



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

AGENDA - CITY COUNCIL MEETING

November 27, 2012

7:00 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE** - Invocation by Daniel P. Greer, 3rd Ward City Councilmember.
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **CITIZEN COMMENTS. (3-Minute Limit)**
6. **PRESENTATIONS/PROCLAMATIONS.**
 - A. **Blackboard Connect CTY Presentation:**

A presentation will be given by Steve Lienhan, Blackboard - Connect CTY, regarding the City's opportunity to purchase Blackboard Connect.

 1. Consideration of the request a purchase the Blackboard-Connect CTY System at an annual cost of \$27,116.49, and authorization for the City Attorney to make minor modifications to the contract document(s) for the parties, and for the Mayor and City Clerk to execute the appropriate contract documents. (Postponed at the November 13, 2012, City Council meeting.)
 - B. **Jackson County Cradle to Career (C2C):**

Monica Moser, Chief Executive Officer for the Jackson Community Foundation, will give a presentation regarding the Jackson County Cradle to Career Program.
7. **CONSENT CALENDAR.**
 - A. **Minutes of Regular Meeting on November 13, 2012:**

Approve the minutes of the regular City Council meeting of November 13, 2012.

- B. Minutes of Special Meeting on November 1, 2012:**
Approve the minutes of the special City Council meeting of November 1, 2012.
- C. Administrative Hearings Bureau Reappointment:**
Approve the Mayor's recommendation to reappoint Charles H. Aymond as an administrative hearings bureau officer for the City of Jackson's Administrative Hearings Bureau for a two-year term, beginning January 1, 2013, and ending December 31, 2014.
- D. Building Code Board of Appeals Reappointment:**
Approve the Mayor's recommendation to reappoint Andrew Dotterweich to the Building Code Board of Appeals for a three-year term beginning January 1, 2013, and ending December 31, 2015.
- E. City Planning Commission Reappointment:**
Approve the Mayor's recommendation to reappoint Sheila Troxel to the City Planning Commission for a three-year term beginning January 1, 2013, and ending December 31, 2015.
- F. Downtown Development Authority:**
Approve the Mayor's recommendation to reappoint Andrea Ramp to the Downtown Development Authority, for a four-year term, beginning January 1, 2013, and ending December 31, 2016.
- G. Historic District Commission Appointment:**
Approve the Mayor's recommendation to appoint Grant Bauman to the Historic District Commission for a three year term beginning January 1, 2013, and ending December 31, 2015.
- H. Historic District Commission Reappointments:**
Approve the Mayor's recommendation to reappoint John Schaub, and Rachel Wineman to the Historic District Commission for a three year term each, beginning January 1, 2013, and ending December 31, 2015.
- I. Region 2 Planning Commission Reappointments:**
Approve the Mayor's recommendation to reappoint Andrew Dotterweich and Jeanne Kubish to the Region 2 Planning Commission for a three-year term each beginning January 1, 2013, and ending December 31, 2015.
- J. Zoning Board of Appeals Reappointments:**
Approve the Mayor's recommendation to reappoint Andrew Dotterweich Jeanne Kubish, and Gerald Montgomery (Alternate) to the Zoning Board of Appeals for a three-year term each beginning January 1, 2013, and ending December 31, 2015.
- K. Jackson County Cradle to Career (C2C) Partnership Agreement:**
Approve a Partnership Agreement.

- L. Transfer of Property Agreement – 1015 Adrian Avenue:**
Approve the Agreement Regarding Transfer of Property between the City and property owner, Lona Kaye Elliott, for property located at 1015 Adrian Avenue, accept the Quit Claim Deed, and authorization for the City Attorney to make minor modifications to the documents and take all other actions necessary to effectuate the closing.
- M. Complaint for Interpleader filed by Omnisource Corporation:**
Receive a complaint filed in the 12th District Court regarding Omnisource Corporation requesting an interpleader for monies left from the cleanup of Joseph Kurpensi, and referral to the City Attorney.
- N. Complaint filed by Thomas Darrow – 911 S. Jackson Street:**
Receive a complaint filed in Jackson County Circuit Court by Thomas Darrow against the City relating to the demolition of 911 S. Jackson Street, and referral to the City Attorney.
- O. Complaint filed by Thomas Darrow – 919 S. Jackson Street:**
Receive a complaint filed in Jackson County Circuit Court by Thomas Darrow against the City relating to the demolition of 919 S. Jackson Street, and referral to the City Attorney.
- P. City Financial Statements Ending October 31, 2012:**
Receipt of the City of Jackson’s summary of revenue and expenditures for four (4) months ended, October 31, 2012.
- Q. Establish Public Hearings for Special Assessment Rolls:**
Establishment of December 11, 2012, at the City Council meeting as the time and place to hold public hearings on the following Special Assessment Rolls for street construction:
1. Roll No. 3371 for street repaving on Hibbard Street from Wildwood to the railroad tracks.
 2. Roll No. 3372 for street repaving on Homewild from Ellery to Edgewood Street.
 3. Roll No. 3373 for street repaving on Forest Street from Bend in the road to Edgewood Street.
- R. Liquor License:**
Approve a resolution to the Liquor Control Commission regarding the application from Veritas Vineyard, LLC, for small distiller and outdoor service licenses to be located at 117 W. Louis Glick Highway and the Farmers’ Market parking lot.

8. **PUBLIC HEARINGS.**

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

- A. **Special Assessment Roll No. 4217 - Meterless Parking 2012-2013:**
Public hearing on Special Assessment Roll No. 4217 for Meterless Parking 2012-2013.
1. Resolution confirming Roll No. 4217.

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

9. **OTHER BUSINESS.**

- A. **Extension of Medical Marihuana Moratorium Ordinance (First Reading):**
Consideration of an ordinance declaring an additional temporary moratorium on the establishment of operations, and the issuance of permits or licenses for operations that relate to either the cultivation, dispensing, or use of medical marihuana in the City of Jackson.

10. **NEW BUSINESS.**

- A. **City Clerk's Notice of Retirement and Termination of Employment:**
Receive the City Clerk Lynn Fessel's notice of retirement and termination of employment.
- B. **Sidewalk Replacement Resolution:**
Resolution ordering sidewalk replacement at three locations, 120 Gibson Place, 911 Williams, and 1201 Woodbridge.
- C. **HSGP-State Homeland Security Program Grant:**
Resolution amending the 2012-2013 Budget to reflect receipt of a State Homeland Security Program grant, in the amount of \$207,950.00, for the purchase of radio equipment.
- D. **2012/13 JNET Grant:**
Resolution amending the 2012-2013 Budget to reflect receipt of the 2012-2013 JNET Conspiracy Continuation Project Grant in the amount of \$20,433.00, and to amend the Drug Law Enforcement Fund budget to reflect the match of \$20,434.00 for a project total of \$40,867.00.
- E. **Purchase of Well Parts:**
Approve the purchase of well parts in the low bid amount of \$41,597.00, from Northern Pump and Well, Lansing, to be utilized in the Water Treatment Plant.

***F. 2013 City Council Meeting Dates:**

Resolution establishing City Council meeting dates for 2013.

***G. Demolition Contract Bid Awards:**

Award four (4) contracts in the total amount of \$304,130.90 of vacant and abandoned structures based on individual unit pricing to:

Dunigan Brothers (Jackson)	\$125,131.90
Lester Brothers (Okemos)	\$ 92,030.00
Michigan Demolition (Jackson)	\$ 25,819.00
Smalley Construction (Scottville)	\$ 61,150.00

and authorization for the City Manager to approve all change orders required to complete the demolitions.

11. CITY COUNCILMEMBERS' COMMENTS.

12. MANAGER'S COMMENTS.

13. ADJOURNMENT.

***Items added.**



CITY COUNCIL MEETING
November 13, 2012

MEMO TO: Honorable Mayor Griffin and City Council Members

FROM: Patrick H. Burtch, City Manager 

DATE: November 8, 2012

SUBJECT: Consideration of a request to approve the purchase of the Blackboard Connect System to allow government leaders to provide emergency notice and community outreach to citizens at an annual cost of \$27,116.49.

RECOMMENDATION:

To authorize the purchase of the Blackboard Connect System at an annual cost of \$27,116.49, and authorization for the City Attorney to make minor modifications to the contract document(s) for the parties, and for the Mayor and Clerk to execute the appropriate contract documents.

The City of Jackson has recognized a need to communicate with citizens in the case of an emergency. The Blackboard Connect System allows government leaders to provide emergency notifications and community outreach 24 hour a day, without having to invest in or maintain hardware, software, or additional telephone lines, at an annual cost of \$27,116.49. Your consideration of this request is appreciated.

Blackboard Connect for Government[®]

GSA Quote

Unlimited Use Service Proposal for City of Jackson, MI

Company Information

Blackboard Inc.
650 Massachusetts Ave., NW, 6th Floor
Washington, DC 20001

DUNS Number: 01-613-1430
Tax ID Number: 52-2081178
CAGE Number: 1QLN4
GSA Contract Number: GS-35F-0554M

Service Summary: The Blackboard Connect for Government service allows government leaders to provide notices, direction, and reassurance to reach thousands of constituents in minutes without having to invest in or maintain hardware, software, or additional phone lines. Now, you can reach your entire community—quickly and reliably—with voice, text, and email messages.

Services include:

- An integrated communications suite, including Priority Communication, Community Outreach and Interactive Survey
- Voice and text/SMS delivery to multiple communication devices
- Geo-Calling feature lets you target recipients using a map
- 24/7/365 proactive Client Care support
- Unlimited use for a fixed, annual fee
- Initial set-up, training and refresher training sessions included
- Delivery to up to ten phones, four email addresses and four SMS phone per contact
- Superior call routing, throttling, and load balancing expertise
- Fully hosted and managed Software as a Service (SaaS) — no maintenance required
- Message delivery tracking with comprehensive reporting

Quote Summary: All products and services quoted are available through the Blackboard Inc. GSA Schedule GS-35F-0554M and pursuant to the Terms and Conditions negotiated therein.

PLEASE INCLUDE IN THE PURCHASE ORDER ALL THE INFORMATION IN THE PRICE QUOTE BELOW AND PLEASE MAKE SURE THAT BLACKBOARD GSA SCHEDULE # GS-35F-0554M IS CLEARLY WRITTEN ON YOUR PURCHASE ORDER. PLEASE SIGN THIS PRICE QUOTE, SCAN BOTH DOCUMENTS, AND EMAIL THEM TO Steve.Linehan@blackboard.com.

SIN #	Product Description	Initial Term & Scope	GSA Price	Annual Fee
132-32	Blackboard Connect for Government Service	Annual Term for 13,696 Recipients The first annual term of this agreement will be for 12 months effective on Customer's Execution Date below and Blackboard's acceptance and agreement ("Effective Date") Subsequent terms will be annual based on the Customer's Effective Date	\$1.91 per Recipient	\$ 26,159.36
132-32	Annual Support Fee	Annual Support Fee	\$957.13	\$957.13 Total Annual Fee Period = \$27,116.49 Payable by PO at contract inception This amount will be invoiced annually based on the Customer's Effective Date

Questions? Please call: James Price, Contracts 202-463-4860 x2791 or Steve Linehan 508-298-9632 steve.linehan@blackboard.com	Next Steps			
	1. Fax Purchase Order and Signed Proposal to 818-450-0425			
	2. Import recipient data (Blackboard Connect provides resident/ business data).			
	3. Implementation of service and orientation for all designated system users.			
	4. Begin sending Priority, Outreach and Interactive Survey communications.			

City of Jackson, MI Authorized Signatory: _____ Name & Title: _____ Execution Date: _____ Address: City of Jackson, MI 161 West Michigan Avenue Jackson, MI 49201 Name: Patrick Burtch Phone: 517-788-6438 Fax: Email: pburtch@cityofjackson.org	BLACKBOARD CONNECT INC. Authorized Signatory: _____ Name & Title: _____ Execution Date: _____ Address: Blackboard Inc. 650 Massachusetts Ave., NW, 6th Floor Washington, DC 20001 Phone: (202) 463-4860, ext. 2953 Efax: (818) 450-0425
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JACKSON CITY COUNCIL MEETING

MINUTES

NOVEMBER 13, 2012

CALL TO ORDER.

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

PLEDGE OF ALLEGIANCE.

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

ROLL CALL.

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

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

AGENDA.

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

CITIZEN COMMENTS.

None.

PRESENTATIONS/PROCLAMATIONS.

- A. OUTSTANDING ENVIRONMENTAL ACHIEVEMENT:
PRESENTATION TO CERTAINTEED CORPORATION RECOGNIZING THEIR
OUTSTANDING ENVIRONMENTAL ACHIEVEMENT AND 15 YEARS OF
INDUSTRIAL PRETREATMENT COMPLIANCE IN THE CITY OF JACKSON.**

City Utility Director Todd Knepper presented the achievement award to Pat Sexton, Environmental Manager for Certainteed Corporation.

CONSENT CALENDAR.

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

Consent Calendar

A. MINUTES OF REGULAR MEETING ON OCTOBER 23, 2012:

Approve the minutes of the regular City Council meeting of October 23, 2012.

B. DOWNTOWN CHRISTMAS PARADE:

Approve the request from Downtown Jackson Christmas Parade Committee and the Downtown Development Authority to conduct the Annual Downtown Jackson Christmas Parade on Friday, November 16, 2012, from 4:00 p.m. to 9:00 p.m. (Recommended approval has been received from the Police, Fire, Parks/Forestry, Department of Public Works, Engineering, and the Downtown Development Authority. Proper insurance coverage has been received.)

C. 6TH ANNUAL HOLIDAY DDA DAY – DISCOVER DOWNTOWN AGAIN:

Approve the request from Jackson Downtown Development Authority to host the 6th Annual Holiday DDA Day – Discover Downtown Again on Saturday, November 17, 2012, from 11:00 a.m. to 2:00 p.m. in Blackman Park and on various downtown sidewalks. (Recommended approval has been received from the Police, Fire, Parks/Recreation, Public Works, Engineering Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)

D. FITNESS COUNCIL – 1ST ANNUAL GIRL QUEST AND BOY QUEST GLOW RUN:

Approve the request from the Fitness Council of Jackson to host the 1st Annual Girl Quest and Boy Quest Glow Run on Saturday, November 17, 2012, from 4:30 p.m. to 9:00 p.m. in Ella Sharp Park, with street closures taking place on Birchwood Dr., Maplewood Dr., S. Oakwood Dr., and part of Elmdale Dr. (between E. Hickory Ave., and N. Alpine Lake Dr.) (Recommended approval has been received from the Police, Fire, Parks/Recreation, Public Works, Engineering Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)

E. 94TH KIWANIS NEWSPAPER SALE:

Approve the request from Kiwanis Club of Jackson, to host the 94th Annual Kiwanis Newspaper Sale on Friday, December 14, 2012, from 11:00 a.m. to 4:00 p.m. (6:30 a.m. – 4:00 p.m. in front of Post Office) on various city streets (primarily Michigan Ave. and Cortland Street). (Recommended approval has been received from the Police, Fire, Parks/Recreation, Public Works, Engineering Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)

F. HIBBARD STREET REPAVING, STORM SEWER, AND WATER MAIN FINAL CHANGE ORDER 1:

Approve Change Order No. 1 to the contract with Jule Swartz & Sons Excavating in the decreased amount of \$14,426.84 to balance quantities for contract pay items, and to add pay items not included in the original contract for the Hibbard Street Repaving, Storm Sewer and Water Main project, and authorization for the City Manager and City Engineer to execute the appropriate document.

- G. 2012 AS NEEDED SURVEY CONSULTING SERVICES CONTRACT CHANGE ORDER 2:**
Approve Change Order No. 2 to the 2012 As Needed Survey Consulting Services Contract with Wade Trim, in the increased amount of \$8,372.00, to provide survey for petitioned streets, and authorization for the City Manager and City Engineer to execute the appropriate document(s).
- H. TRANSFER OF PROPERTY AGREEMENT – 133 E. PROSPECT:**
Approve the Agreement Regarding Transfer of Property between the City and property owner, Jay E. Horsfall, for property located at 133 E. Prospect Street, accept the Quit Claim Deed, and authorization for the City Attorney to make minor modifications to the documents and take all other actions necessary to effectuate the closing.
- I. TRANSFER OF PROPERTY AND DEMOLITION OF DANGEROUS AND UNSAFE STRUCTURE – 840 BACKUS STREET:**
Approve the Agreement Regarding Transfer of Property and Demolition of Dangerous and Unsafe Structure between the City and property owner, Ann P. Nguyen, for property located at 840 Backus Street, accept the Quit Claim Deed, and authorization for the City Attorney to make minor modifications to the documents and take all other actions necessary to effectuate the closing.
- J. CDBG & HOME FINANCIAL SUMMARIES:**
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through October 31, 2012.
- K. HUMAN RELATIONS COMMISSIONER RESIGNATION:**
Receipt with regret the resignation of George Brown, III, from the Jackson Human Relations Commission.
- L. CLAIM OF APPEAL AND DEMAND FOR TRANSMITTAL OF CERTIFIED RECORD:**
Receive and refer a Claim of Appeal and Demand for Transmittal of Certified Record filed by John Frey in the Jackson County Circuit Court to the City Attorney for handling.
- M. ESTABLISHMENT OF A PUBLIC HEARING FOR METERLESS PARKING SPECIAL ASSESSMENT ROLL:**
Establishment of November 27, 2012, at the City Council meeting as the time and place to hold a public hearing for the 2012-2013 Meterless Parking Special Assessment Roll.

APPOINTMENTS.

- A. PARKS AND RECREATION COMMISSION REAPPOINTMENT:**
Approval of the Mayor's recommendation to reappoint City Councilmember Kimberly Jaquish (City) to the Parks and Recreation Commission for a two-year term beginning December 1, 2012, and ending November 30, 2014.
- Motion was made by Councilmember Dobies and seconded by Councilmember Schlecte 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: 0. Abstain: Councilmember Jaquish 1. Absent: 0.
- B. RECOMMENDATION FOR JACKSON COUNTY LAND BANK AUTHORITY REAPPOINTMENT:**
Approval of the Mayor's recommendation to the Jackson County Board of Commissioners the reappointment of City Councilmember Andrew Frounfelker to the Jackson County Land Bank Authority for a four year term beginning November 1, 2012, and ending October 31, 2016.

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

PUBLIC HEARINGS.

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

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

**A. SPECIAL ASSESSMENT ROLL NO. 3369:
PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3369 FOR STREET
REPAVING ON DURAND STREET FROM THE SOUTH END (FROST SCHOOL) TO
MORRELL STREET.**

Mayor Griffin opened the public hearing. Kathleen Bennett, 1401 W. Morrell Street, questioned the amount of her proposed assessment, considering she has a corner lot and the amount of her previous assessment for reconstruction of Morrell Street. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING ROLL NO. 3369.

Motion was made by Councilmember Dobies 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.

**B. SPECIAL ASSESSMENT ROLL NO. 3370:
PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3370 FOR STREET
REPAVING ON GANSON STREET FROM WISNER TO JACKSON STREET.**

Mayor Griffin opened the public hearing. Russell Colburn, representing the Board of the Ganson Street Baptist Church, questioned the rate that was applied to the Church's special assessment and asked if they could be given a lower rate. Eugene Swain, Swain's Pest Control- Stencil Nos. 2-1577 and 2-1581, questioned the amount of his proposed assessments. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING ROLL NO. 3370.

