733, 1012853541, 1012854912, 1011243750, 1012405996, 1012369900, 1006889280, 1008046114, 1012412107, 1012092069, 1006851251, 1012755424

Construction Work Order Number 16176779 16101524 15272198 14987672 16122668 16633979 14395069 14957080 13519412 16309329 14099300 16293258 16497149 16498874 15807330 16309101 16293118 13706701 14259414 16309337 16179264 13687358 16457924

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10-1-2010, shall remain in full force and effect.

By: _____
Its

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City Village Township of _____, dated _____, in accordance with the Authorization for Change in Standard Lighting Contract dated as of _____, heretofore submitted to and considered by this Commission Council Board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on behalf of the City Village Township.

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

I, _____, Clerk of the City Village Township of _____ do hereby certify that the foregoing resolution was duly adopted by the Commission Council Board of said municipality, at the meeting held on _____.

 City Village Township Clerk

Dated:

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

Number of Luminaires	Luminaire Nominal Watts	Type of Luminaire	Type of Fixture	Style of Fixture	Install/Remove	Location
175	MV	NON CUT OFF	COBRA HEAD		Remove	600 E PORTER
100	HPS	NON CUT OFF	COBRA HEAD		Install	600 E PORTER
250	MV	CENTER SUSPENSION			Remove	CORNER OF BACKUS & MADISON
100	HPS	CENTER SUSPENSION			Install	CORNER OF BACKUS & MADISON
250	MV	CENTER SUSPENSION			Remove	335 N GRINNELL ST
150	HPS	CENTER SUSPENSION			Install	335 N GRINNELL ST
175	MV	NON CUT OFF	COBRA HEAD		Remove	308 W MONROE ST
100	HPS	NON CUT OFF	COBRA HEAD		Install	308 W MONROE ST
175	MV	NON CUT OFF	COBRA HEAD		Remove	942 BUSH ST
100	HPS	NON CUT OFF	COBRA HEAD		Install	942 BUSH ST
250	MV	NON CUT OFF	COBRA HEAD		Remove	206 W ARGYLE ST
100	HPS	NON CUT OFF	COBRA HEAD		Install	206 W ARGYLE ST
175	MV	CENTER SUSPENSION			Remove	524 WOODRUFF PL
100	HPS	CENTER SUSPENSION			Install	524 WOODRUFF PL
250	MV	CENTER SUSPENSION			Remove	846 FLEMING AVE
100	HPS	CENTER SUSPENSION			Install	846 FLEMING AVE
175	MV	NON CUT OFF	COBRA HEAD		Remove	AT DEAD END OF FREY ST
100	HPS	NON CUT OFF	COBRA HEAD		Install	AT DEAD END OF FREY ST
175	MV	NON CUT OFF	COBRA HEAD		Remove	LOSEY AVE AND MITCHELL ST JACKSON 7/22
100	HPS	NON CUT OFF	COBRA HEAD		Install	LOSEY AVE AND MITCHELL ST JACKSON 7/22
250	MV	NON CUT OFF	COBRA HEAD		Remove	1705 PRINGLE AVE
100	HPS	NON CUT OFF	COBRA HEAD		Install	1705 PRINGLE AVE
175	MV	NON CUT OFF	COBRA HEAD		Remove	114 RIDGEWAY
100	HPS	NON CUT OFF	COBRA HEAD		Install	114 RIDGEWAY
250	MV	NON CUT OFF	COBRA HEAD		Remove	north east corner of Union St and 4th St. Jackson
100	HPS	NON CUT OFF	COBRA HEAD		Install	north east corner of Union St and 4th St. Jackson
175	MV	NON CUT OFF	COBRA HEAD		Remove	319 Walnut St. south of Lews St.
100	HPS	NON CUT OFF	COBRA HEAD		Install	319 Walnut St. south of Lews St.
250	MV	CENTER SUSPENSION			Remove	1020 WOODBRIDGE ST
150	HPS	CENTER SUSPENSION			Install	1020 WOODBRIDGE ST
175	MV	NON CUT OFF	COBRA HEAD		Remove	1231 3 RD ST JACKSON
100	HPS	NON CUT OFF	COBRA HEAD		Install	1231 3 RD ST JACKSON

Comments:

AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)

Consumers Energy Company is authorized as of April 1, 2010, by the City of Jackson, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of Jackson, dated 10-1-2010.