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.

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

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

OTHER BUSINESS.

- A. ADMINISTRATIVE HEARINGS BUREAU (FINAL ADOPTION):
ORDINANCE NO. 2012.35, AMENDING CHAPTER 2.5, CITY CODE, TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON BY REQUIRING THAT NOTICES BY MAIL OF HEARINGS BEFORE THE ADMINISTRATIVE HEARINGS BUREAU CAN BE MAILED TO THE ADDRESS OF THE OWNER OF THE PROPERTY AS LISTED IN THE RECORDS OF THE CITY ASSESSOR.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt Ordinance No. 2012.35. 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. ELECTRONIC COMMUNICATION HARASSMENT (FINAL ADOPTION):
ORDINANCE NO. 2012.36, AMENDING CHAPTER 18, CITY CODE, TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON BY THE INCLUSION OF ELECTRONIC COMMUNICATIONS AS A MEANS OF HARASSMENT.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt Ordinance No. 2012.36. 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. NUISANCE ORDINANCE REVISION – NOISE (FINAL ADOPTION):
ORDINANCE NO. 2012.37, AMENDING ARTICLE IV OF CHAPTER 17, CITY CODE, TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON BY REGULATING, AND WHERE NECESSARY, PROHIBITING NOISE WITHIN THE CITY.**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to adopt Ordinance No. 2012.37. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies 7. Nays: 0. Absent: 0.

- D. NUISANCE ORDINANCE REVISION – ABATEMENT (FINAL ADOPTION):
ORDINANCE NO. 2012.38, AMENDING ARTICLE VIII OF CHAPTER 17, CITY CODE, TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON BY DEFINING WHAT CONSTITUTES A NUISANCE PER SE AND ALLOWING FOR RECOVERY OF REASONABLE COSTS FOR ENFORCEMENT INCURRED BY VARIOUS CITY DEPARTMENTS.**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to adopt Ordinance No. 2012.38. The motion was adopted by the following vote. Yeas: Mayor

Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobiesô 7. Nays: 0. Absent: 0.

**E. GARBAGE AND RUBBISH ORDINANCE (FINAL ADOPTION):
ORDINANCE NO. 2012.39, AMENDING CHAPTER 12, CITY CODE, TO REGULATE THE COLLECTION OF REFUSE AND TO REGULATE THE VEHICLES USED IN THE COLLECTION OF REFUSE FOR THE PURPOSE OF PROTECTING THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF JACKSON.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt Ordinance No. 2012.39. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Greer, Schlecte, Frounfelker and Dobiesô 6. Nays: Councilmember Jaquish--1. Absent: 0.

**F. REFUSE COLLECTION FEES RESOLUTION:
RESOLUTION ESTABLISHING FEES FOR THE NEW LICENSE CLASSIFICATIONS IN THE PROPOSED CHAPTER 12, REFUSE COLLECTION ORDINANCE.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Greer, Schlecte, Frounfelker and Dobiesô 5. Nays: Councilmembers Breeding and Jaquishô 2. Absent: 0.

NEW BUSINESS.

**A. SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT:
RESOLUTION AMENDING THE 2012-3013 BUDGET TO REFLECT RECEIPT OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT IN THE AMOUNT OF \$10,000.00.**

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

**B. BYRNE JUSTICE ASSISTANCE GRANT (JAG) PURCHASE:
CONSIDERATION OF THE REQUEST FROM THE CHIEF OF POLICE FOR AUTHORIZATION TO WAIVE THE SEALED BID PROCESS FOR THE PURCHASE OF THE SIG SAUER HANDGUNS AND SAFARILAND HOLSTERS FUNDED BY THE BYRNE JUSTICE ASSISTANCE GRANTS.**

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, Schlecte, Frounfelker and Dobiesô 7. Nays: 0. Absent: 0.

**C. PRESERVATION OF THE CONSUMERS ENERGY HISTORICAL LIGHT MURAL:
RESOLUTION SUPPORTING THE PRESERVATION AND PROTECTION OF THE GLASS LIGHT MURAL FORMERLY LOCATED IN THE LOWER LEVEL OF THE OLD CONSUMERS ENERGY BUILDING, 212 W. MICHIGAN AVENUE.**

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

D. MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT FOR SIGNAL ADJUSTMENT WORK:

RESOLUTION GIVING APPROVAL TO ENTER INTO A CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR RAILROAD SIGNAL ADJUSTMENT WORK TO ACCOMMODATE TWO-WAY TRAFFIC AT THE AT-GRADE CROSSINGS OF THE TRACKS OF THE NORFOLK SOUTHERN RAILWAY, WITH BLACKSTONE STREET AND STEWARD AVENUE, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE CONTRACT DOCUMENT(S).

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

E. RECLASSIFICATION OF SENIOR APPRAISER:

CONSIDERATION OF THE RECOMMENDATION FROM THE CITY/COUNTY DIRECTOR OF HUMAN RESOURCES AND THE CITY MANAGER TO APPROVE THE RECLASSIFICATION OF THE POSITION OF APPRAISER, CLASS GRADE 8 TO SENIOR APPRAISER, CLASS GRADE 10, AND TO APPROVE AN ADJUSTMENT OF HIS WAGES TO CLASS GRADE 10, STEP 5 (\$23.9614 PER HOUR).

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

F. JACKSON AFFORDABLE HOUSING CORPORATION LEASE RENEWAL:

CONSIDERATION OF THE FIRST RENEWAL OF LEASE BETWEEN THE CITY OF JACKSON AND THE JACKSON AFFORDABLE HOUSING CORPORATION, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE LEASE RENEWAL, AND FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE RENEWAL.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the First Renewal of the Lease with the Jackson Affordable Housing Corporation. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobiesô 7. Nays: 0. Absent: 0.

G. STATE OF MICHIGAN BLIGHT ELIMINATION PROGRAM FUNDS:

CONSIDERATION OF THE REQUEST FROM THE CITY MANAGER FOR AUTHORIZATION TO SUBMIT AN APPLCIATION TO THE STATE OF MICHIGAN FOR BLIGHT ELIMINATION PROGRAM FUNDS.

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.

**H. PURCHASE OF TWO (2) PROPERTIES TO REHABILITATE AND RESELL:
CONSIDERATION OF THE REQUEST FROM THE CITY MANAGER FOR AUTHORIZATION TO PURCHASE TWO (2) PROPERTIES, 1121 FIRST STREET AND 652 SPARKS STREET, AND AUTHORIZATION FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE CLOSING DOCUMENTS, AND FOR THE CITY MANAGER OR HIS DESIGNEE TO SIGN DOCUMENTS NECESSARY TO CLOSE THE TRANSACTIONS.**

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

**I. AGREEMENT TO CLEAN WATER MAINS – HUPP STREET AND PARNALL ROAD:
CONSIDERATION OF THE REQUEST FROM THE CITY MANAGER TO APPROVE AN AGREEMENT BETWEEN THE CITY OF JACKSON, AND UTILITY SERVICE COMPANY TO CLEAN PORTIONS OF WATER MAIN ON HUPP STREET AND PARNALL ROAD AT A COST OF \$36,000.00, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S).**

Motion was made by Councilmember Schlecte 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.

**J. TELEPHONE SERVERS, EQUIPMENT AND RELATED SERVICES:
CONSIDERATION OF A PROPOSAL RECEIVED FROM WINDSTREAM COMMUNICATIONS FOR TELEPHONE SERVERS, EQUIPMENT AND RELATED SERVICES IN THE AMOUNT OF \$3,672.00 PER MONTH SUBJECT TO THE CONTRACT REVIEW AND APPROVAL BY THE CITY ATTORNEY.**

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

**K. BLACKBOARD CONNECT:
CONSIDERATION OF THE REQUEST TO PURCHASE THE BLACKBOARD CONNECT SYSTEM AT AN ANNUAL COST OF \$27,116.49, AND AUTHORIZATION FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE CONTRACT DOCUMENT(S), FOR THE PARTIES, AND FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE CONTRACT DOCUMENTS.**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the request.

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

**L. DEVELOPMENT AGREEMENT – FARMERS’ MARKET PARKING LOT:
APPROVE THE DEVELOPMENT AGREEMENT, AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN SAME, AND AUTHORIZE THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE DOCUMENTS AND TO TAKE ALL OTHER ACTION NECESSARY FOR EXECUTION OF THE DEVELOPMENT AGREEMENT.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the Development Agreement, authorize the Mayor and City Clerk to sign same, and authorize the City Attorney to make minor modifications to the documents and to take all other action necessary for execution of the Development Agreement. 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.

**M. LIQUOR LICENSE:
APPROVE A RESOLUTION TO THE LIQUOR CONTROL COMMISSION REGARDING THE APPLICATION FROM VERITAS VINEYARD, LLC, FOR SMALL DISTILLER AND OUTDOOR SERVICE LICENSES TO BE LOCATED AT 117 W. LOUIS GLICK HIGHWAY AND THE FARMERS’ MARKET PARKING LOT. (APPROVAL SUBJECT TO FINAL INSPECTION.)**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the resolution, subject to final inspection. 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.

**N. AWARD OF DEMOLITION CONTRACT:
AUTHORIZE THE MAYOR, VICE MAYOR, AND CITY MANAGER TO AWARD THE CONTRACT FOR NEIGHBORHOOD STABILIZATION PROGRAM DEMOLITIONS TO SMALLEY CONSTRUCTION, SCOTTVILLE, MICHIGAN, BASED ON THE LOW ALTERNATE BID, AND TO APPROVE ANY AND ALL CHANGE ORDERS REQUIRED TO COMPLETE THE DEMOLITIONS.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to authorize the Mayor, Vice Mayor, and City Manager to award the contract for neighborhood stabilization program demolitions to Smalley Construction, based on the low alternate bid, and to approve any and all change orders required to complete the demolitions. 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.

CITY COUNCILMEMBERS’ COMMENTS.

Councilmember Greer wished everyone a Happy Thanksgiving.

Councilmember Dobies commended the City Engineer for a job well done on the Durand Street reconstruction.

Mayor Griffin reported that residents have been very pleased with the signs announcing the dates for leaf pick-up.

MANAGER'S COMMENTS.

None.

ADJOURNMENT.

No further business being presented, the Mayor adjourned the meeting at 7:40 p.m.

Lynn Fessel
City Clerk



City Clerk

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4025 • Facsimile (517) 788-4651

Lynn Fessel, City Clerk

JACKSON CITY COUNCIL SPECIAL MEETING

MINUTES

NOVEMBER 1, 2012

The Jackson City Council met in special session for the purpose of viewing archives which are not open to the public at the Ella Sharp Museum located at 3225 Fourth Street. In attendance at 6:00 p.m. were Mayor Martin J. Griffin and Councilmembers Kimberly Jaquish, Laura Dwyer Schlecte and Andrew R. Frounfelker.

Lynn Fessel
City Clerk

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *MGJ*
DATE: November 20, 2012
SUBJECT: Administrative Hearings Bureau

RECOMMENDATION:

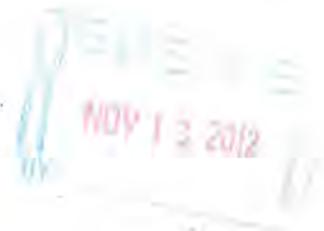
Approve the Mayor's recommendation to reappoint Charles H. Aymond as an administrative hearings bureau officer for the City of Jackson's Administrative Hearings Bureau for a two-year term, beginning January 1, 2013, and ending December 31, 2014.

In accordance with City Code, Chapter 2.5, the Administrative Hearings Bureau officer appointed by the Mayor with the consent of the City Council must be an attorney admitted to the practice of law in the State of Michigan for at least five (5) years. The administrative hearings bureau officer will serve a term of two (2) years and is removable only upon just cause.

It is my desire, therefore, to reappoint Charles H. Aymond as an administrative hearings bureau officer for the City of Jackson's Administrative Hearings Bureau for a two-year term, beginning January 1, 2013 and ending December 31, 2014.

MJG:skh

cc: Bethany Smith



City of Jackson Board/Commission Application

Name: CHARLES H. AYMOND

Address: 6075 BROWNS LAKE RD, Zip: _____

Home Phone: (517) 784-5035 Other Phone: _____

e-mail address: CHARLES@ELLASHARP.ORG Occupation: MUSEUM DIRECTOR

Community Involvement/Activity

ELLA SHARP MUSEUM former trustee, CITY OF JACKSON former chair of
 → chairman + current Exec. Director planning comm + current
JOHN GEORGE HOME former Director + JACKSON COMMUNITY EDITH hearing off.
 chairman former trustee + chair of AHB

Are you a registered voter? yes Ward? SUMMIT TSHP

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

1. ADMIN. HEARINGS BUREAU
2. _____
3. _____

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

FORMER TRUSTEE + CHAIR, MICHIGAN CHAPTER, THE NATURE CONSERVANCY

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Charles H. Aymond
Signature of Applicant

11-3-12
Date

CITY OF JACKSON



MICHIGAN

Office of Mayor
Martin J. Griffin

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mjg*
DATE: November 20, 2012
SUBJECT: Building Code Board of Appeals

RECOMMENDATION:

Approval of the Mayor's recommendation to reappoint Andrew Dotterweich to the Building Code Board of Appeals for a three-year term, beginning January 1, 2013, and ending December 31, 2015.

In accordance with City Code, Sec. 2-341, the City Engineer and the Fire Chief are members because of their offices. The Building Official is an Ex-Officio member. The Mayor and City Council appoint five members to three-year terms. One citizen is a realtor.

It is my desire, therefore, to reappoint Andrew Dotterweich to the Building Code Board of Appeals for a three-year term beginning January 1, 2013, and ending December 31, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: Andrew Dotterweich
Address: 2010 Dale Rd Zip: 49203
Home Phone: 517 784 7516 Other Phone: 517 740 7918
e-mail address: andy@dotterweich.com Occupation: _____

Community Involvement/Activity

Are you a registered voter? Yes Ward? 6

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

1. Building Code Board of Appeals
2. Zoning Board of Appeals
3. Req. 2 Planning Comm.

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant

Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mg/g*
DATE: November 20, 2012
SUBJECT: City Planning Commission

RECOMMENDED ACTION:

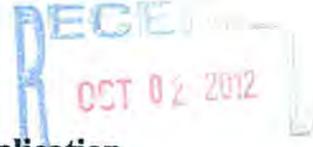
Approval of the Mayor's recommendation to reappoint Sheila Troxel to the City Planning Commission for a three-year term beginning January 1, 2013, and ending December 31, 2015.

According to MSA5.2993.(2) the Commission may consist of the Mayor, one administrative official of the City selected by the Mayor, one Councilmember selected by the Council as members ex officio, and six others appointed by the Mayor and confirmed by the Council. Terms of the ex-officios shall correspond to their official tenures, except the term of the administrative official of the City shall terminate with the Mayor's term. All other members shall serve three-year terms.

It is my desire, therefore, to reappoint Sheila Troxel to the City Planning Commission for a three-year term beginning January 1, 2013, and ending December 31, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: STELIA M TROXEL

Address: 905 Briarditt Rd Zip: 49203

Home Phone: 517-796-2534 Other Phone: 517-745-2027

Occupation: Director of Financial Education
CP Federal Credit Union
Community Involvement/Activity

President, Jackson Junior Welfare League Math + Science Honorary
City planning commission 2009-12 Council

Are you a registered voter? yes Ward? _____

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

1. City planning Commission 2. _____

3. _____

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

I would like to be considered for reappointment please

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

[Signature]
Signature of Applicant

Oct 2, 2012
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

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

MICHIGAN

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mjg*
DATE: November 20, 2012
SUBJECT: Downtown Development Authority

RECOMMENDATION:

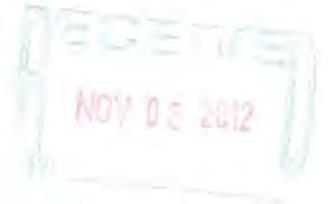
Approval of the Mayor's recommendation to reappoint Andrea Ramp to the Downtown Development Authority, for a four-year term, beginning January 1, 2013, and ending December 31, 2016.

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

It is my desire to reappoint Andrea Ramp to the Downtown Development Authority, for a four-year term, beginning January 1, 2013, and ending March 29, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: Andrea Ramp

Address: 6727 River Jct - Rd Zip: 49201

Home Phone: 517-499-2939 Other Phone: 517-499-2939

e-mail address: injustme4ever@gmail.com Occupation: Self-Employed

Community Involvement/Activity

DDA Board Member

DDA Promotions Committee

Midtown Board Member

Active @ New Covenant Living Church

Are you a registered voter? Yes Ward? _____

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

- 1. DDA
- 2. _____
- 3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Andrea Ramp
Signature of Applicant

11/4/12
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



MICHIGAN

Office of Mayor
Martin J. Griffin

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *MJG*
DATE: November 20, 2012
SUBJECT: Historic District Commission

RECOMMENDATION:

Approve the Mayor's recommendation to appoint Grant Bauman to the Historic District Commission for a three year term, beginning January 1, 2013, and ending December 31, 2015.

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

It is my desire, therefore, to appoint Grant Bauman to the Historic District Commission for a three-year term, beginning January 1, 2013, and ending December 31, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: Grant Bauman

Address: 1105 Norfolk Street Zip: 49202

Home Phone: 416-1948 (c) Other Phone: 768-6711 (w)

Occupation: Community Planner

Community Involvement/Activity

Arts & Cultural Alliance of
Jackson County (secretary)

Historic District Commission
(past member)

Are you a registered voter? Yes Ward? 4

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

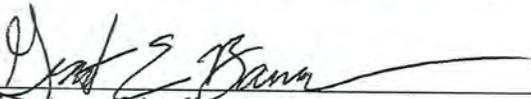
1. Historic District Commission 2. _____

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR


Signature of Applicant

November 19, 2012
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mgj*
DATE: November 20, 2012
SUBJECT: Historic District Commission

RECOMMENDATION:

Approve the Mayor's recommendation to reappoint John Schaub, and Rachel Wineman to the Historic District Commission for a three year term each, beginning January 1, 2013, and ending December 31, 2015.

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

It is my desire, therefore, to reappoint John Schaub, and Rachel Wineman to the Historic District Commission for a three-year term each, beginning January 1, 2013, and ending December 31, 2015.

MJG:skh

APP-CC



City of Jackson Board/Commission Application

Name: John R Schaub

Address: 310 S. Thompson Zip: 49203

Home Phone: 784 8265 Other Phone: _____

e-mail address: _____ Occupation: Retired

Community Involvement/Activity

HDC since 1979

Jackson Partnership Park Food Pantry

MATHCOUNTS

St Mary (on the lake)

Are you a registered voter? yes Ward? 4

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

1. HDC 2. _____

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

John R Schaub
Signature of Applicant

11/14/12
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201



NOV 13 2012
BY: _____

City of Jackson Board/Commission Application

Name: Rachel Nicole Wineman

Address: 411 W. Franklin Street Zip: 49201

Home Phone: 517-240-6596 Other Phone: 517-639-0234

e-mail address: franklinstreetwest@ Occupation: retail sales/
yahoo.com business owner

Community Involvement/Activity

Historic District Commissioner

Are you a registered voter? yes Ward? _____

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

- Historic District
- _____
- _____

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

It has been an honor to serve on this commission. I have gained a greater respect & appreciation for my town, and I hope to continue to serve on the commission.
Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Rachel N. Wineman
Signature of Applicant

November 13, 2012
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

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

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mgd*
DATE: November 20, 2012
SUBJECT: Region 2 Planning Commission

RECOMMENDATION:

Approve the Mayor's recommendation to reappoint Andrew Dotterweich and Jeanne Kubish to the Region 2 Planning Commission for a three-year term each, beginning January 1, 2013, and ending December 31, 2015.