General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.
 General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1012081508, 1011907354, 1010096391, 1009564573, 1011964381, 1013156669, 1008328678, 1009499314, 1006523202, 1012412082, 1007678613, 1012371733, 1012853541, 1012854912, 1011243750, 1012405996, 1012369900, 1006889280, 1008046114, 1012412107, 1012092069, 1006851251, 1012755424

Construction Work Order Number 16176779 16101524 15272198 14987672 16122668 16633979 14395069 14957080 13519412 16309329 14099300 16293258 16497149 16498874 15807330 16309101 16293118 13706701 14259414 16309337 16179264 13687358 16457924

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10-1-2010, shall remain in full force and effect.

By: _____
Its

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City Village Township of _____, dated _____, in accordance with the Authorization for Change in Standard Lighting Contract dated as of _____, heretofore submitted to and considered by this Commission Council Board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on behalf of the City Village Township.

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

I, _____, Clerk of the City Village Township of _____ do hereby certify that the foregoing resolution was duly adopted by the Commission Council Board of said municipality, at the meeting held on _____.

 City Village Township Clerk

Dated:

AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)

Consumers Energy Company is authorized as of November 1, 2011, by the City of Jackson, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of Jackson, dated 10-1-2010.

General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.
 General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1010484842, 1010484839, 1010484837, 1010484836, 1010484835, 1010484834, 1010484825, 1010484823, 1010484821, 1010484820, 1010484818, 1010484817, 1010484770

Construction Work Order Number 15462611 15456445 15511966 15513674 15475059 15474798 15474936 15474055 15463067 15450124 15449880 15511643

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10-1-2010, shall remain in full force and effect.

By: _____
Its _____

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City Village Township of _____, dated _____, in accordance with the Authorization for Change in Standard Lighting Contract dated as of _____, heretofore submitted to and considered by this Commission Council Board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on behalf of the City Village Township.

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

I, _____, Clerk of the City Village Township of _____ do hereby certify that the foregoing resolution was duly adopted by the Commission Council Board of said municipality, at the meeting held on _____.

 City Village Township Clerk

Dated:

AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)

Consumers Energy Company is authorized as of November 1, 2011, by the City of Jackson, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of Jackson, dated 10-1-2010.

- General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.
- NA General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1010484842, 1010484839, 1010484837, 1010484836, 1010484835, 1010484834, 1010484825, 1010484823, 1010484821, 1010484820, 1010484818, 1010484817, 1010484770

Construction Work Order Number 15462611 15456445 15511966 15513674 15475059 15474798 15474936 15474055 15463067 15450124 15449880 15511643

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10-1-2010, shall remain in full force and effect.