In accordance with revised by-laws adopted by the Planning Commission in the fall of 1999, the Mayor appoints, subject to City Council confirmation four City residents to three year terms. In addition, the City Council recommends five City residents to the Board of Jackson County Commissioners for consideration. All members serve three-year terms.

It is my desire, therefore, to recommend the reappointment of Andrew Dotterweich and Jeanne Kubish to the Region 2 Planning Commission, for a three-year term each, beginning January 1, 2013, and ending November 30, 2015.

MJG:skh

cc: Steve Duke



City of Jackson Board/Commission Application

Name: Andrew Dotterweich
Address: 2010 Dale B Zip: 49203
Home Phone: 517 784 7516 Other Phone: 517 740 7918
e-mail address: andy@dotterweich.com Occupation: _____

Community Involvement/Activity

Are you a registered voter? Yes Ward? 6

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

1. Building Code Board of Appeals
2. Zoning Board of Appeals
3. Req. 2 Planning Comm.

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant

Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201



City of Jackson Board/Commission Application

Name: Jeanne Kubish
Address: 806 W Mich Av #306 E Zip: 49202
Home Phone: 517/787-4193 Other Phone: —
e-mail address: — Occupation: Retired

Community Involvement/Activity

City Planning Reg II Planning Comm
Election inspector

Are you a registered voter? yes Ward? 4/2

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

- Zoning Board of Appeals
- _____
- _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Jeanne L. Kubish
Signature of Applicant

11/5/2012
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

CITY OF JACKSON



MICHIGAN

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

Office of Mayor
Martin J. Griffin

CITY COUNCIL MEETING November 27, 2012

MEMO TO: City Councilmembers
FROM: Martin J. Griffin, Mayor *mjg*
DATE: November 20, 2012
SUBJECT: Zoning Board of Appeals

RECOMMENDATION:

Approve the Mayor's recommendation to reappoint Andrew Dotterweich, Jeanne Kubish, and Gerald Montgomery (Alternate) to the Zoning Board of Appeals for a three-year term beginning January 1, 2013, and ending December 31, 2015.

In accordance with City Code, Sec. 2-281 and 28-242, seven members are appointed by the Mayor with City Council approval for three-year terms. No elected official or city employee may be appointed. Also, in accordance with the Michigan Zoning Enabling Act (PA 110 of 2006), which went into effect on July 1, 2006, it is required that a regular member of the Zoning Board of Appeals (ZBA) also serve on the City Planning Commission (MCL 125.3601). Alternate members may be called on a rotating basis to sit as members of the Board of Appeals in the absence of a member. The alternate member having been appointed shall serve on the case until a final decision has been made and shall have the same voting rights as a member. Members must be City residents.

It is, therefore, my desire to reappoint Andrew Dotterweich, Jeanne Kubish, and Gerald Montgomery (Alternate) to the Zoning Board of Appeals for a three-year term each beginning January 1, 2013, and ending December 31, 2015.

MJG:skh

cc: Barry Hicks



City of Jackson Board/Commission Application

Name: Andrew Dotterweich
Address: 2010 Dale B Zip: 49203
Home Phone: 517 784 7516 Other Phone: 517 740 7918
e-mail address: andy@dotterweich.com Occupation: _____

Community Involvement/Activity

Are you a registered voter? Yes Ward? 6

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

1. Building Code Board of Appeals
2. Zoning Board of Appeals
3. Req. 2 Planning Comm.

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant

Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201



NOV 21 2012

City of Jackson Board/Commission Application

Name: Jeanne Kubish

Address: 806 W Mich Av # 306 E Zip: 49202

Home Phone: 517/787-4193 Other Phone: —

e-mail address: — Occupation: Retired

Community Involvement/Activity

City Planning

Reg II Planning Comm

Election Inspector

Are you a registered voter? yes Ward? 4/2

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

1. Zoning Board of Appeals

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Jeanne L. Kubish
Signature of Applicant

11/5/2012
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201



City of Jackson Board/Commission Application

Name: Gerald L. Montgomery

Address: 341 HILL ST Zip: 49202

Home Phone: 1-517-782-3636 Other Phone: 1-517-8178473

e-mail address: — 0 — Occupation: Retired

Community Involvement/Activity

Zoning Board of Appeals

Are you a registered voter? yes Ward? 3

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

- Board of Appeals
- PLANNING COMMISSION
- ZONING BOARD

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Gerald L. Montgomery
Signature of Applicant

11/16/12
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

Gerald Montgomery

341 Hill St, Jackson, MI | (517) 782-3636 home, (517) 817-8473 cell

I have lived in the City of Jackson all of my life and owned several homes here. I served four years of active duty in the Marine Corp. I was a licensed commercial truck driver for forty-five years and accumulated 7.5 million miles accident-free.

I have owned two businesses in Jackson, Jackson Fire Works and Caribbean Aquarium Shop.

I served as a union steward for twelve years at Tandem Transport. During that time I created contracts for the drivers and the company.

I currently serve on the City of Jackson Board of Appeals and have exceptional attendance.

I am a member of the Michigan Association of Planning. I am committed to spending time to check out requests and locations or to research plans and proposals. I have a strong desire to serve this community and make Jackson a better place to live and do business.



Michigan Association of Planning
Certificate of Membership

This certifies that

Gerald Montgomery

is officially a member of this Association since

September 7, 2012

Charlotte Burckhardt

Charlotte Burckhardt, AICP, PCP President

Andrea Brown

Andrea Brown, AICP, Executive Director

Certificate of Appreciation

FOR HONORABLE SERVICE IN THE
UNITED STATES ARMED FORCES

AND FOR OUTSTANDING SERVICE AND LOYALTY
TO THE UNITED STATES OF AMERICA

THIS CERTIFIES THAT

GERALD MONTGOMERY

HAS MET THE STRICT REQUIREMENTS
SET FORTH BY THE

CONGRESS OF THE UNITED STATES

FOR MEMBERSHIP IN THE AMERICAN LEGION



A handwritten signature in cursive script, which appears to read "Richard J. Kuehl", is written over a horizontal line.

SIGNATURE OF THE NATIONAL ADJUTANT

Jackson County Cradle to Career (C2C) Executive Committee
Partnership Agreement

Thank you for agreeing to be a partner in the Jackson County Cradle to Career (C2C) Executive Committee. Partners are defined as support organizations committed to collaborating in a coordinated fashion over an extended period of time in order to achieve the goals of:

All Jackson County students will...

- Be career ready academically, financially, logistically, and socially
- Have purpose by understanding the connections between being career ready and how it impacts their life-long education and employment future
- Enroll in college or post-secondary credentialing program within six months of high school graduation
- Complete a college degree or post-secondary credential within six years of high school graduation

The ultimate goal is to ensure that by 2025, 60% of Jackson County residents will have a post-secondary degree or valuable credential.

As a partner of the Jackson County Cradle to Career (C2C) Executive Committee, The Mayor/Assistant City Manager of the City of Jackson pledges and designates Assistant City Manager of the City of Jackson to:

- Provide oversight, strategic direction and support to the C2C Coordinator
- Report regularly to the Mayor and City Council regarding the progress and needs of the C2C Initiative and report to the community at-large & external stakeholders
- Align our community's educational goals to achieve the goals as stated above
- Participate enthusiastically on the College Access/Career Readiness areas of focus and Post-secondary Action Team.

Assistant City Manager, is the person identified as the designee to represent the Jackson Community Foundation on the Jackson County Cradle to Career (C2C) Executive Committee.

Mayor's Signature

Date

Assistant City Manager's Signature

Date

Jackson County Cradle to Career (C2C) Executive Committee

Community Agenda for Education Cradle to Career

Urgency for Change:

The 21st Century global economy demands a workforce with an education beyond high school. The most successful communities foster high educational aspirations and align their institutions and resources to advance that vision. In order to build and sustain a vibrant economy and healthy community, Jackson County must ensure all students pursue and complete a college degree or post-secondary credential.

Purpose:

The Jackson County Cradle to Career Executive Committee will...

- Build, coordinate and promote an educational path that prepares all students at all levels, from early childhood through post-secondary attainment that results in productive careers for all Jackson County residents.

Goals:

All Jackson County students will...

- Be career ready academically, financially, logistically, and socially
- Have purpose by understanding the connections between being career ready and how it impacts their life-long education and employment future
- Enroll in college or post-secondary credentialing program within six months of high school graduation
- Complete a college degree or post-secondary credential within six years of high school graduation

Ultimately, 60% of Jackson County residents will have a post-secondary degree or valuable credential by 2025.

Shared Objective:

Enhance Learning, College Access and Career Readiness through the focus areas of Parent/Guardian Engagement, Kindergarten Readiness, Curriculum Alignment, Community Engagement, and Technology Access.

Objectives & Metrics:

Parent/Guardian Engagement

- Increase the percentage of parent/guardians who utilize a student information system tool to monitor student progress and success
- Increase the percentage of Jackson County parents of graduating students who complete a FAFSA

Kindergarten Readiness

- Increase the percentage of entering kindergarten students who meet or exceed the benchmark on the county-wide school readiness assessment (PALS)

Curriculum Alignment

- Create and support a response to intervention system for students who don't meet the benchmarks: readiness for kindergarten using the PALS assessment, reading at grade level by 4th grade, performing proficiently on the state approved testing by 8th grade, meeting national standards on the ACT, meeting the national standards on Work Keys, and graduating from high school
- Increase the percentage of 4th grade students reading at grade level
- Increase the percentage of 8th grade students proficient in state approved testing, with a clear expectation of pursuing post-secondary education
- Increase the percentage of accelerated programs for gifted and talented learners
- Increase the percentage of participation in existing Advanced Placement and STEM classes
- Increase the percentage of Jackson County students that have met or exceeded national standards on ACT in all subjects
- Increase the percentage of Jackson County students that have met or exceeded national standards on Work Keys in all subjects
- Increase the percentage of Jackson County students who graduate from high school

- Increase the percentage of Jackson County graduating students that enroll at a post-secondary education institution within 6 months of graduation
- Increase the percentage of Jackson County graduating students who persist for a second year
- Increase the percentage of Jackson County graduating students who complete a post-secondary credential within 6 years of high school graduation
- Increase the percentage of Jackson County residents who have a post-secondary degree or valuable credential

Community Engagement

- Increase the percentage of Jackson County businesses and individuals who employ, intern, mentor and engage students along the educational pathway

Technology

- Increase the percentage of students who have access to 1 : 1 technology
- Increase high speed internet infrastructure county wide

Action Teams: We will work to achieve these objectives and metrics utilizing the following Action Teams: Early Childhood Success, Elementary School Success, Middle School Success, High School Success, and Post-secondary Success

Approved by: Jackson County Cradle to Career (C2C) Executive Committee on July 26, 2012:

City of Jackson, Mayor/ Marty Griffin

CAA, Director of Children’s Programs/ Mary Cunningham-Deluca

College Access Center, Executive Director/ Sherry Caldwell

Enterprise Group, CEO/ Tim Rogers

Great Start Collaborative, Executive Director/ Sheri Butters

Jackson Area Manufactures Association, Executive Director/ Bill Rayl

Jackson Community Foundation, CEO/ Monica Moser

Jackson County. Administrator’s Office/ Adam Brown

Jackson County Chamber of Commerce, CEO/ Mindy Bradish-Orta

Jackson County Commissioner & Education Committee Chair/ Julie Alexander

Jackson County Higher Education Alliance, Rep/ Patty Kaufman

Jackson County ISD and Superintendent Association/ Kevin Oxley and Brad Hamilton

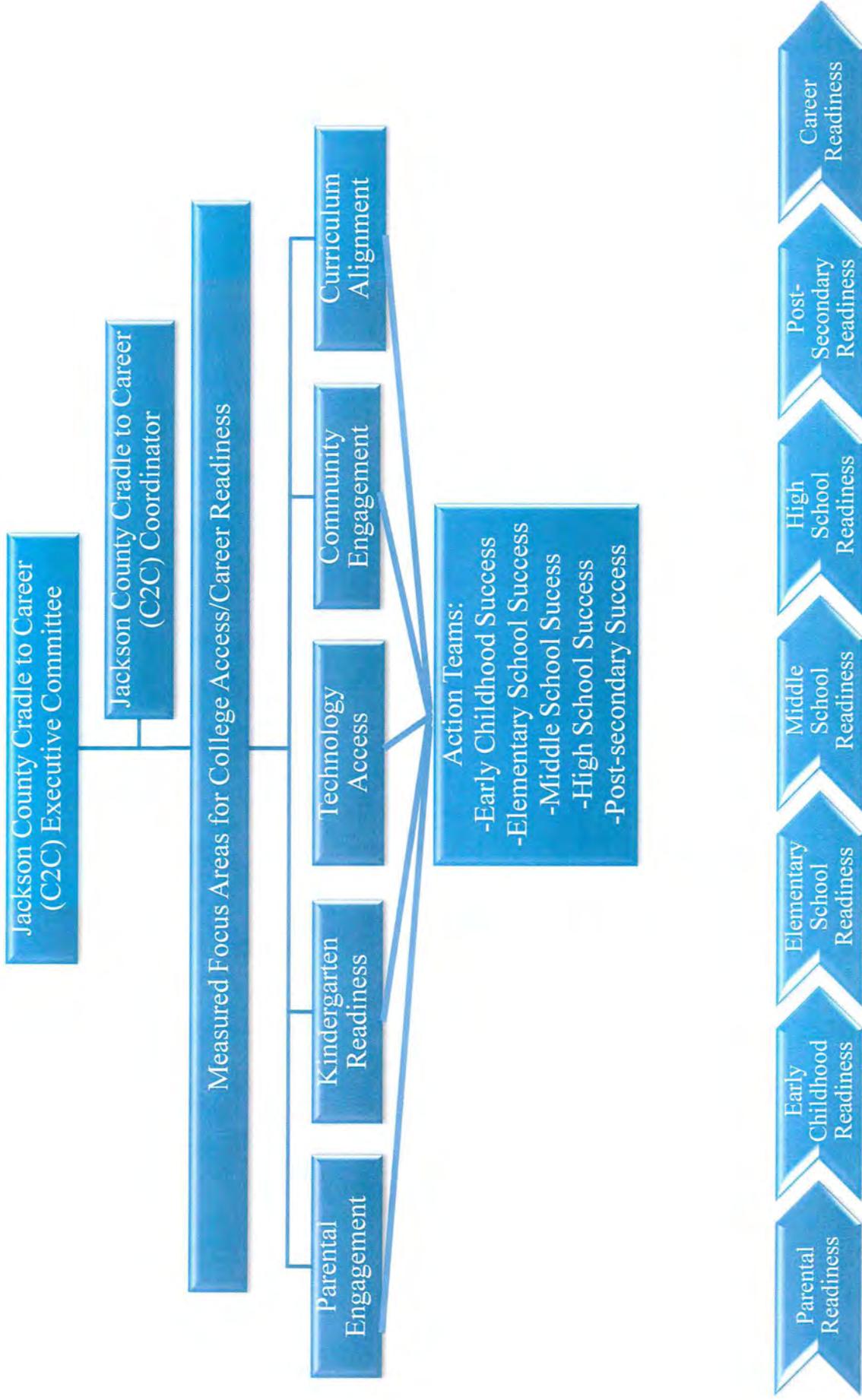
Jackson District Library, Executive Director/ Ishwar Laxminarayan

Jackson County Education Association, President/ Pam Schultz

Promise Zone, Coordinator/ Kriss Giannetti

South Central Michigan Works!, CEO/ Sarah Hartzler

United Way of Jackson, CEO/ Ken Toll



Roles & Responsibilities

C2C Executive Committee

- Provides oversight, strategic direction and support to the C2C Coordinator
- Reports to the community at-large & external stakeholders

C2C Coordinator

- Provides the primary connection between the C2C Executive Committee and the College Access/Career Readiness Workgroups
- Works to coordinate and ensure that the College Access/Career Readiness workgroups focus their resources toward fulfilling the strategic direction agreed upon by the C2C Executive Committee
- Reports to the C2C Executive Committee

College Access / Career Readiness Workgroups

- Develops and reviews the Action Plans within the strategic direction agreed upon by the C2C Executive Committee and measured in the College Access/Career Readiness focus areas including Parent/Guardian Engagement, Kindergarten Readiness, Curriculum Alignment, Community Engagement and Technology.
- Guides the implementation of the Action Plans developed by the following Action Teams: Early Childhood Success, Elementary School Success, Middle School Success, High School Success, and Post-Secondary Success.
- Coordinates with C2C Coordinator

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

November 27, 2012

NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Deputy City Attorney *BMS*

SUBJECT: Agreement Regarding Transfer of Property (1015 Adrian Avenue)

DATE: November 14, 2012

REQUESTED ACTION: **To approve the Agreement Regarding Transfer of Property and to accept the Quit Claim Deed for conveyance of the property.**

Attached please find a proposed Agreement Regarding Transfer of Property for property located at 1015 Adrian Avenue, Jackson, Michigan. Also attached is the Quit Claim Deed from the owner of the property, Lona Kaye Elliott. The owner is willing to convey the property to the City to avoid future property tax liability. The City Manager is willing to accept the property.

If Council wishes to go forward with the transaction, the requisite action is to approve the Agreement between the owner and the City and authorize the Mayor to sign same, accept the Quit Claim Deed, and authorize the Deputy City Attorney to make minor modifications to the documents and take all other actions necessary to effectuate the closing.

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

JAG/dn

Enc.

cc w/enc: Patrick Burtch, City Manager

AGREEMENT REGARDING TRANSFER OF PROPERTY
AND DEMOLITION OF DANGEROUS AND UNSAFE STRUCTURE

This Agreement, entered into on the _____ day of _____, 2012 between Lona Kaye Elliott, ("Owner"), whose address is 129 W. High, Jackson, Michigan 49203, and the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 ("the City"),

RECITALS

WHEREAS, Owner owns title to real property located within the City of Jackson, County of Jackson, to wit: Lot 7, Block 3 Moore's Addition, commonly known as 1015 Adrian Street, Jackson, Michigan ("the property");

WHEREAS, a vacant substandard, deteriorated, or dilapidated building is located on the above described property;

WHEREAS, Owner and the City desire to have the building removed from the property and acknowledge that its removal is for the betterment of the public's health, safety, and welfare; and;

WHEREAS, Owner wishes to transfer title to the real property to the City in order to avoid liability for the costs of demolishing the structure on the property;

WHEREAS, the City is willing to remove the building by demolition at the City's expense upon transfer of the property to the City; and,

WHEREAS, in consideration for the transfer of the property to the City, the City will waive any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner related to the property that are due and owing to the City.

NOW THEREFORE, the parties mutually agree as follows:

- A. The above recitals are incorporated by reference into this Agreement and form an integral part of this Agreement.
- B. This agreement is a result of negotiation between the parties, and accordingly, it will not be construed against either party in the event of a dispute or litigation arising out of this Agreement.
- C. Owner certifies that no liens, mortgages, or other ownership interests exist concerning said property.
- D. Owner shall convey the property to the City via quit claim deed.

- E. At the time of transfer of the property, Owner shall pay all outstanding property taxes owed on the property, provided however that Owner shall not be responsible for any outstanding City property taxes due on the property.
- F. The City shall demolish the building(s) on the property described above, remove all demolition debris, and grade the site.
- G. Owner shall not be responsible for any of the costs of demolishing the building(s), removal of demolition debris, or site grading.
- H. The City will waive any and all liens, special assessments, judgments, invoices or other indebtedness of the Owner due to the City related to the property.
- I. Owner certifies that there are no hazardous materials located, stored, kept, maintained or possessed on or about the above described property.
- J. Owner agrees to indemnify and hold harmless the City, to the maximum legal extent permissible under Michigan law, from any and all losses, damages, claims, demands, suits, actions, payments, and judgments, including any and all expenses, legal or otherwise; and any and all liability for property damage, bodily injury, death, or any other injury or damage, of whatever nature, which arises out of or pertains to any of the work or services performed by the City would be based upon allegations of passive negligence involving vicarious liability or liability imposed by operation of law or, in contrast, involves liability predicated upon allegations of active negligence involving acts, omissions of alleged negligence or wrongdoing by the City itself.
- K. If any one or more of the provisions of this Agreement or in any other document or instrument delivered pursuant to this Agreement shall to any extent be declared or determined to be invalid or unenforceable, the validity, legality and enforceability of the remainder of this Agreement, or the application of such provision to person or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent to f the law.
- L. This Agreement shall be binding upon the parties hereto and their successors, heirs and assigns.
- M. The failure of either party to enforce the terms of this Agreement shall not constitute a waiver of any such provision or the rights of any party at any time to avail themselves of such rights and remedies as either may have for any breaches of such provision.
- N. The parties agree that any action relating to the Agreement shall be instituted and prosecuted in the courts of the County of Jackson, State of Michigan and governed by the laws of the State of Michigan.

O. This Agreement, upon its acceptance by the parties, shall constitute the entire Agreement and understanding between the parties and supersedes all prior and contemporaneous negotiations, representations, and agreements, whether written or oral, with respect to the subject matter herein.

The parties have signed this Agreement by their authorized officers or agents on the _____ day of _____, 2012.



Lona Kaye Elliott

CITY OF JACKSON

By: _____

Martin J. Griffin

Its Mayor

Approval as to form:

Approval as to content:

Julius A. Giglio
City Attorney

Patrick Burtch
Interim City Manager

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

MEMORANDUM

November 27, 2012

TO: Honorable Mayor and City Council

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

RE: Omnisource Corp. v Joseph Kurpenski and the City of Jackson

DATE: November 15, 2012

RECOMMENDED ACTION: Refer this matter to the City Attorney.

Attached please find a Complaint filed by Omnisource Corporation against the City of Jackson and Joseph Kurpenski in the 12th District Court. This action is a Complaint for Interpleader involving money held by Omnisource Corporation as a result of the salvage of the contents of Joseph Kurpenski's junkyard. The City of Jackson claims the money as a result of Requests and Orders of Seizures against Joseph Kurpenski in regards to delinquent fines from the Administrative Hearings Bureau. The requested action is to refer this matter to the City Attorney's office for handling.

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

BMH/tk

Enc.

cc w/enc.: Patrick Burtch, City Manager
Julius Giglio, City Attorney

STATE OF MICHIGAN
IN THE 12TH DISTRICT COURT FOR THE COUNTY OF JACKSON

_____/
OMNISOURCE CORPORATION,

Hon. _____

Plaintiff,

Case No.: _____

v.

COMPLAINT FOR INTERPLEADER

JOSEPH KURPINSKI and
CITY OF JACKSON,

Defendants.

_____/

JAMES B. FLEMING
Fleming & Fleming, P.C.
Attorney for Plaintiff
607 Wildwood Avenue
Jackson, Michigan 49201
517.782.9500

MICHAEL H. MICHMERHUIZEN
(Indiana Supreme Court No.: 22086-02
Barrett & McNagny LLP
215 East Berry Street
P.O. Box 2263
Fort Wayne, IN 46801

THERE IS NO OTHER PENDING OR
RESOLVED CIVIL ACTION ARISING OUT
OF THE TRANSACTION OR
OCCURRENCE ALLEGED IN THIS
COMPLAINT

_____/

COMPLAINT FOR INTERPLEADER

Plaintiff, OmniSource Corporation, by counsel, Fleming & Fleming, P.C., and pursuant
to MCR § 3.603, files its action for Interpleader and states as follows:

1. This is a claim for interpleader brought pursuant to MCR § 3.603.

2. OmniSource Corporation ("OmniSource") is an Indiana corporation with its principal place of business in Fort Wayne, Allen County, Indiana.

3. OmniSource collects, processes, resells, and trades ferrous and nonferrous scrap metals and operates more than 70 scrap collection and processing facilities in the United States.

4. OmniSource maintains a facility at 711 Lewis Street, Jackson, Jackson County, Michigan.

5. Defendant Joseph Kurpinski ("Kurpinski") is a resident of the City of Jackson, Jackson County, Michigan and is made a party to the action to answer to any interest he may have in the interpleaded funds.

6. The City of Jackson, Michigan is made a party to the action to answer any interest it may have in the interpleaded funds.

7. This cause of action arose in Jackson County, Michigan.

8. Kurpinski owned a parcel of real estate next to property acquired by OmniSource.

9. OmniSource removed certain scrap from the real estate of Kurpinski and agreed to pay Kurpinski the sum of Twenty-Six Thousand Nine Hundred Ten and 84/100 Dollars (\$26,910.84) (the "Funds").

10. Prior to the Funds being released to Kurpinski, OmniSource became aware that the City of Jackson ("City") had obtained an Order to Seize Property of Kurpinski and that the City was making a claim for the Funds.

11. OmniSource has attempted to pay the Funds to the City in exchange for a release executed by Kurpinski but Kurpinski has failed and/or refused to execute a release.

12. OmniSource believes that it is under an obligation to pay the Funds to Defendant City.

13. OmniSource admits that the Funds are now due and owing and that OmniSource has no interest in, and makes no claim to, the Funds. Based on the foregoing, OmniSource is uncertain as to whom it should pay the funds; and it cannot pay over such proceeds, except under direction of this Court, without assuming the risk of multiple liabilities for such payment.

14. OmniSource is willing to pay the proceeds into this Court and to be held subject to further order of the Court regarding the proper beneficiary of these Funds.

15. The Plaintiff has no interest in the Funds and merely desires protection while this Court determines whom should be paid.

WHEREFORE, Plaintiff OmniSource Corporation, by counsel, requests that the Court enter judgment as follows:

1. Pursuant to MCR 3.603(B)(1), direct OmniSource Corporation to deposit the proceeds in the sum of \$26,910.84, with the clerk of the Court pending the decision of the Court as to the proper distribution of the Funds;

2. Pursuant to MCR 3.603(B)(2), permanently restrain and enjoin Defendants Joseph Kurpinski and the City of Jackson from pursuing any action against OmniSource to collect or pursue the Funds;

3. Pursuant to MCR 3.603(B)(3), hold a hearing and discharge OmniSource Corporation from any and all liability to Defendants Joseph Kurpinski and the City of Jackson, upon deposit of the Funds with the Court and ordering of the dismissal of OmniSource Corporation from this case, with prejudice, upon such payment;

4. Pursuant to MCR 3.603(E)(1), order that the party not entitled to the Funds pay the costs of filing this action to OmniSource including costs and attorney fees;

5. Require each Defendant to answer this Complaint, setting out in detail their claim to the disputed Funds and if they do not, to enter a default against said Defendant; and
6. Grant OmniSource Corporation all other just and proper relief in the premises.

FLEMING & FLEMING, P.C.

By _____

James B. Fleming
Attorney for Plaintiff
6706 Wildwood Avenue
Jackson, Michigan, 49201
Telephone: (517) 782-9500

Michael H. Michmerhuizen
Barrett & McNagy LLP
215 East Berry Street
P.O. Box 2263
Fort Wayne, IN 46802

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

CITY COUNCIL MEETING

November 27, 2012

NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Deputy City Attorney *BMS*

SUBJECT: In re Thomas Darrow - 911 South Jackson Street

DATE: November 16, 2012

REQUESTED ACTION: Refer this matter to the City Attorney.

Attached is a copy of a Complaint filed by Thomas Darrow in the Jackson County Circuit Court and served on the City of Jackson on November 15, 2012. This complaint is asking the 4th Circuit Court to take superintending control relating to the demolition of 911 South Jackson Street which is owned by Mr. Darrow. A Temporary Restraining Order was also obtained by Mr. Darrow preventing the City from demolishing the property pursuant to a Notice and Order of Condemnation upheld by the Building Code Board of Examiners and Appeals.

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

BMS/bs

Enc.

cc Patrick Burtch, City Manager
Julius A. Giglio, City Attorney

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

IN RE THOMAS DARROW,

Plaintiff,

File # 12-3601-14

Hon. John G. McCain
P47476

Jerry M. Engle P13194
Attorney for Plaintiff - Appellant
Jacobs & Engle, P.C.
1104 W. Michigan Ave.
Jackson, Michigan 49202
(517) 782-9450

TRUE COPY
ORIGINAL FILE

NOV 18 2012

JACKSON CO. CIRCUIT COURT
AMANDA L. RISKA CO. CLERK

Julius A. Giglio P32022
Jackson City Attorney
161 W. Michigan Ave.
Jackson, Michigan 49201
(517) 788-4050

COMPLAINT FOR ORDER OF SUPERINTENDING CONTROL

AND REQUEST FOR IMMEDIATE RESTRAINING ORDER

Now Comes the Plaintiff - Appellant, Thomas Darrow, by and through his attorney, Jerry M. Engle, and in Complaint for Superintending Control, and Request for Immediate Restraining Order, says as follows:

1.) That all parties and the relevant property: a house at 911 S.Jackson Street; are located in the City and County of Jackson, State of Michigan .

2.) That on or about 10/25/12 the City Building Code Board of Examiners and Appeals issued an Order in regard to a property located at 911 S. Jackson Street here in the City of Jackson.
(attached as exhibit 1)

3.) That the owner of the House at 911 S. Jackson Street is the Plaintiff Thomas Darrow.

4.) That the Order was actually mailed out to the Plaintiff on 11/2/12. (Attached exhibit 2)

5.) That the Plaintiff is asking for this Court to exercise Superintending Control in this matter, for the following reasons:

a.) M.C.L. 600.615 provides for Circuit Court Jurisdiction in matters of Superintending Control.

MAR. 3.301 (a)(1) further provides for the bringing of this action in Circuit Court.

b.) There is no other adequate remedy available at to Mr. Darrow. This seems to be conceded in the City of Jackson's Notice. (Ex. 1 & 2)

6.) That the original Notice and Order in regard to this matter is attached as exhibit 3. It listed several repairs to be made as a result of a building fire in 2010, the fire report itself, and a picture of the damage is attached as exhibit 8. According to the report the damage was limited to the NW corner of the structure, and due to a faulty wire which would have been in the control of consumers power. The various allegations of exhibit 3, and our replies, are listed below.

a.) Unsafe mechanical vent to south side. This has nothing to do with the fire. This system was put in place by a bank that owned the property prior to Mr. Darrow. He purchased it in 1988. It has been inspected at least 10 times since, and passed in its current condition.

b.) Chimney removed from South side, Siding not restored. This was not part of the fire damage.. The chimney was originally restored some time before Mr. Darrow purchased this in

1988. (See ex. 4) When this was purchased the chimney was in same position as it is now. The siding was in exactly the same condition as it is now. This had been apparently approved prior to his purchase of the building.

Every Apartment building in the City is inspected every 2 years. This was passed every 2 years. Nothing is new about it since 1988. Nothing is dangerous about it. It is the only issue still left with the City. (See photos ex. 5)(see also exhibit 6 dated 9/22/12 informing Mr. Darrow that the building is in conformance with the City Code.)

The building had been approved for Occupancy as late as 2009, and a certificate of Occupancy good until 9/1/11 issued. (Exhibit 7) That when exhibit 7 was issued the chimney as currently exists was there, as was the siding issue.

c.) Front Porch Roof bowing. This has been repaired. (see photos ex.5)

d.) Roof System. This has been repaired. This is not leaking. It looks good, and has been passed in every inspection since the last time the roof was re-shingled about 8 years ago.

e.) Interior Partially gutted. This has been repaired.

f.) Front concrete steps crumbling and unsafe. This has been repaired.

g.) Yard overgrown. This has been cleaned up, and is not an issue.

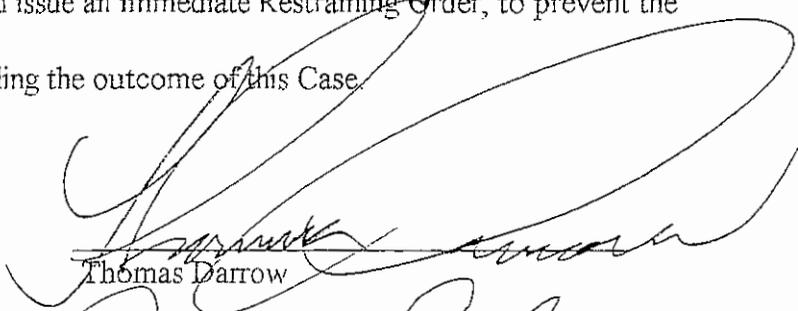
h.) This matter has also been taken care of.

The home is an appropriate structure for 911 S. Jackson Street, Jackson, Michigan. Building permits were obtained for the matters that required building permits, and the contractor for most of this was Scholl Electric. To be able to sign off the work and get paid it is necessary to obtain an inspection. It is assumed that was done.

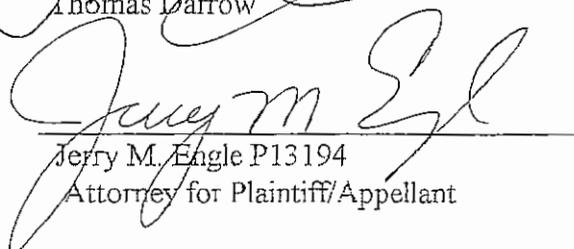
7.) That after the filing of this Complaint and the Answer herein the Court will find that none of this is new in regard to this Chimney, nor is the City Code new in this regard. The previous passing of this structure as it is effectively bars a new inspector from saying while I guess I don't like the way it is, or at a minimum puts the burden on the City to explain why this is now outside the code when it wasn't for the past 24 plus years. Perhaps the City should explain why it wasn't outside the code for the previous owner, a bank, to maintain this in this manner, but is outside the code for Mr. Darrow to maintain this in this manner. It also puts the burden on the City to show how this is a change in the building or the building code. This chimney is not even in the area of the fire.

7.) That with the Pending Order of the Department of Community Development a restraining Order needs to be issued at the time of filing this matter, if requested by the City there should be a hearing on continuing the restraining order MCR. 3.302(E)(3)(b). That it is apparent that the City is demanding that this action be filed within 14 days of their Order, and a Restraining Order be Obtained. See Exhibits 1 & 2 attached hereto.

Wherefore the Plaintiff in this matter would respectfully request this Honorable Court Order Superintending Control in this matter, and issue an immediate Restraining Order, to prevent the City from tearing down this building pending the outcome of this Case.



Thomas Darrow



Jerry M. Engle P13194
Attorney for Plaintiff/Appellant

Dated: November 13, 2012



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
---------------------------------------	------------------------------------	-------------------------------	---

BUILDING CODE BOARD OF EXAMINERS AND APPEALS IN REGARD TO THE MATTER OF: 911 S JACKSON ST (HOUSE) DECISION AND ORDER

At a session of said Building Code Board of Appeals held in the City of Jackson, County of Jackson, State of Michigan on the 25th day of October, 2012

Upon hearing the evidence and examining the exhibits, the Building Code Board of Examiners and Appeals finds that the Notice and Order served upon the Owner(s) of record DARROW THOMAS A is hereby UPHELD.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the structure located at 911 S JACKSON ST is a dangerous structure as defined by Chapter 17, Sections 17-26 (2,5,6,8) and 17-27 of the Code of the City of Jackson, because:

The Owner(s) failed to comply with the requirements of the Notice and Order dated July 11, 2012.

IT IS FURTHER ORDERED AND ADJUDGED that the Building Inspection Division shall cause said structure to be demolished or otherwise made safe, with the cost of same to be the responsibility of the Owner(s).

IF YOU DO NOT AGREE WITH THIS DECISION AND ORDER OF THE BUILDING CODE BOARD OF APPEALS, YOU MAY APPEAL IT TO THE CIRCUIT COURT BY FILING A PETITION FOR A TEMPORARY RESTRAINING ORDER AND A COMPLAINT FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN TWENTY (20) DAYS OF THE DATE OF THIS DECISION. YOU MUST ALSO SERVE A COPY OF THE PETITION AND TEMPORARY ORDER UPON THE CITY OF JACKSON WITHIN THAT TIME PERIOD TO STOP ANY CITY ACTION TAKEN TOWARD THE PROPERTY.

PLEASE NOTE THAT THE CITY OF JACKSON WILL, BY SPECIAL ASSESSMENT, ASSESS ALL COSTS INCURRED TO ENFORCE THIS DECISION AND ORDER AGAINST THE PROPERTY AND THE CITY OF JACKSON MAY FILE SUIT TO RECOVER THESE COSTS AGAINST THE OWNER(S) WITHOUT LOSING ITS RIGHT TO PLACE A LIEN ON THE PROPERTY.

DATE: 10/25/12

[Signature]
Andrew Dotterweh

[Signature]
Jon Dowling

[Signature]
David Wooden

[Signature]
Jason Covalle

[Signature]
Martin J. Griffin

[Signature]
Patrick Burtch

Bill Benedetto





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

November 02, 2012

DARROW THOMAS A
1205 FRANCIS ST
JACKSON MI 49203

RE: 911 S JACKSON ST (HOUSE)

Dear Owner:

Enclosed please find a copy of the Decision of the Building Code Board of Examiners and Appeals as decided at the October 25, 2012, meeting.

If you have any questions or comments, please contact me at (517) 788-4012.

Sincerely,

Frank Donovan
Chief Building Official

FD/smp

pc file copy



E & S
A 2



Department of Community Development
Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

OFFICIAL NOTICE AND ORDER

July 11, 2012

CERTIFIED MAIL RECEIPT: 7010 1060 0001 5661 2152

TO: DARROW THOMAS A
1205 FRANCIS ST
JACKSON MI 49203

RE: 911 S JACKSON ST (HOUSE)

YOU ARE HEREBY NOTIFIED that the above listed structure was inspected and posted "Dangerous and Unsafe" by the City of Jackson's Building Inspection Division on June 18, 2012. The structure is deemed to be dangerous and a public nuisance as defined by Chapter 17, Section 17-1 et seq. of the Jackson City Code:

- Sec. 17-26 (2) Whenever any portion has been damaged by wind, floods, or by any other cause, to such degree that its structural strength or stability is significantly weakened or is less than the minimum required by the City of Jackson Building Code for a new building or structure, similar in purpose and location.
- Sec. 17-26 (5) Whenever for any reason whatsoever, a building or structure or any portion is manifestly unsafe for the purpose for which it is used.
- Sec. 17-26 (6) Whenever a building or structure has been so damaged by fire or wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein, or as to afford a refuge for disorderly persons as defined by Chapter 18-82 of the Code of the City of Jackson.
- Sec. 17-26 (8) 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 and has been found to be unfit for human habitation after inspection under Chapter 14 of this City Code by the Building Inspection Division of the Department of Community Development.