By: _____
Its

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

Number of Luminaires	Luminaire Nominal Watts	Type of Luminaire	Type of Fixture	Style of Fixture	Install/Remove	Location
	250	MV	COBRA HEAD	NON CUT OFF	Remove	BROWN ST BETWEEN WILLIAMSON ST AND DANIEL RD
	100	HPS	COBRA HEAD	NON CUT OFF	Install	BROWN ST BETWEEN WILLIAMSON ST AND DANIEL RD
	175	MV	COBRA HEAD	NON CUT OFF	Remove	INTERSECTION OF HIGBEY ST AND DANIEL RD
	100	HPS	COBRA HEAD	NON CUT OFF	Install	INTERSECTION OF HIGBEY ST AND DANIEL RD
6	250	MV	COBRA HEAD	NON CUT OFF	Remove	WILDWOOD AVE BETWEEN WAYNE AVE AND LYDIA ST
	175	MV	COBRA HEAD	NON CUT OFF	Remove	WILDWOOD AVE BETWEEN WAYNE AVE AND LYDIA ST
7	100	HPS	COBRA HEAD	NON CUT OFF	Install	WILDWOOD AVE BETWEEN WAYNE AVE AND LYDIA ST
	250	MV	COBRA HEAD	NON CUT OFF	Remove	MID BLOCK ON LYDIA ST BETWEEN WILDWOOD AVE AND MICHIGAN AVE
	100	HPS	COBRA HEAD	NON CUT OFF	Install	MID BLOCK ON LYDIA ST BETWEEN WILDWOOD AVE AND MICHIGAN AVE
	400	MV	COBRA HEAD	NON CUT OFF	Remove	WILDWOOD AVE BETWEEN EDWARDS ST AND MICHIGAN AVE
	250	HPS	COBRA HEAD	NON CUT OFF	Install	WILDWOOD AVE BETWEEN EDWARDS ST AND MICHIGAN AVE
7	175	MV	COBRA HEAD	NON CUT OFF	Remove	GANSON ST BETWEEN CARROLL AVE AND WHITNEY ST
	250	MV	COBRA HEAD	NON CUT OFF	Remove	GANSON ST BETWEEN CARROLL AVE AND WHITNEY ST
8	100	HPS	COBRA HEAD	NON CUT OFF	Install	GANSON ST BETWEEN CARROLL AVE AND WHITNEY ST
	400	MV	COBRA HEAD	NON CUT OFF	Remove	INTERSECTIN OF GANSON ST AND N WEST AVE
	250	HPS	COBRA HEAD	NON CUT OFF	Install	INTERSECTIN OF GANSON ST AND N WEST AVE
	175	MV	COBRA HEAD	NON CUT OFF	Remove	BLACKSTONE ST BETWEEN TRAIL ST AND VAN BUREN ST
	100	HPS	COBRA HEAD	NON CUT OFF	Install	BLACKSTONE ST BETWEEN TRAIL ST AND VAN BUREN ST
	250	MV	CENTER SUSPENSION		Remove	1 ST LIGHT SOUTH OF GANSON ST ON BLACKSTONE ST
	100	HPS	CENTER SUSPENSION		Install	1 ST LIGHT SOUTH OF GANSON ST ON BLACKSTONE ST
	250	MV	CENTER SUSPENSION		Remove	INTERSECTION OF STEWARD AVE AND THE PC RAILROAD
	100	HPS	CENTER SUSPENSION		Install	INTERSECTION OF STEWARD AVE AND THE PC RAILROAD
	175	MV	COBRA HEAD	NON CUT OFF	Remove	STEWARD AVE BETWEEN GANSON ST AND WILDWOOD AVE
	250	MV	COBRA HEAD	NON CUT OFF	Remove	STEWARD AVE BETWEEN GANSON ST AND WILDWOOD AVE
	100	HPS	COBRA HEAD	NON CUT OFF	Install	STEWARD AVE BETWEEN GANSON ST AND WILDWOOD AVE
	175	MV	COBRA HEAD	NON CUT OFF	Remove	WEST AVE BETWEEN MADISON ST AND MICHIGAN AVE
	250	MV	COBRA HEAD	NON CUT OFF	Remove	WEST AVE BETWEEN MADISON ST AND MICHIGAN AVE
3	100	HPS	COBRA HEAD	NON CUT OFF	Install	WEST AVE BETWEEN MADISON ST AND MICHIGAN AVE
	175	MV	COBRA HEAD	NON CUT OFF	Remove	N WISNER ST BETWEEN WILDWOOD AVE AND BOARDMAN RD
7	250	MV	COBRA HEAD	NON CUT OFF	Remove	N WISNER ST BETWEEN WILDWOOD AVE AND BOARDMAN RD
2	100	HPS	COBRA HEAD	NON CUT OFF	Install	N WISNER ST BETWEEN WILDWOOD AVE AND BOARDMAN RD
	250	MV	COBRA HEAD	NON CUT OFF	Remove	HALLETT ST BETWEEN CARROL AVE AND HIBBARD AVE
	100	HPS	COBRA HEAD	NON CUT OFF	Install	HALLETT ST BETWEEN CARROL AVE AND HIBBARD AVE

Comments:



CITY COUNCIL MEETING
September 11, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Matthew R. Heins
Chief of Police

SUBJECT: Consideration of a request to approve the purchase of three (3) Chevrolet Impala Patrol cars and one 2013 Ford Interceptor Police vehicle for the Police Department

RECOMMENDATIONS:

- A. To purchase three 2013 Chevrolet Impala Police vehicles, through the State of Michigan MiDeal Contract Number 071B1300008, in the amount of \$59,646.**
- B. To purchase one 2013 Ford Interceptor Police vehicle through the State of Michigan MiDeal Contract Number 071B1300005, in the amount of \$25,200.**

The Police Department is requesting authorization from the City Council to purchase three 2013 Impala police vehicles from Shaheen Chevrolet, in the amount of \$59,646. The price per vehicle is \$19,882. These three Impalas will replace much older high mileage patrol cars which are very costly to maintain.

We are also requesting authorization to purchase one 2013 Ford Interceptor Police vehicle from Gorno Ford of Woodhaven, Michigan. The Ford Interceptor is a pursuit rated all-wheel drive vehicle which will service the Department and public well as it would have the ability to respond to emergency calls should adverse weather condition arise.

The funds to purchase of these vehicles are in the Police Department's 2012/2013 fiscal year budget. The Police Department is now requesting the City Council approve these purchases.

EDDIE WILLIAMS
GOVERNMENT SALES
~~GORDON FORD~~
WOODHAVEN, MI
CELL 313-319-3431
FAX 734-671-4375

2/07/12

CHAD EDWARDS
JACKSON POLICE.
PH 517-768-8714
FAX 517-788-4137/ 517-788-4129

2013 FORD INTERCEPTOR POLICE VEHICLES

3.5/3.7L V6, 6 SPD AUTO TRANS, POWER WINDOWS, DOOR LOCKS, MIRRORS,
& POWER DRIVER'S SEAT, SPEED CONTROL, AM/FM CD STEREO, TIRE
PRESSURE MONITORING SYSTEM, ROLL STABILITY SYSTEM, REAR

BASE SEDAN FWD	\$21,895.00
BASE SEDAN AWD	\$22,995.00
BASE, SUV FWD	\$23,845.00
BASE SUV AWD	<u>\$24,745.00</u>

OPTIONS

DRIVER SIDE SPOT	235.00
DUAL SPOTS	370.00
FLEET KEY	50.00
COURTESY LIGHTS IN-OP	25.00
REAR DOOR HANDLES IN-OP	30.00
REAR WINDOWS IN-OP	30.00
REVERSE SENSING	350.00
PREP FRONT HEADLIGHT FOR LED/STROBES	125.00
FRONT HEADLIGHT LED/STROBE STYLE LIGHTING	915.00
SETINA PB 450 PUSH BUMPER W/SIDE AND FRONT LED LIGHTS	650.00
SYNC	300.00

SPECIAL PKG. INCLUDES

SYNC, REVERSE SENSING, BACK UP CAMERA, & HEATED BLIND SPOTS MIRRORS	1305.00
DRIVER'S SIDE BALLIST DOOR PANEL	1685.00
DRIVER/PASSANGER BALLIST DOOR PANELS	3470.00

PROPERTY
MANAGEMENT

To: Ann Polewka

From: Chad Edwards

Date: September 4, 2012

2013 Ford police interceptor utility

The department would like to order one 2013 All-wheel drive police interceptor utility. Funding will be provided through Community Development. The vehicle is available for purchase using the State of Michigan contract at a base price of \$24,745. All necessary options are included in the standard pricing except the following:

Dual Spot Lights \$370

Courtesy Lamps In-op \$25

Rear Door Handles In-op \$30

Rear Windows In-op \$30

TOTAL = \$25,200 per vehicle



Police Department

216 E. Washington Avenue - Jackson, MI 49201
Telephone: (517) 788-4100 — Facsimile: (517) 788-4129

CITY COUNCIL MEETING September 11, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Matthew R. Heins
Chief of Police

SUBJECT: Consideration of a request to approve the purchase one 2013 Chevrolet Impala patrol car for the Police Department

RECOMMENDATION:

To purchase one 2013 Chevrolet Impala patrol vehicle, through the State of Michigan MiDeal Contract Number 071B1300008, in the amount of \$19,882.

The Police Department is requesting authorization from the City Council to purchase one 2013 Chevrolet Impala patrol car from Shaheen Chevrolet through the State of Michigan MiDeal Contract in the amount of \$19,882.

The Police Department assists with Building Inspection and Code Enforcement Officer efforts. In lieu of interdepartmental charges for service the Department of Neighborhood and Economic Operations is providing the funding for this vehicle utilizing the Housing Code Enforcement Fund.

Funding for this purchase will made available through the Motor Pool and Garage Fund per Administrative Regulation Number 6. The Motor Pool will charge the Housing Code Enforcement Fund five annual payment of \$4,592.24. Total cost with Motor Pool Financing is \$22,961.20.

Loan Amortization Schedule

Enter values	
Loan amount	\$ 19,882.00
Annual interest rate	5.00 %
Loan period in years	5
Number of payments per year	1
Start date of loan	10/1/2012
Optional extra payments	

Loan summary	
Scheduled payment	\$ 4,592.24
Scheduled number of payments	5
Actual number of payments	5
Total early payments	\$ -
Total interest	\$ 3,079.20

Lender name:

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	10/1/2013	\$ 19,882.00	\$ 4,592.24	\$ -	\$ 4,592.24	\$ 3,598.14	\$ 994.10	\$ 16,283.86	\$ 994.10
2	10/1/2014	\$ 16,283.86	\$ 4,592.24	\$ -	\$ 4,592.24	\$ 3,778.05	\$ 814.19	\$ 12,505.81	\$ 1,808.29
3	10/1/2015	\$ 12,505.81	\$ 4,592.24	\$ -	\$ 4,592.24	\$ 3,966.95	\$ 625.29	\$ 8,538.86	\$ 2,433.58
4	10/1/2016	\$ 8,538.86	\$ 4,592.24	\$ -	\$ 4,592.24	\$ 4,165.30	\$ 426.94	\$ 4,373.56	\$ 2,860.53
5	10/1/2017	\$ 4,373.56	\$ 4,592.24	\$ -	\$ 4,373.56	\$ 4,154.88	\$ 218.68	\$ -	\$ 3,079.20