Home had structure fire in 2010, unsafe mechanical vent to south side, chimney removed from south side siding not restored, front porch roof bowing, roof system deteriorated, appears to have three top shingles overlaid over multiple layers. Broken windows, boarded openings. Interior partially gutted, front concrete steps crumbling and unsafe. Yard overgrown. Home blight to community.

911 S JACKSON ST (HOUSE)
July 11, 2012
Page 2 of 2

YOU ARE ORDERED TO

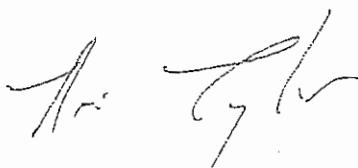
1. **VACATE THE STRUCTURE IMMEDIATELY;**
2. Within **7 DAYS** from the date of this notice, either secure a demolition permit **OR** building permit. All work must be completed within **28 DAYS** from the date of this notice.
3. Have all work inspected and approved by the Building Inspection Division before the permits expire;
4. Do not re-occupy the structure until authorized in writing by the Building Inspection Division;
5. Do not transfer the property or structure to another person without first giving notice to the buyer and filing an "Affidavit of Disclosure" indicating that the new owner has been advised of and will fully accept and comply with outstanding code violations. (The Affidavit of Disclosure form is available from the Building Inspection Division, 161 W. Michigan Avenue, 3rd Floor.)

PLEASE BE ADVISED no person shall enter this structure except for the purpose of either making the required repairs, or the demolition of the structure. If this Notice and Order is not complied with during the time period specified above, the City of Jackson's Building Inspection Division will start proceedings to abate the nuisance, which will result in a hearing before the Building Code Board of Examiners and Appeals. If you disagree with this Notice and Order from the Building Inspection Division, you may attend the hearing before the Building Code Board of Examiners and Appeals and show cause why this Notice and Order should not be upheld or why you cannot comply with it.

The Building Code Board of Examiners and Appeals may enter an Order authorizing the Building Inspection Division to **demolish or otherwise make safe** the structure with all costs being the responsibility of the owner(s). **You will be invoiced for these costs. If you fail to make full payment on the invoice, these costs will be assessed against the property as a special assessment and the City of Jackson may sue the owner(s) in court for these costs without losing the LIEN filed against the property under the special assessment. The City can take all necessary steps to enforce any court judgment.**

IF YOU ARE A NON-OWNER OCCUPANT OF THE STRUCTURE, you may attend the hearing to present evidence and testify as to the dangerous conditions and as to whether you should be allowed to re-occupy the structure. All non-owner occupants who have vacated the structure and wish to testify before the Building Code Board of Examiners and Appeals must notify the Building Inspection Division of their new address so that they may be notified of the time, date, and place of all hearings.

Sincerely,



Brian Taylor
Building Inspector

BT/smp

no File

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0265 (Exp. 12-31-86)

B. Type of Loan

1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FmHA 3. <input type="checkbox"/> Conv. Unins.	6. File Number FM-23674	7. Loan Number	8. Mortgage Insurance Case Number
4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Conv. Ins.			

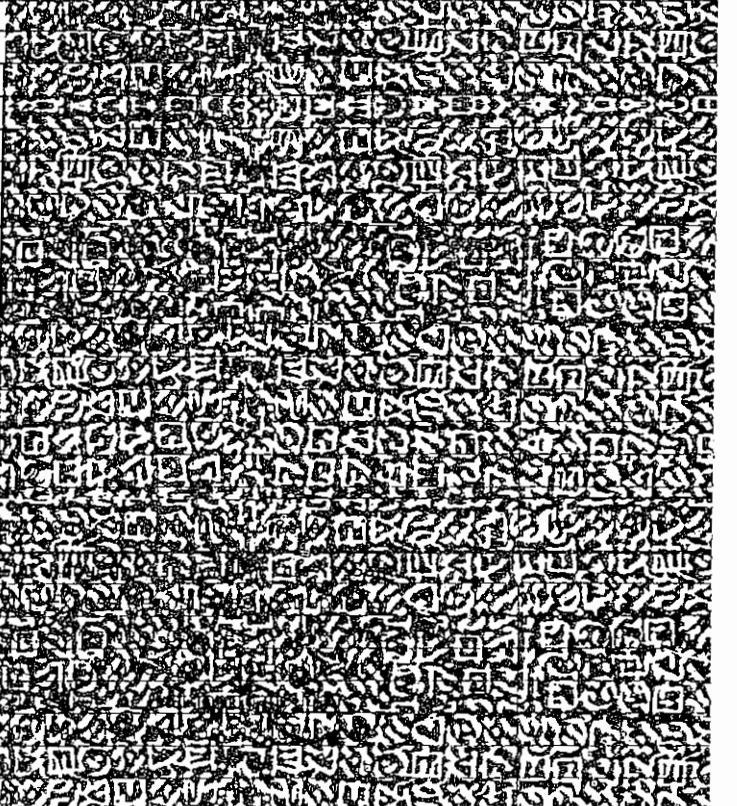
C. **Note:** This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name and Address of Borrower
THOMAS A. DARROW

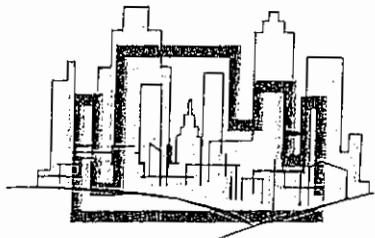
E. Name and Address of Seller
CHRYSLER FIRST CREDIT CORPORATION

F. Name and Address of Lender
CHRYSLER FIRST CREDIT CORPORATION

G. Property Location 911 & 911 1/2 S. Jackson St. Jackson, Michigan 49203	H. Settlement Agent AMERICAN TITLE COMPANY OF JACKSON	
	Place of Settlement American Title Co. of Jackson 441 S. Jackson St. Jackson, Michigan 49201	I. Settlement Date 3/31/88

J. Summary of Borrower's Transaction		
100. Gross Amount Due From Borrower		
101. Contract sales price	13,000.00	
102. Personal property		
103. Settlement charges to borrower (line 1400)		
104.		
105.		
Adjustments for Items paid by seller in advance		
106. City/town taxes to		
107. County taxes to		
108. Assessments to		
109.		
110.		
111.		
112.		
120. Gross Amount Due From Borrower	13,000.00	
200. Amounts Paid By Or In Behalf Of Borrower		
201. Deposit or earnest money		
202. Principal amount of new loan(s)	13,000.00	
203. Existing loan(s) taken subject to		
204.		
205.		
206.		
207.		

EK 5
C67



CITY OF JACKSON

161 W. MICHIGAN

JACKSON, MICHIGAN 49201

DEPARTMENT OF COMMUNITY DEVELOPMENT

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Financial Services
(517) 788-4058

Rehabilitation Services
& Information (517) 788-4070

INSPECTION INVOICE

December 22, 1988

Mr. Thomas Darrow
4229 Ridge Road
Jackson, MI 49201

SUBJECT: Property: 911-911½ S. Jackson
Inspector: Tim Pickett

Dear Mr. Darrow:

We are pleased to notify you that your above-referenced building meets the requirements of the City of Jackson Housing Maintenance Code, and the Community Development Department can now issue you a full Certificate of Compliance. This Certificate will remain in effect until the expiration date, provided the premises remain in compliance with the code.

Section 8.605 of the Housing Maintenance states:

The Building Official shall not charge the owner of a dwelling unit for the initial scheduled inspection. A fee of ten dollars (\$10.00) shall be charged for each required scheduled reinspection of each dwelling unit. The first ten dollar (\$10.00) fee shall be applied toward the issuance of the Certificate of Compliance pursuant to P.A. 286 of 1917, as last amended.

Please complete the attached APPLICATION FOR CERTIFICATE OF COMPLIANCE and return it with your payment.

The inspection fees for your property are as follows:

<u>Type of Inspection</u>	<u>Date</u>	<u>No. of Units</u>	<u>Amount</u>
Follow Up	October 14, 1988	1	\$10.00
Extension Follow Up	November 29, 1988	1	\$10.00
Final Extension Inspection	December 15, 1988	1	\$10.00



Department of Community Development

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

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CERTIFICATE OF COMPLIANCE

Friday, November 6, 2009

DARROW THOMAS A
1205 FRANCIS ST
JACKSON MI 49203

SUBJECT: Property: 911 S JACKSON ST
Inspector: Tim Pickett

Dear Owner:

We are pleased to notify you that you have complied with the City of Jackson Housing Code by correcting the violations cited in your Code Violation Letter. The inspection conducted on 09/01/2009, revealed that all observable components meet minimum standards for existing buildings as required. The City does not in any way guarantee the work performed on your property, nor does the City assert that no other violations have arisen in the interim. The department will, however, on the basis of work completed, issue a Certificate of Compliance for the above referenced property.

This certification will become a part of the permanent record of your property which will be due for reinspection in two years or sooner, if violations are reported.

We wish to thank you for your cooperation in the Housing Code Enforcement Program.

Dennis M. Diffenderfer
Rehabilitation Coordinator

DMD/smp

Enclosure



City Of Jackson
State of Michigan

CERTIFICATE OF COMPLIANCE

This is to certify that

911 S JACKSON ST, JACKSON, MICHIGAN

DARROW THOMAS A, 1205 FRANCIS ST, JACKSON MI 49203

(OWNER)

(ADDRESS)

has been inspected, pursuant to the requirements of Section 14-42 of Chapter 14 of the City Code of Ordinances and that said premises comply with the provisions of The Housing Maintenance Code, as amended, and that any existing violation does not constitute a hazard to the health or safety of the occupants.

09/01/2011

EXPIRATION DATE



Dennis M. DeFulfer

COMMUNITY DEVELOPMENT DEPARTMENT

ed
22

Jackson Fire Department

13 # L U
P1

A	03808 FDID	MI State	08/13/2010 Incident Date	HQ Station	0003060 Incident Number	000 Exposure	<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS-1 Basic
----------	---------------	-------------	-----------------------------	---------------	----------------------------	-----------------	--	--------------------------

B	Location	<input type="checkbox"/> Address on Wildland Form	Census Tract	
<input checked="" type="checkbox"/>	Street Address			
<input type="checkbox"/>	Intersection	911 Number	S Prefix	Jackson Street
<input type="checkbox"/>	In front of			ST Type
<input type="checkbox"/>	Rear of			Suffix
<input type="checkbox"/>	Adjacent to	Jackson City	MI State	49203 Zip Code
<input type="checkbox"/>	Directions			
<input type="checkbox"/>	US National Grid	Cross Street, Directions or US National Grid, as applicable		

C Incident Type 111 Building fire	E1 Dates & Times	E2 Shifts / Alarms																															
D Aid Given or Received	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;">Mon.</td> <td style="width: 10%;">Day</td> <td style="width: 10%;">Year</td> <td style="width: 10%;">Time</td> </tr> <tr> <td>Alarm</td> <td></td> <td>08/13/10</td> <td></td> <td>22:44:00</td> </tr> <tr> <td>Arrival</td> <td><input checked="" type="checkbox"/> Arrival</td> <td>08/13/10</td> <td></td> <td>22:48:00</td> </tr> <tr> <td>Control</td> <td><input checked="" type="checkbox"/> Control</td> <td>08/13/10</td> <td></td> <td>23:20:00</td> </tr> <tr> <td>Last Unit Clear</td> <td><input checked="" type="checkbox"/> Last Unit Clear</td> <td>08/14/10</td> <td></td> <td>01:12:00</td> </tr> </table>		Mon.	Day	Year	Time	Alarm		08/13/10		22:44:00	Arrival	<input checked="" type="checkbox"/> Arrival	08/13/10		22:48:00	Control	<input checked="" type="checkbox"/> Control	08/13/10		23:20:00	Last Unit Clear	<input checked="" type="checkbox"/> Last Unit Clear	08/14/10		01:12:00	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">C</td> <td style="width: 10%; text-align: center;">2</td> <td style="width: 10%; text-align: center;">35</td> </tr> <tr> <td>Shift</td> <td>Alarms</td> <td>Dist.</td> </tr> </table>	C	2	35	Shift	Alarms	Dist.
	Mon.	Day	Year	Time																													
Alarm		08/13/10		22:44:00																													
Arrival	<input checked="" type="checkbox"/> Arrival	08/13/10		22:48:00																													
Control	<input checked="" type="checkbox"/> Control	08/13/10		23:20:00																													
Last Unit Clear	<input checked="" type="checkbox"/> Last Unit Clear	08/14/10		01:12:00																													
C	2	35																															
Shift	Alarms	Dist.																															
1 <input checked="" type="checkbox"/> Received 2 <input type="checkbox"/> Automatic Rec'vd 3 <input type="checkbox"/> Given 4 <input type="checkbox"/> Automatic Given 5 <input type="checkbox"/> Other Aid Given N <input type="checkbox"/> None	Their FDID Their State 0000000 Their Incident	E3 Special Studies ID# Value																															

F Actions Taken	G1 Resources	G2 Dollar Loss & Values												
11 Extinguish	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;">Apparatus</td> <td style="width: 10%;">Personnel</td> </tr> <tr> <td>Suppression</td> <td>6</td> <td>14</td> </tr> <tr> <td>EMS</td> <td>0</td> <td>0</td> </tr> <tr> <td>Other</td> <td>0</td> <td>0</td> </tr> </table> <input checked="" type="checkbox"/> Check if counts include mutual aid resources		Apparatus	Personnel	Suppression	6	14	EMS	0	0	Other	0	0	LOSSES: NONE Property 20000 Contents 10000 PRE-INCIDENT VALUE Property 80000 Contents 40000
	Apparatus	Personnel												
Suppression	6	14												
EMS	0	0												
Other	0	0												
Primary Action Taken (1) 81 Incident command Additional Action Taken (2) 51 Ventilate Additional Action Taken (3)														

Completed Modules	H1 Casualties	H3 Hazmat Release	I Mixed Use Property									
<input checked="" type="checkbox"/> Fire-2 <input checked="" type="checkbox"/> Structure-3 <input type="checkbox"/> Civ. Casualty-4 <input type="checkbox"/> Fire Casualty-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> Hazmat-7 <input type="checkbox"/> Wildland-8 <input checked="" type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11	<input checked="" type="checkbox"/> None <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;">Deaths</td> <td style="width: 10%;">Inj.</td> </tr> <tr> <td>Fire Service</td> <td>0</td> <td>0</td> </tr> <tr> <td>Civilian</td> <td>0</td> <td>0</td> </tr> </table> H2 Detector Alerted Occupants 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No U <input type="checkbox"/> Unknown		Deaths	Inj.	Fire Service	0	0	Civilian	0	0	N <input checked="" type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas 2 <input type="checkbox"/> Propane Gas 3 <input type="checkbox"/> Gasoline 4 <input type="checkbox"/> Kerosene 5 <input type="checkbox"/> Diesel Fuel/Fuel Oil 6 <input type="checkbox"/> Household Solvents 7 <input type="checkbox"/> Motor Oil 8 <input type="checkbox"/> Paint 0 <input type="checkbox"/> Other	NN <input checked="" type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly Use 20 <input type="checkbox"/> Education Use 33 <input type="checkbox"/> Medical Use 40 <input type="checkbox"/> Residential Use 51 <input type="checkbox"/> Row of Stores 53 <input type="checkbox"/> Enclosed Mall 58 <input type="checkbox"/> Business & Resid. 59 <input type="checkbox"/> Office Use 60 <input type="checkbox"/> Industrial Use 63 <input type="checkbox"/> Military Use 65 <input type="checkbox"/> Farm Use 00 <input type="checkbox"/> Other Mixed Use
	Deaths	Inj.										
Fire Service	0	0										
Civilian	0	0										

1st Company to Arrive L-1	J Property Use	419
		1 or 2 family dwelling

K1 Person / Entity Involved

Business name (if applicable)

Phone

Check if same address as incident

Prefix 911 First Name Amanda MI S Last Name Adams Suffix

Number 911 Prefix S Street or Highway Jackson Street Type ST Suffix

Post Office Box Apt./Suite/Room #1 City Jackson

State MI Zip 49203

K2 Owner

Same as Person Involved

Business name (if applicable) Darrow Construction

Phone () 206-7263

Check if same address as incident

Prefix 608 First Name Tom MI N Last Name Darrow Suffix

Number 608 Prefix N Street or Highway West Street Type AV Suffix

Post Office Box Apt./Suite/Room City Jackson

State MI Zip 49202

L Remarks

Comments for this incident have been printed on an additional comments page.

M Authorization

6626	X	Capt.	Suppressio	08/14/2010
Officer in charge ID	Jason Senft	Position or Rank	Assignment	Date
6626	X	Capt.	Suppressio	08/14/2010
Member Making Report	Jason Senft	Position or Rank	Assignment	Date

Jackson Fire Department

A	03808 FDID	MI State	08/13/2010 Incident Date	HQ Station	0003060 Incident Number	000 Exposure	<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> NFIRS-2 Fire </div>
----------	---------------	-------------	-----------------------------	---------------	----------------------------	-----------------	--	--

B Property Details

B1 2 Not Residential
No. of residential units in building of origin

B2 1 Bldgs not involved
No. of buildings involved

B3 0 None Less than one acre
Acres burned (outside fire)

C On -Site Materials or Products

NNN None

On-site materials (1)

On-site materials (2)

On-site materials (3)

1	<input type="checkbox"/> Bulk storage or warehousing
2	<input type="checkbox"/> Processing or manufacturing
3	<input type="checkbox"/> Packaged goods for sale
4	<input type="checkbox"/> Repair or Service

1	<input type="checkbox"/> Bulk storage or warehousing
2	<input type="checkbox"/> Processing or manufacturing
3	<input type="checkbox"/> Packaged goods for sale
4	<input type="checkbox"/> Repair or Service

1	<input type="checkbox"/> Bulk storage or warehousing
2	<input type="checkbox"/> Processing or manufacturing
3	<input type="checkbox"/> Packaged goods for sale
4	<input type="checkbox"/> Repair or Service

D Ignition

D1 76 Area of origin
Wall surface: exterior

D2 13 Heat Source
Arcing

D3 12 Item first ignited
Exterior wall covering or finish

D4 63 Type of material first ignited
Sawn wood, including all finishes

Confined to item

E1 Cause of Ignition Exposure Report

1 Intentional
 2 Unintentional
 3 Failure of equipment
 4 Act of nature
 5 Cause under investigation
 U Undetermined after invest.

E2 Factors Contributing None

33 Short circuit arc from defective, worn ins
Factor contributing to ignition (1)

0UU Undetermined
Factor contributing to ignition (2)

E3 Human Factors Contributing to Ignition

1 Asleep None
 2 Possibly impaired by alcohol or drugs
 3 Unattended person
 4 Mentally disabled
 5 Physically disabled
 6 Multiple persons

7 Age was a Factor

Estimated age
 1 Male 2 Female

F1 Equipment Involved in Ignition None

NNN None

Equipment involved

Brand _____
 Model _____
 Serial # _____
 Year _____

F2 Equipment Power

Equipment Power Source _____

F3 Equipment Portability

1 Portable
 2 Stationary

Portable equipment normally can be moved by one person, is designated to be used in multiple locations.

G Fire Suppression Factors None

NNN None

Fire suppression factor (1) _____
 Fire suppression factor (2) _____
 Fire suppression factor (3) _____

H1 Mobile Property Involved None

1 Not involved in ign, burned
 2 Involved in ign, did not burn
 3 Involved in ignition and burned

Mobile property model _____
 Year _____
 License Plate Number _____ State _____ VIN Number _____

H2 Mobile Property Type & Make

Mobile property type _____
 Mobile property make _____

Local Use

Pre-Fire Plan Available

Some of the information presented in this report may be based upon reports from other agencies:

Arson report attached
 Police report attached
 Coroner report attached
 Other reports attached

I1 Structure Type 1 <input checked="" type="checkbox"/> Enclosed Building 2 <input type="checkbox"/> Portable/mobile structure 3 <input type="checkbox"/> Open structure 4 <input type="checkbox"/> Air supported 5 <input type="checkbox"/> Tent 6 <input type="checkbox"/> Open platform (e.g. piers) 7 <input type="checkbox"/> Underground structure 8 <input type="checkbox"/> Connective structure 0 <input type="checkbox"/> Other type of structure	I2 Building Status 1 <input type="checkbox"/> Under construction 2 <input checked="" type="checkbox"/> In normal use 3 <input type="checkbox"/> Idle, not routinely used 4 <input type="checkbox"/> Under major renovation 5 <input type="checkbox"/> Vacant and secured 6 <input type="checkbox"/> Vacant and unsecured 7 <input type="checkbox"/> Being demolished 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined	I3 Bldg Height _____ 2 Stories at or above grade level _____ 1 Stores below grade level	I4 Main Floor Size _____ 1200 Total square feet OR _____ 0 _____ 0 Length (ft) BY Width (ft)	NFIRS-3 Structure Fire
---	---	--	--	-------------------------------

J1 Fire Origin 1 <input type="checkbox"/> Below grade Story of Fire Origin	J3 No. of Stories Damaged by Flame Count the ROOF as part of the highest story _____ 2 Number of stories w/ minor damage (1 to 24% flame damage) _____ 0 Number of stories w/ significant damage (25 to 49% flame damage) _____ 0 Number of stories w/ heavy damage (50 to 74% flame damage) _____ 0 Number of stories w/ extreme damage (75 to 100% flame damage)	K Material Contributing Most to Flame Spread No flame spread OR same as material first ignited OR unable to determine <input checked="" type="checkbox"/> K1 _____ Item contributing most K2 _____ Type of material contributing most
J2 Fire Spread 2 <input type="checkbox"/> Confined to room of origin 3 <input type="checkbox"/> Confined to floor of origin 4 <input checked="" type="checkbox"/> Confined to building of origin 5 <input type="checkbox"/> Beyond building of origin		

L1 Presence of Detectors N <input type="checkbox"/> None Present 1 <input checked="" type="checkbox"/> Present U <input type="checkbox"/> Undetermined	L3 Detector Power Supply 1 <input checked="" type="checkbox"/> Battery only 2 <input type="checkbox"/> Hardwire only 3 <input type="checkbox"/> Plug in 4 <input type="checkbox"/> Hardwire with battery 5 <input type="checkbox"/> Plugin with battery 6 <input type="checkbox"/> Mechanical 7 <input type="checkbox"/> Multiple Detectors & PS 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Undetermined	L5 Detector Effectiveness 1 <input type="checkbox"/> Alerted occupants they responded 2 <input type="checkbox"/> Occupants failed to respond 3 <input type="checkbox"/> There were no occupants 4 <input type="checkbox"/> Failed to alert occupants U <input type="checkbox"/> Undetermined
L2 Detector Type 1 <input checked="" type="checkbox"/> Smoke 2 <input type="checkbox"/> Heat 3 <input type="checkbox"/> Combination smoke - heat 4 <input type="checkbox"/> Sprinkler, water flow detection 5 <input type="checkbox"/> More than 1 type present 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Underdetermined	L4 Detector Operation 1 <input type="checkbox"/> Fire too small to activate 2 <input type="checkbox"/> Operated 3 <input checked="" type="checkbox"/> Failed to operate U <input type="checkbox"/> Undetermined	L6 Detector Failure Reason 1 <input type="checkbox"/> Power failure, shutoff 2 <input type="checkbox"/> Improper installation or placement 3 <input type="checkbox"/> Defective 4 <input type="checkbox"/> Lack of maintenance, cleaning 5 <input checked="" type="checkbox"/> Battery missing or disconnected 6 <input type="checkbox"/> Battery discharged or dead 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Undetermined

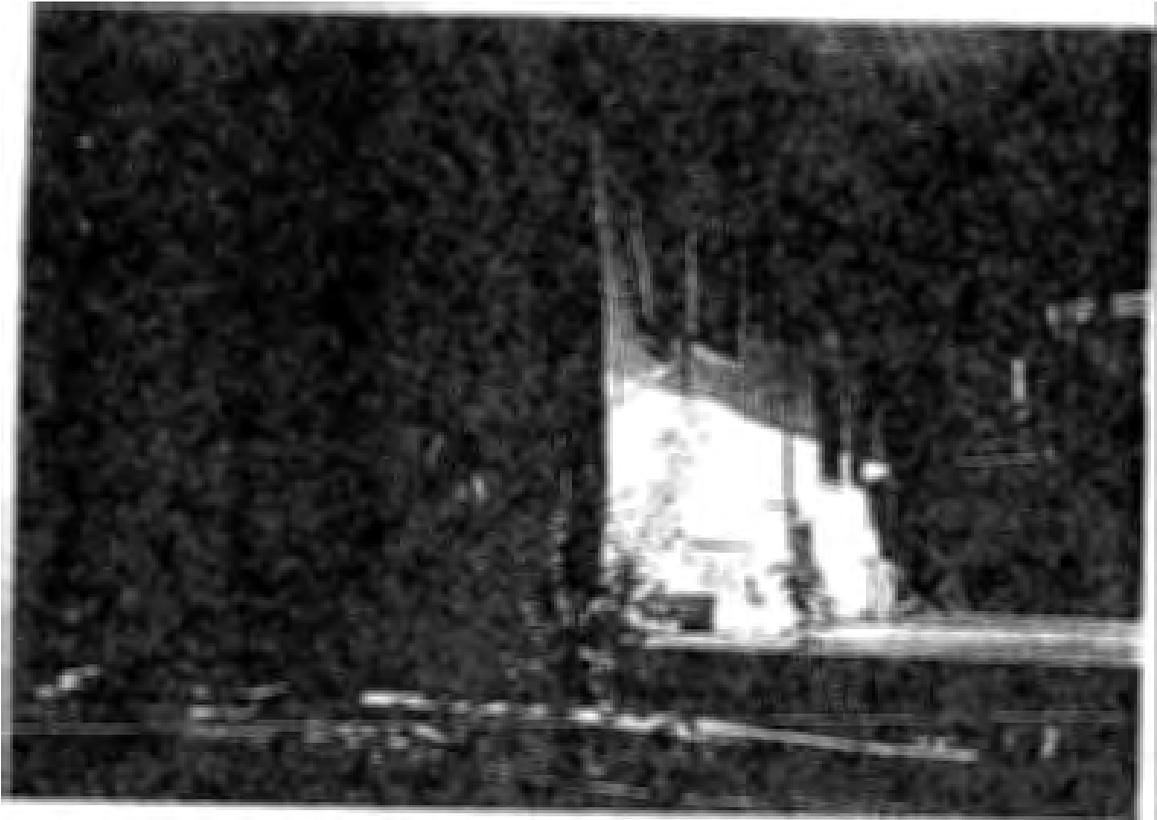
M1 Presence of Auto. Exting. System N <input checked="" type="checkbox"/> None Present 1 <input type="checkbox"/> Present 2 <input type="checkbox"/> Partial System Present U <input type="checkbox"/> Undetermined	M3 Automatic Extinguishment System Operation 1 <input type="checkbox"/> Operated & effective 2 <input type="checkbox"/> Operated & not effective 3 <input type="checkbox"/> Fire too small to activate 4 <input type="checkbox"/> Failed to operate 0 <input type="checkbox"/> Other U <input type="checkbox"/> Undetermined M4 Number of Sprinklers _____ 0	M5 Failure Reason 1 <input type="checkbox"/> System shut off 2 <input type="checkbox"/> Not enough agent 3 <input type="checkbox"/> Agent discharged but did not reach fire 4 <input type="checkbox"/> Wrong type of system 5 <input type="checkbox"/> Fire in unprotected area 6 <input type="checkbox"/> System damaged 7 <input type="checkbox"/> Lack of maintenance 8 <input type="checkbox"/> Manual intervention 0 <input type="checkbox"/> Other _____ U <input type="checkbox"/> Undetermined
M2 Type of Automatic Extinguishment 1 <input type="checkbox"/> Wet pipe sprink. 6 <input type="checkbox"/> Halogen sys 2 <input type="checkbox"/> Dry pipe sprink. 7 <input type="checkbox"/> CO2 system 3 <input type="checkbox"/> Other sprink sys 0 <input type="checkbox"/> Other system 4 <input type="checkbox"/> Dry chem. sys U <input type="checkbox"/> Undetermined 5 <input type="checkbox"/> Foam system		

03808	MI	08/13/2010	HQ	0003060	000	<input type="checkbox"/> Delete	NFIRS Comments
FDID	State	Incident Date	Station	Incident Number	Exposure	<input type="checkbox"/> Change	

PS

Reported possible structure fire. ATF light smoke along the NW corner of a two story residential structure. L-1 took command and stretched line. E-2 crew arrived and entered the structure with L-1 FF and ascended to 2nd floor apt. E-3 crew arrived and established a water supply. Summit L-18 crew arrived and entered the first floor to conduct a search and check for fire. E-3 crew was reassigned to the NW corner of the structure to extinguish visible fire behind the siding in the area of the electrical service meters. Consumers Electric was requested. Blackman crew arrived and was assigned to RIT. Command called for 2nd alarm. E-2 crew exited the structure and was reassigned to RIT, L-1 FF was reassigned to assist E-3 crew with fire extinguishment on the exterior of the structure. Blackman crew was reassigned to the basement for search, check for extension, and to kill the power to the structure. Ventilation was established, gas fan to first floor, E-2 electric fan to second floor. Command called for on call fire inspector. L-18 crew and Blackman crew reassigned to search attic space for extension. Consumers Electric arrived and disconnected the power. A/C Millican arrived and began his investigation. Callback crew arrived and assisted with overhaul. During the investigation, A/C Millican discovered degraded wire insulation, exposing wire on the backside of the service line below the electrical service meter. This exposed wire was in contact with the aluminum siding of the structure. This appeared to be the lowest point of any burning on the structure. Mutual Aid units were RTS. City units assisted occupants of the two apartments with collection and removal of personal property. All City units RTS, leaving securement of the property to the property owner, Mr Darrow. He stated he was to leave and return with the necessary supplies.

EX7(8)
P-6



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

IN RE THOMAS DARROW,

Plaintiff,

File # 12-3601-Ad

Hon. John G. McBoin

P47&76

Jerry M. Engle P13194
Attorney for Plaintiff - Appellant
Jacobs & Engle, P.C.
1104 W. Michigan Ave.
Jackson, Michigan 49202
(517)782-9450

Julius Giglio P32022
Jackson City Attorney
161 W. Michigan Ave.
Jackson, Michigan 49201
(517) 788-4050

RESTRAINING ORDER IN RE 511 S. JACKSON STREET

At a session of Said
Court, held in the City
Of Jackson, County of
Jackson, and State of
Michigan, on the 13th
Day of November, 2012

HONORABLE:

This Court having reviewed the Complaint for Order of Superintending Control, and Request for Restraining Order, the attached exhibits, and being otherwise fully informed:

IT IS HEREBY ORDERED that the City of Jackson, Michigan, is hereby RESTRAINED FROM TAKING ACTION TO TEAR DOWN OR OTHERWISE DEMOLISH THE BUILDING AT 911 S. JACKSON STREET, PENDING THE CLOSING OF THIS CASE OR OTHER FURTHER ORDER OF THIS COURT.

Hon. Edward J. Grant
P14272

HON.

Hon. Edward J. Grant
P14272

**TRUE COPY
OF ORIGINAL FILE**

NOV 13 2012

JACKSON CO. CIRCUIT COURT
AMANDA L. RISKA CO. CLERK

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

November 27, 2012

NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, Deputy City Attorney *BMS*

SUBJECT: In re Thomas Darrow - 919 South Jackson Street

DATE: November 16, 2012

REQUESTED ACTION: Refer this matter to the City Attorney.

Attached is a copy of a Complaint filed by Thomas Darrow in the Jackson County Circuit Court and served on the City of Jackson on November 15, 2012. This complaint is asking the 4th Circuit Court to take superintending control relating to the demolition of 919 South Jackson Street which is owned by Mr. Darrow. A Temporary Restraining Order was also obtained by Mr. Darrow preventing the City from demolishing the property pursuant to a Notice and Order of Condemnation upheld by the Building Code Board of Examiners and Appeals.

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

BMS/bs

Enc.

cc Patrick Burtch, City Manager
Julius A. Giglio, City Attorney

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

IN RE THOMAS DARROW,

Plaintiff,

File # 12-3612-AL

Hon. John G. McBain
P47476

Jerry M. Engle P13194
Attorney for Plaintiff - Appellant
Jacobs & Engle, P.C.
1104 W. Michigan Ave.
Jackson, Michigan 49202
(517) 782-9450

TRUE COPY
OF ORIGINAL FILE

NOV 14 2012

JACKSON CO. CIRCUIT COURT
AMANDA L. RISKA CO. CLERK

Julius A. Giglio P32022
Jackson City Attorney
161 W. Michigan Ave.
Jackson, Michigan 49201
(517) 788-4050

COMPLAINT FOR ORDER OF SUPERINTENDING CONTROL

AND REQUEST FOR IMMEDIATE RESTRAINING ORDER

Now Comes the Plaintiff - Appellant, Thomas Darrow, by and through his attorney, Jerry M. Engle, and in Complaint for Superintending Control, and Request for Immediate Restraining Order, says as follows:

1.) That all parties and the relevant property: a house at 919 S. Jackson Street; are located in the City and County of Jackson, State of Michigan .

2.) That on or about 10/25/12 the City Building Code Board of Examiners and Appeals issued an Order in regard to a property located at 925 S. Jackson Street here in the City of Jackson.

3.) That the owner of the House at 919 S. Jackson Street is the Plaintiff Thomas Darrow.

4.) That the Order was actually mailed out to the Plaintiff on November 2, 2012. Exhibit 3

5.) That the Plaintiff is asking for this Court to exercise Superintending Control in this matter, for the following reasons:

a.) M.C.L. 600.615 provides for Circuit Court Jurisdiction in matters of Superintending Control.

M.C.R. 3.301 (a)(1) further provides for the bringing of this action in Circuit Court.

b.) There is no other adequate remedy available at to Mr. Darrow. This seems to be conceded in the City of Jackson's Notice.

6.) That this property had originally been sold on a land contract to Scott J. Phelps. Due to non-payment it was necessary for Mr. Darrow to take the contract back. He did not get the final rights to the property until 8/14/12 when process server Dennis Younkin executed on the property. This is attached as exhibit 1.

7.) That while the homeowner Mr. Phelps still had possession of the property the City sent him a notice regarding the garage on the property. Exhibit 2. This was sent to the then homeowner Mr. Phelps. It concerned the garage only.

8.) When Mr. Darrow found out what had happened he applied for a building permit to fix the garage on 6/14/12. It was originally given to him. However, the City then decided he wasn't the property owner and took back the building permit sending him back his check. Ex. 4.

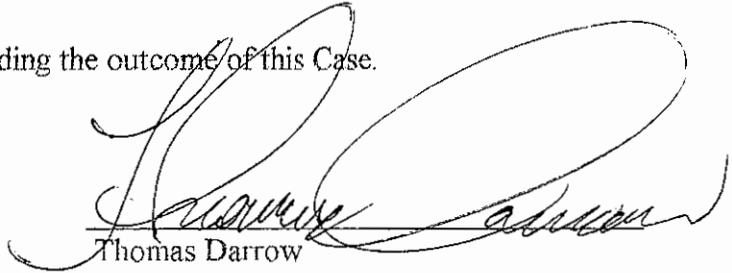
9.) On August 13, a day before he even had the possession that caused the City to deny his first building permit he received a notice saying the home was in Blight condition. Much of which consisted of minor repairs for which a building permit was not needed. All of which was done by the time of the Building board hearing. Much of this is typical of what a tenant can do to a home. Certainly do to a home when there in the process of being thrown out. This notice was given a day before the tenant was actually thrown out by Dennis Younkin, and the property was technically owner occupied.

10.) On September 28, 2012, Mr. Darrow applied for and received a building permit to repair the garage. He also received a permit to install new roofing over the mud-room. He paid \$190.00 for the permit.

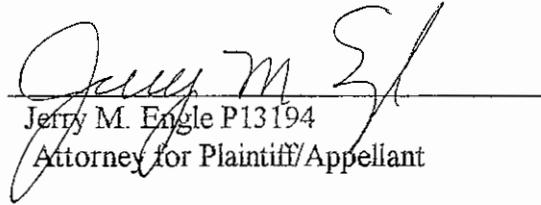
11.) The work is all done. The home has been brought back into code. The garage has been brought back into code. This was done in roughly 2 months, that was allowed by the City. It does appear that the City is in the process of trying to make sure there is no tax base left in the City.

12.) That it is difficult to believe that the City could take the Money for a building permit, not go over and inspect to say we also need this done, etc. They have totally misled the Petitioner into thinking he was doing the right thing. Negligently, or intentionally, trying to make sure they could destroy this building no matter what the Petitioner might do.

Wherefore the Plaintiff in this matter would respectfully request this Honorable Court Order Superintending Control in this matter, and issue an immediate Restraining Order, to prevent the City from tearing down this building pending the outcome of this Case.



Thomas Darrow



Jerry M. Engle P13194
Attorney for Plaintiff/Appellant

Dated: November 13, 2012

EX-1 P1

Approved, SCAO

YOUNKIN

Original - Officer return
1st copy - Court
2nd copy - Defendant
3rd copy - Plaintiff

STATE OF MICHIGAN 12th JUDICIAL DISTRICT www.d12.com	APPLICATION AND ORDER OF EVICTION Landlord-Tenant / Land Contract	CASE NO. 12-0989-SP
--	--	------------------------

Court address: Jackson Court Building 312 S. Jackson St., Jackson Michigan 49201
 Court telephone no.: (517) 753-4037

Plaintiff name, address, and telephone no.
 THOMAS DANNOW
 1205 FRANCIS
 JACKSON, MI

Plaintiff's attorney, bar no., address, and telephone no.
 206 7263

Defendant name(s) and address(es)
 MELINDA @ SCOTT PHELPS
 919 S. JACKSON
 JACKSON, MI

APPLICATION

1. On 5-10-12 judgment was entered against the defendant(s) and the plaintiff was awarded possession of the following described property: 919 S. JACKSON

2. Received Property Back 8-14-12

No payment has been made on the judgment or no rent has been received since the date of judgment, except the sum of \$ 0 received under the following conditions: NONE

2012 AUG - 9 2 12 5
 RECEIVED COURT

EXI
PA

3. The plaintiff has complied with the terms of the judgment.

4. The time stated in the judgment before an order of eviction can be issued has elapsed.

I declare that the statements above are true to the best of my information, knowledge, and belief.

8-9-12
Date

[Signature]
Plaintiff/Attorney signature

ORDER OF EVICTION

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

To the Court Officer: You are ordered to restore the plaintiff to, and put the plaintiff in, full possession of the premises.

8/10/12
Date issued

SEAL [Signature] Judge Bar no. 2920

NOTE: In tenancy cases, this order must be served within 56 days of the issuance date.

DC 107 (3/09) APPLICATION AND ORDER OF EVICTION, Landlord-Tenant / Land Contract

MCL 600.5744, MCR 4.201(L),
MCR 4.202(K)



LIBER 1991 PAGE 1214 1 of 2
STATE OF MICHIGAN - JACKSON COUNTY
Received 08/23/2012 02:37:40 PM 2628702
Processed 08/23/2012 02:39:06 PM ORD
Mindy Reilly, REGISTER OF DEEDS

STATE OF MICHIGAN
CERTIFICATE OF 12th DISTRICT COURT ADMINISTRATOR, COUNTY OF JACKSON
I, TAMARA J. BATES, Court Administrator of the 12th District Court for the County of Jackson, the same being a Court of Record, having a seal, do hereby certify that I have compared the attached copy of [Signature] with the original of record in my office and that the same is a correct transcript of therefrom, and of the whole of such original.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the 12th District Court for the County of Jackson, City of Jackson, this 20 day of August, A.D. 2012.
TAMARA J. BATES, 12th DISTRICT COURT ADMINISTRATOR
By: [Signature]
Deputy Clerk, 12th District Court

RETURN

I certify and return that on 8/14/12 @ 12:00 PM I executed the order of eviction on the reverse side of this form
Date

by evicting Melinda & Scott Phelps @ 919 S. Jackson St., Jackson, MI
Name(s)

from the property, and I have restored the plaintiff to peaceful possession as ordered.

Dennis J. Younkin

Dennis J. Younkin
Court Officer

8/14/12
Date

(Deputy) sheriff/Court officer/Bailiff

Service fee \$ <u>35.00</u> 30.00	Miles traveled <u>2</u>	Fee \$ <u>1.66</u>	
Incorrect address fee \$	Miles traveled	Fee \$	TOTAL FEE \$ <u>71.66</u>

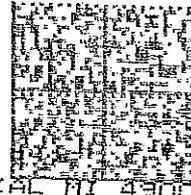
STATE OF MICHIGAN
 CERTIFICATE OF 12th DISTRICT COURT ADMINISTRATOR, COUNTY OF JACKSON
 I, TAMARA J. BATES, Court Administrator of the 12th District Court for the County of Jackson, the same being a Court of Record, having a seat, do hereby certify that I have compared the attached copy of Plaintiff's Motion with the original of record in my office and that the same is a correct transcript thereof, and of the whole of such original.
 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the 12th District Court for the County of Jackson, City of Jackson this 14 day of August, A.D. 2012.
 TAMARA J. BATES, 12th DISTRICT COURT ADMINISTRATOR
 By: [Signature]
 DEPUTY CLERK, 12th DISTRICT COURT

FILED
 12TH DISTRICT COURT
 2012 AUG 20 P 3:57

Ex 1 104

REGISTER OF DEEDS
Jackson County
120 W. Michigan
Jackson, Michigan 49201
Legal Document

PRESORTED
FIRST CLASS



Hastler

DS42 MAILED AT 490 EX 08/31/10 KAL MI 49203

THOMAS DARROW
1205 FRANCIS
JACKSON, MI 49203

1991 - 1214

GACI
—
911



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

BUILDING CODE BOARD OF EXAMINERS AND APPEALS

NOTICE OF HEARING

May 14, 2012

PHELPS SCOTT J
919 S JACKSON ST
JACKSON MI 49203

RE: 919 S JACKSON ST (GARAGE)

YOU ARE HEREBY NOTIFIED a complaint has been filed with the Building Code Board of Examiners and Appeals by the Chief Building Inspector of the City of Jackson requesting that the above referenced structure be demolished. A copy of said complaint is enclosed for your review.

PLEASE BE ADVISED, AND YOU ARE HEREBY NOTIFIED, that a hearing to consider the complaint will be held by the Building Code Board of Examiners and Appeals in the City Commission Chambers, located at 161 W Michigan Ave, Jackson, Michigan, on the Second Floor on **THURSDAY, 05/24/2012, at 1:00 p.m.**

IF YOU WISH TO CONTEST THIS COMPLAINT YOU ARE HEREBY INVITED TO PRESENT EVIDENCE AT THIS HEARING TO SHOW CAUSE WHY THE DETERMINATION OF THE BUILDING INSPECTION DEPARTMENT, AS SET FORTH IN THE ORIGINAL NOTICE AND ORDER YOU WERE SERVED WITH SHOULD NOT BE COMPLIED WITH. If you no longer have an interest in this property you may disregard this notice.

If you no longer have an interest in this property please contact our office at (517) 788-4012 so we may address this matter.

Frank Donovan
Chief Building Official

FD/smp

pc THOMAS DARROW at 1205 FRANCIS ST, JACKSON MI 49203
file

E-4
P1

DATE: 06/14/2012

RECEIPT #: 90440205

RECEIVED OF: DARROW INVESTMENTS

CASHIER: SFoster

TOTAL RECEIVED: 165.00

COMMENTS:

	DESCRIPTION		AMOUNT
NV	00016365		165.00
	Tendered: Checks	8541	150.00
	Tendered: Cash		15.00

SENT CHECK BACK

EX 4 p2

4-064500000



City of Jackson

161 W. Michigan Avenue, Jackson, MI 49201

Phone # (517) 788-4012 Fax # (517) 780-4781

Community Development Department Building Inspection Division

PB120234

Building

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

Issued: 06/14/12
Expires: 12/11/12

2009 Michigan Building/Residential Code
2009 Michigan Rehabilitation Code

Type of Construction: _____ Occupancy Group: _____ Edition of Code: _____

LOCATION	OWNER	CONTRACTOR
919 S JACKSON ST 4-064500000 Lot: Zoned: R-2 Block Area: 34	PHELPS SCOTT J 919 S JACKSON ST JACKSON MI 49203 Ph.: Fx.:	DARROW INVESTMENTS 1205 FRANCIS ST. JACKSON MI 49203 Ph.: (517) 206 7263 Cell: State Lic # 2101078251

Work Description: TEAR OFF AND RE-ROOF NORTH SIDE

Stipulations: R-2 ZONING; 1 UNIT-SINGLE FAMILY

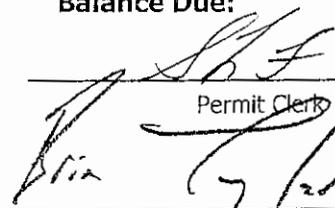
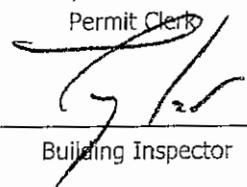
Permit Item	Work Type	Fee Basis	Item Total
ROOFING	STANDARD ITEM	1.00	\$150.00
BUILDING CONTRACTOR	Registration Fee	1.00	\$15.00

Fee Total: \$165.00
Amount Paid: \$165.00
Balance Due: \$0.00

This permit is granted in accordance with an application for a permit or plans now on file in this office, on the express condition that the said construction shall, in all respects, conform to the Ordinances and Building Code of the City of Jackson, regarding the construction of buildings and may be revoked at any time upon the violation of any of the provisions of said ordinances or code, or of the above specifications.

Inspection Record

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____


 Permit Clerk

 Building Inspector

****THE PERMIT OR COPY MUST BE POSTED IN A CONSPICUOUS, VISIBLE LOCATION****

Please call (517) 788-4012 for Inspections

EX
AB

CITY OF JACKSON, MICHIGAN

Vendor: 10390

DARROW INVESTMENTS

Check #: 00000129750

Date	Invoice	Description/Detail	Amount
06/25/12	REFUND	919 S JACKSON PERMIT	150.00

Total: 150.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

VOID AFTER 90 DAYS



CITY OF JACKSON, MICHIGAN

CHECK NO. 129750
00000129750

CITIZENS BANK
JACKSON, MICHIGAN

74-52

PAY ***One Hundred Fifty and NO/100 Dollars*****

TO
THE
ORDER
OF

DARROW INVESTMENTS
1205 FRANCIS ST

DATE 07/04/12 AMOUNT \$150.00

JACKSON

MI 49203

Andrew J. Wrozek
CITY TREASURER



City of Jackson

4-064500000

161 W. Michigan Avenue, Jackson, MI 49201

Phone # (517) 788-4012 Fax # (517) 780-4781

Community Development Department Building Inspection Division

PB120450

Issued: 09/28/12

Expires: 03/27/13



This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

2009 Michigan Building/Residential Code
2009 Michigan Rehabilitation Code

Type of Construction: _____ Occupancy Group: _____ Edition of Code: _____

LOCATION	OWNER	CONTRACTOR
919 S JACKSON ST 4-064500000 Lot: Zoned: R-2 Block Area: 34	DARROW THOMAS A 1205 FRANCIS ST JACKSON MI 49203 Ph.: (517) 206 7263 Fx.:	DARROW INVESTMENTS 1205 FRANCIS ST. JACKSON MI 49203 Ph.: (517) 206 7263 Cell: State Lic # 2101078251

Work Description: STRAIGHTEN LEVEL AND SECURE ALL WALLS, REPLACE ROOF, INSTALL NEW SOFFIT & FASCIA, REPAIR OR REPLACE OVERHEAD DOOR & WINDOW, REPAIR ALL STRUCURAL VIOLATONS, INSTALL NEW ROOFING ON EAST 1ST STORY ROOF AREA (OVER MUD ROOM)

Stipulations: R-1 ZONING; 1 UNIT-SINGLE FAMILY

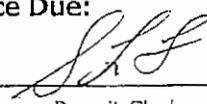
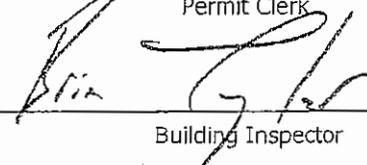
Permit Item	Work Type	Fee Basis	Item Total
Application Fee	Standard Item	1.00	\$90.00
ALTERATIONS/MISC PERMIT FEES	Standard Item	14,018.00	\$100.00

This permit is granted in accordance with an application for a permit or plans now on file in this office, on the express condition that the said construction shall, in all respects, conform to the Ordinances and Building Code of the City of Jackson, regarding the construction of buildings and may be revoked at any time upon the violation of any of the provisions of said ordinances or code, or of the above specifications.

Fee Total: \$190.00
Amount Paid: \$190.00
Balance Due: \$0.00

Inspection Record

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____


 Permit Clerk

 Building Inspector

****THE PERMIT OR COPY MUST BE POSTED IN A CONSPICUOUS, VISIBLE LOCATION****

Please call (517) 788-4012 for Inspections

PROOF OF SERVICE FIRST CLASS MAIL

RE: 919 S JACKSON ST (HOUSE)

STATE OF MICHIGAN)
)SS
COUNTY OF JACKSON)

Sheila M. Prater, Records Management Coordinator, being first duly sworn, deposes and says that she is an employee of the City of Jackson, Department of Community Development, and a legally competent adult and on 10/03/2012, she served a copy of the OFFICIAL NOTICE AND ORDER upon DARROW THOMAS A at 1205 FRANCIS ST, JACKSON MI 49203, that being his/her last known post office address, and depositing the same in the United States Mail in the City of Jackson with First-Class postage fully prepaid.



Sheila M. Prater, Records Management Coordinator

Subscribed and sworn before me this 3rd day of October, 2012, by



Heather Lee Soat, Notary Public
Jackson County, Michigan

My Commission Expires: April 25, 2013



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

OFFICIAL NOTICE AND ORDER

August 13, 2012

CERTIFIED MAIL RECEIPT: 7010 1060 0001 5661 7461

TO: THOMAS DARROW
1205 FRANCIS ST
JACKSON MI 49203

OWNER OCCUPIED INSPECTION

RE: 919 S JACKSON ST (HOUSE)

YOU ARE HEREBY NOTIFIED that the above listed structure was inspected and posted "Dangerous and Unsafe" by the City of Jackson's Building Inspection Division on August 8, 2012. The structure is deemed to be dangerous and a public nuisance as defined by Chapter 17, Section 17-1 et seq. of the Jackson City Code:

- Sec. 17-26 (3) Whenever a building or structure or any portion or appurtenance is likely to fall or become detached or dislodged or to collapse for any reason.
- Sec. 17-26 (5) Whenever for any reason whatsoever, a building or structure or any portion is manifestly unsafe for the purpose for which it is used.

East first story roof system rotted, broken windows and windows falling from wood frames. East entry porch gutted, deteriorated soffit/fascia, basement stairs collapsed, portions of basement water lines cut/removed. Holes through exterior foundation, grass/weeds growing through dirt floor sections of basement. Front retaining wall collapsed outwards onto City sidewalks with remaining wall leaning for future collapse. Front concrete stairway and sidewalks from right of way crumbled, broken siding, stairs removed from outside front door leaving 36" drop outside doorway. Overgrown weeds surrounding home, deteriorated/damaged siding. Front porch illegally converted to bedroom area, lack of smoke detectors throughout, unsafe electrical wiring above drop ceilings and in basement area. Electrical plugs falling from walls, exposed electrical line extending from E. gable fascia, interior floors damaged, unfinished floors throughout second story, holes through first story bathroom floor, second story bedroom walls falling, unsanitary throughout. Home in blight condition.

YOU ARE ORDERED TO

- VACATE THE STRUCTURE IMMEDIATELY;
- Obtain permit to reconstruct front retaining wall within **48 hours**. Should permit not be obtained and work started within **48 hours**, an Emergency Order will be issued to resolve the issue with costs of any work assessed to the property.

919 S JACKSON ST (HOUSE)
August 12, 2012
Page 2 of 2

YOU ARE ORDERED TO (continued)

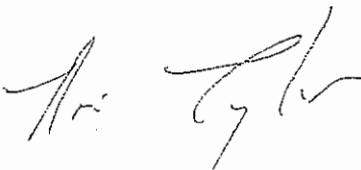
3. Obtain permits to repair all noted violations or demolition permit to demolish the home within **7 days** with all work to be completed within **28 days**.
4. Have all work inspected and approved by the Building Inspection Division before the permits expire;
5. Do not re-occupy the structure until authorized in writing by the Building Inspection Division;
6. Do not transfer the property or structure to another person without first giving notice to the buyer and filing an "Affidavit of Disclosure" indicating that the new owner has been advised of and will fully accept and comply with outstanding code violations. (The Affidavit of Disclosure form is available from the Building Inspection Division, 161 W. Michigan Avenue, 3rd Floor.)

PLEASE BE ADVISED no person shall enter this structure except for the purpose of either making the required repairs, or the demolition of the structure. If this Notice and Order is not complied with during the time period specified above, the City of Jackson's Building Inspection Division will start proceedings to abate the nuisance, which will result in a hearing before the Building Code Board of Examiners and Appeals. If you disagree with this Notice and Order from the Building Inspection Division, you may attend the hearing before the Building Code Board of Examiners and Appeals and show cause why this Notice and Order should not be upheld or why you cannot comply with it.

The Building Code Board of Examiners and Appeals may enter an Order authorizing the Building Inspection Division to **demolish or otherwise make safe** the structure with all costs being the responsibility of the owner(s). **You will be invoiced for these costs. If you fail to make full payment on the invoice, these costs will be assessed against the property as a special assessment and the City of Jackson may sue the owner(s) in court for these costs without losing the LIEN filed against the property under the special assessment. The City can take all necessary steps to enforce any court judgment.**

IF YOU ARE A NON-OWNER OCCUPANT OF THE STRUCTURE, you may attend the hearing to present evidence and testify as to the dangerous conditions and as to whether you should be allowed to re-occupy the structure. All non-owner occupants who have vacated the structure and wish to testify before the Building Code Board of Examiners and Appeals must notify the Building Inspection Division of their new address so that they may be notified of the time, date, and place of all hearings.

Sincerely,



Brian Taylor
Building Inspector

BT/smp

pc SCOTT PHELPS at 919 S JACKSON ST, JACKSON MI 49203
File

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City has a Dangerous Structures Ordinance, being Sections 17-26 and 17-27 of the Jackson City Code of Ordinances; and

WHEREAS, the Dangerous Structures Ordinance allows the City to collect fees for costs and expenses incurred by the City in initiating proceedings before the City's Building Code Board of Examiners and Appeals; and

WHEREAS, the Dangerous Structures Ordinance provides in part that such fees for costs and expenses shall be established by Resolution of the City Council; and

WHEREAS, the Community Development Department, Division of Building Inspection, has carefully reviewed the costs and expenses incurred in initiating proceedings before the City's Building Code Board of Examiners and Appeals; and

WHEREAS, the City Council has not increased the costs and expenses for proceedings before the City's Building Code Board of Examiners and Appeals since 1996; and

WHEREAS, the City Council considered the proposed Schedule at its April 13, 2010 meeting and voted to adopt the Schedule as recommended by the Finance Committee;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Chapter 17, Article II of the Jackson City Code, the following is hereby adopted as fees for the costs and expenses identified in Subsection 17-27 (n) of the City's Dangerous Structures Ordinance:

- Any dangerous building or structure posted with a hazardous notice and order as open and accessible or a notice to vacate as unfit for human habitation.....\$ 75.00
- Monthly monitoring fee for condemned, hazardous, or vacated properties.....\$ 20.00
- Any dangerous building or structure posted with a condemned notice and order that is repaired in accordance with said Notice and Order.....\$ 175.00
- Any dangerous building or structure for which the Building Code Board of Examiners and Appeals conducts a public hearing and enters a Decision and Order to either continue or dismiss the hearing.....\$ 175.00

Any dangerous building or structure for which the Building Code Board of Examiners and Appeals enters a Decision and Order to uphold a Notice and Order\$ 225.00

Any follow up inspections required for Building Code Board of Examiners and Appeals hearings whether before or after a final decision\$ 45.00

BE IT FURTHER RESOLVED that a copy of the fee schedule shall be provided to the property owner with the first mailing of the Notice and Order; provided, however, all demolition costs, if any, which may be incurred by the City pursuant to a demolition of a dangerous structure, shall continue to be assessed and collected as provided in the Dangerous Structures Ordinance;

BE IT FURTHER RESOLVED that any invoice for a monthly monitoring fee shall be invoiced upon completion of the monthly inspection;

BE IT FURTHER RESOLVED that an invoice for any fee other than the monthly monitoring fee as outlined in the above-recited fee schedule shall be generated either upon the City's determination that the structure is no longer dangerous and unsafe, or upon final disposition by the Board, whichever occurs later; and

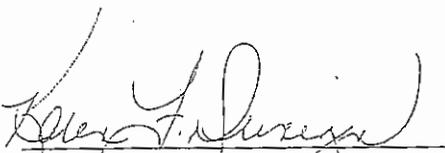
BE IT FURTHER RESOLVED that any provision of any other Resolution which is in conflict with this Resolution shall be, and the same is hereby, rescinded.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on APRIL 27, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan on this 28TH day of APRIL, 2010.


KAREN F. DUNIGAN, MAYOR


Lynn Fessel, City Clerk

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF JACKSON

IN RE: THOMAS DARROW

File # 12- 3612 JLC

Hon.

Hon. Edward J. Grant
P14272

Jerry M. Engle P13194
Attorney for Plaintiff
1104 W. Michigan Ave.
Jackson, Michigan 49202
(517) 782-9450

Jules Giglio P32022
City Attorney
161 W. Michigan Ave.
Jackson, Michigan 49202
(517) 788-4050

ORDER IN RE: ENFORCEMENT OF 3/22/12 ORDER OF BUILDING BOARD OF EXAMINERS AND APPEALS IN REGARD TO THE MATTER OF: 119 N. COLUMBUS

At a session of said Court,
Held in the City of Jackson,
County of Jackson, and State
Of Michigan, on the 14th
Day of April, 2012

PRESENT: HON.

Hon. Edward J. Grant
P14272

This Court having reviewed the Complaint for Superintending Control, and Immediate Order Stopping the Enforcement of the 3/25/12 order of the Building Board of Examiners and Appeals in Regard to the Matter of: 919 S. Jackson Street, and being otherwise fully informed:

IT IS HEREBY ORDERED that no action shall be taken to enforce the 10/25/12
BUILDING CODE BOARD OF EXAMINERS AND APPEALS IN REGARD TO THE
MATTER OF: 919 S. JACKSON STREET until the further Order of this Court.

IT IS FURTHER ORDERED that this Interim Order may be challenged at any time while
this case is pending, by the appropriate motion of the City of Jackson or its attorneys.

Hon. Edward J. Grant
P-14275

Hon.

Hon. Edward J. Grant
P-14272

TRUE COPY
OF ORIGINAL FILE

NOV 14 2012

JACKSON CO. CIRCUIT COURT
AMANDA L. RISNA, CO. CLERK



City of Jackson, Michigan Financial Statements

As of and For the 4 Months Ended October 31, 2012

(Unaudited)

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City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

Function Department	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Legislative :</u>						
101-101 City Council	80,682	80,682	5,925	30,703	38.05%	49,979
<u>Judicial:</u>						
101-137 Administrative Hearings Bureau	22,851	22,851	2,028	8,009	35.05%	14,842
	22,851	22,851	2,028	8,009	35.05%	14,842
<u>General Government :</u>						
101-172 City Manager	237,127	287,914	12,254	118,634	41.20%	169,280
101-192 City Clerk-Elections	148,744	148,744	8,308	48,832	32.83%	99,912
101-201 Finance	421,295	421,295	33,213	127,908	30.36%	293,387
101-209 City Assessor	314,153	314,153	21,398	83,885	26.70%	230,268
101-210 City Attorney	416,459	416,459	32,006	116,222	27.91%	300,237
101-215 City Clerk	198,465	198,465	19,532	64,500	32.50%	133,965
101-226 Personnel	183,789	183,789	25,882	51,932	28.26%	131,857
101-233 Purchasing	91,890	91,890	6,818	21,419	23.31%	70,471
101-253 City Treasurer	276,707	276,707	21,652	80,577	29.12%	196,130
101-254 City Income Tax	199,353	199,353	12,533	45,822	22.99%	153,531
101-258 Management Information Services	360,973	360,973	19,641	89,453	24.78%	271,520
101-265 City Hall & Grounds	340,337	340,337	19,205	128,044	37.62%	212,293
101-276 Cemeteries	250,000	250,000	20,675	94,112	37.64%	155,888
101-299 Unallocated	760,980	760,980	52,984	178,382	23.44%	582,598
	4,200,272	4,251,059	306,101	1,249,722	29.40%	3,001,337
<u>Police Department :</u>						
101-301 Police	7,543,533	7,543,533	514,839	2,020,503	26.78%	5,523,030
101-308 STEP Grants	0	0	0	7,765	N/A	(7,765) <i>Note 2</i>
101-311 OHSP Grant - Seatbelts	0	15,000	0	1,590	N/A	13,410
101-312 OHSP Grant - OWI	0	0	0	4,014	N/A	(4,014) <i>Note 2</i>
101-313 Consortium Training	12,124	12,124	3,500	4,200	34.64%	7,924
101-314 In-Service Training	4,486	4,486	2,406	6,246	139.23%	(1,760) <i>Note 2</i>
	7,560,143	7,575,143	520,745	2,044,318	26.99%	5,530,825
<u>Fire Department :</u>						
101-340 Fire Suppression	3,066,078	3,175,335	200,207	962,874	30.32%	2,212,461
	3,066,078	3,175,335	200,207	962,874	30.32%	2,212,461
<u>Other Public Safety :</u>						
101-350 Public Safety - Unallocated	2,023,881	2,023,881	167,149	665,428	32.88%	1,358,453
101-426 Office of Emergency Measures	67,459	67,459	(6,555)	7,518	11.14%	59,941
	2,091,340	2,091,340	160,594	672,946	32.18%	1,418,394

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Function Department	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Public Works :</u>						
101-441 Tax Property Maintenance	8,813	8,813	1,930	7,828	88.82%	985
101-442 Civic Affairs	50,240	50,240	1,892	11,096	22.09%	39,144
101-447 Grounds Maintenance	49,320	49,320	711	3,592	7.28%	45,728
101-448 Sidewalk Construction	40,000	40,000	8,157	8,873	22.18%	31,127
101-450 Street Lighting	513,209	513,209	37,137	111,774	21.78%	401,435
101-455 Weed Control	46,198	46,198	3,173	14,579	31.56%	31,619
101-690 Forestry	286,363	286,363	18,130	108,244	37.80%	178,119
	994,143	994,143	71,130	265,986	26.76%	728,157
<u>Recreation & Culture :</u>						
101-692 Parks, Recreation & Grounds Admin	621,837	621,837	46,706	155,668	25.03%	466,169
101-697 Parks & Facilities Maintenance	547,170	547,170	42,653	198,605	36.30%	348,565
101-698 Lt. Nixon Memorial Pool	132,225	132,225	2,868	78,654	59.48%	53,571
101-699 Sharp Park Swimming Pool	95,593	95,593	7,249	75,814	79.31%	19,779
101-803 Historical District	8,452	8,452	571	2,272	26.88%	6,180
	1,405,277	1,405,277	100,047	511,013	36.36%	894,264
<u>Community Enrichment & Development:</u>						
101-401 Planning	121,803	121,803	3,716	24,687	20.27%	97,116
101-728 Economic Development	100,000	100,000	0	2,813	2.81%	97,187
	221,803	221,803	3,716	27,500	12.40%	194,303
<u>Contributions to Other Funds:</u>						
101-999 Contributions to Other Funds:	655,875	655,875	0	0	0.00%	655,875
Total General Fund Expenditures	20,298,464	20,473,508	1,370,493	5,773,071	28.20%	14,700,437

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

Fund Type/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Special Revenue Funds :</u>						
202 Major Street	9,693,083	9,693,083	142,319	789,640	8.15%	9,550,764
203 Local Street	1,603,111	1,603,111	244,854	726,705	45.33%	1,358,257
208 Ella W. Sharp Park Operating	690,279	690,279	50,757	245,194	35.52%	639,522
210 Land Acquisition Fund	40,000	40,000	1,857	5,773	14.43%	38,143
245 Public Improvement	1,264,621	1,264,621	2,860	147,984	11.70%	1,261,761
249 Building Department	489,376	489,376	35,553	133,175	27.21%	356,201
251 Housing Code Enforcement	861,250	861,250	46,833	103,146	11.98%	758,104
252 Building Demolitions	500,000	500,000	80,506	99,896	19.98%	400,104
253 212 W. Michigan Bldg. Demolition	0	2,290,000	556,171	823,411	N/A	1,466,589
257 Budget Stabilization	10,000	10,000	0	0	0.00%	10,000
265 Drug Law Enforcement	43,216	43,216	1,786	9,352	21.64%	33,864
268 BYRNE/JAG Grants	17,590	44,390	0	52,319	117.86%	(7,929) <i>Note 2</i>
270 LAWNET Grant	0	0	0	1,239	N/A	(1,239) <i>Note 2</i>
272 SAFER Grant	0	1,875,156	36,420	57,598	3.07%	1,817,558
289 Neighborhood Stabilization Grant	0	0	26,300	47,974	N/A	(47,974) <i>Note 2</i>
296 Recreation Activity	247,532	247,532	35,726	148,225	59.88%	99,307
297 JPS Recreation Millage Program	227,956	227,956	14,588	87,274	38.29%	140,682
298 2008 Brownfield Revolving Loan	875,187	1,275,187	161,679	436,109	34.20%	839,078
<u>Debt Service Funds :</u>						
324 2003 MTF Bond D/S	284,705	284,705	0	284,705	100.00%	0
365 City Hall D/S	676,389	676,389	196,944	196,944	29.12%	479,445
368 Building Authority D/S	132,512	132,512	0	125,405	94.64%	7,107
395 2001 DDA TIF D/S	550	550	0	0	0.00%	550
396 2011 DDA TIF Refinancing D/S	247,925	247,925	0	0	0.00%	247,925
397 2012 BRA TIF Refunding D/S	406,094	406,094	0	0	0.00%	406,094
399 2007 BRA TIF Refunding D/S	695,329	695,329	0	0	0.00%	695,329
<u>Capital Projects Funds :</u>						
401 Capital Projects Fund	387,212	387,212	6,461	11,386	2.94%	375,826
402 Water Equipment and Replacement	1,907,430	1,907,430	152,418	633,289	33.20%	1,274,141
404 Sanitary Sewer Maintenance Fund	512,166	512,166	27,946	100,746	19.67%	411,420
405 Sanitary Sewer Replacement	890,011	890,011	62,229	237,038	26.63%	652,973
406 Wastewater Equip. Replacement	414,000	414,000	0	36,833	8.90%	377,167
494 Brownfield Redevelopment Auth.	1,285,887	1,285,887	1,467	6,417	0.50%	1,279,470
496 DDA Project	340,475	340,475	1,332	3,617	1.06%	336,858
<u>Enterprise Funds :</u>						
583 Sharp Park Golf Practice Center	63,775	63,775	3,302	17,816	27.94%	45,959
585 Auto Parking System	31,958	31,958	652	1,995	6.24%	29,963
586 Parking Assessment	117,994	117,994	5,088	19,110	16.20%	98,884
589 Stormwater Utility	1,040,019	1,040,019	103,611	353,561	34.00%	686,458
590 Sewer	6,809,036	6,809,036	368,229	1,404,755	20.63%	5,404,281
591 Water	8,028,255	8,028,255	498,484	1,994,876	24.85%	6,033,379
599 Parking Deck Fund	780,923	780,923	18,132	42,265	5.41%	738,658

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund Type/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Internal Service Funds :</u>							
641	Public Works Administration	624,499	624,499	56,081	173,587	27.80%	450,912
642	Engineering Administration	422,241	422,241	24,493	100,758	23.86%	321,483
643	Local Site Remediation Revolving	201,000	656,051	1,497	16,921	2.58%	639,130
661	Motor Pool and Garage	1,779,246	1,779,246	79,401	313,777	17.64%	1,465,469
663	Equipment Revolving Fund	43,880	43,880	0	0	0.00%	43,880
677	Workers' Compensation	133,798	133,798	28,981	70,044	52.35%	63,754
678	Prescription Drug	395,250	395,250	71,781	218,065	55.17%	177,185
679	Health Care Deductible Reimb.	384,250	384,250	12,807	40,521	10.55%	343,729
680	Health Care Deductible Reimb.-Fire	0	0	12,940	35,274	N/A	(35,274) <i>Note 2</i>
<u>Trust & Agency Funds :</u>							
702	County & School Tax Collection	20,000	20,000	0	0	0.00%	20,000
711	Cemetery Perpetual Maintenance	60,100	60,100	0	2,365	3.94%	57,735
718	Ella W. Sharp Endowment	42,800	42,800	0	0	0.00%	42,800
731	Employees' Retirement System	3,500,000	3,500,000	278,771	1,134,797	32.42%	2,365,203
732	Policemen's/Firemen's Pension	990,000	990,000	0	170,564	17.23%	819,436
733	Policemen's/Firemen's Pens.-345	4,875,000	4,875,000	355,794	1,241,921	25.48%	3,633,079
736	Public Employees Health Care	8,000	8,000	13,650	13,650	170.63%	(5,650) <i>Note 2</i>
<u>Special Assessment Funds :</u>							
895	Special Assessment	649,247	649,247	0	0	0.00%	649,247

City of Jackson
All Funds - Revenue Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

Fund/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<u>General Fund :</u>					
Property Taxes	6,722,592	6,722,592	477,040	5,225,418	77.73%
Income Taxes	7,600,000	7,600,000	1,177,931	3,119,595	41.05%
Licenses & Permits	264,425	264,425	5,967	9,584	3.62%
Federal Grants	1,881	16,881	1,185	2,219	13.14%
State Grants	10,300	10,300	4,590	4,590	44.56%
State Revenue Sharing	3,918,607	3,918,607	688	29,412	0.75%
Contributions From Local Units	29,396	29,396	1,606	8,119	27.62%
Charges For Goods & Services	1,159,160	1,159,160	23,120	191,595	16.53%
Fines & Forfeits	171,290	171,290	14,158	61,918	36.15%
Investment Income	26,000	26,000	1,186	2,219	8.53%
Contributions From Other Funds	162,300	162,300	1,990	5,454	3.36%
Miscellaneous	185,428	185,428	10,066	112,022	60.41%
Total General Fund Revenues	20,251,379	20,266,379	1,719,527	8,772,145	43.28%
<u>Special Revenue Funds :</u>					
202 Major Street	9,503,721	9,503,721	219,929	388,907	4.09%
203 Local Street	1,550,965	1,550,965	74,833	126,792	8.18%
208 Ella W. Sharp Park Operating	692,700	692,700	29,071	243,600	35.17%
210 Land Acquisition Fund	40,000	40,000	0	0	0.00%
245 Public Improvement	1,023,300	1,023,300	75,380	798,238	78.01%
249 Building Inspection	489,475	489,475	47,079	190,581	38.94%
251 Housing Code Enforcement Fund	861,250	861,250	13,253	149,284	17.33%
252 Building Demolitions Fund	500,000	500,000	107,036	115,752	23.15%
253 212 W. Michigan Bldg. Demolition	0	2,290,000	566,171	823,411	35.96%
257 Budget Stabilization	10,000	10,000	611	2,283	22.83%
265 Drug Law Enforcement	32,530	32,530	2,502	6,597	20.28%
268 BYRNE/JAG Grants	17,590	44,390	40,938	40,938	92.22%
270 LAWNET Grant	0	0	620	1,242	N/A Note 2
272 SAFER Grant	0	1,875,156	0	0	0.00%
289 Neighborhood Stabilization Grant	0	0	10	42,319	N/A Note 2
296 Recreation Activity	296,000	296,000	33,663	81,698	27.60%
297 JPS Recreation Millage Program	222,200	222,200	0	13	0.01%
298 2008 Brownfield Revolving Loan	875,187	1,275,187	169,903	436,226	34.21%
<u>Debt Service Funds :</u>					
324 2003 MTF Bond D/S	284,705	284,705	0	284,705	100.00%
365 2003 City Hall D/S	677,500	677,500	40,988	548,468	80.95%
368 Building Authority D/S	132,512	132,512	0	125,405	94.64%
395 2001 DDA TIF D/S	550	550	0	0	0.00%
396 2011 DDA TIF Refinancing D/S	247,925	247,925	0	0	0.00%
397 2012 BRA TIF Refunding D/S	406,094	406,094	0	0	0.00%
399 2007 BRA TIF Refunding D/S	695,329	695,329	0	0	0.00%

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund/Fund Name	2012/13 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<u>Capital Projects Funds :</u>						
401	Capital Projects Fund	375,000	375,000	13,117	13,128	3.50%
402	Water Equipment and Replacement	1,506,000	1,506,000	125,875	502,847	33.39%
404	Sanitary Sewer Maintenance Fund	512,166	512,166	27,946	98,590	19.25%
405	Sanitary Sewer Replacement	654,778	654,778	54,853	219,208	33.48%
406	Wastewater Equip. Replacement	643,000	643,000	52,552	209,888	32.64%
494	Brownfield Redevelopment Auth.	1,113,579	1,113,579	715	2,669	0.24%
496	DDA Project	840,548	840,548	231	861	0.10%
<u>Enterprise Funds :</u>						
583	Sharp Park Golf Practice Center	64,500	64,500	876	15,513	24.05%
585	Auto Parking System	26,300	26,300	1,141	4,428	16.84%
586	Parking Assessment	131,989	131,989	6,023	20,773	15.74%
589	Stormwater Utility	1,105,520	1,105,520	97,456	405,702	36.70%
590	Sewer	5,293,615	5,293,615	22,676	1,139,932	21.53%
591	Water	7,511,331	7,511,331	(414,786)	2,359,585	31.41%
599	Parking Deck Fund	257,235	257,235	1,347	3,315	1.29%
<u>Internal Service Funds :</u>						
641	Public Works Administration	630,499	630,499	32,055	163,504	25.93%
642	Engineering Administration	425,765	425,765	32,077	115,771	27.19%
643	Local Site Remediation Revolving	81,522	81,522	250	945	1.16%
661	Motor Pool and Garage	1,337,049	1,337,049	88,144	409,341	30.62%
663	Equipment Revolving Fund	43,880	43,880	0	0	0.00%
677	Workers' Compensation	280,000	280,000	14,824	73,351	26.20%
678	Prescription Drug	356,050	356,050	58,674	228,803	64.26%
679	Health Care Deductible Reimb.	414,400	414,400	14,345	515,094	124.30%
680	Health Care Deductible Reimb.-Fire	0	0	12,744	50,975	N/A Note 2
<u>Trust & Agency Funds :</u>						
702	County & School Tax Collection	20,000	20,000	646	6,470	32.35%
711	Cemetery Perpetual Maintenance	85,100	85,100	1,087	19,248	22.62%
718	Ella W. Sharp Endowment	82,000	82,000	0	0	0.00%
731	Employees' Retirement System	4,183,000	4,183,000	(239,465)	1,725,655	41.25%
732	Policemen's/Firemen's Pension	971,431	971,431	0	251,428	25.88%
733	Policemen's/Firemen's Pension-345	7,200,342	7,200,342	493,617	2,609,780	36.25%
736	Public Employees Health Care	40,000	40,000	0	0	0.00%
<u>Special Assessment Funds :</u>						
895	Special Assessment	649,247	649,247	(17)	7,897	1.22%

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 4 Months Ended October 31, 2012
(Prepared on the Adopted Budget-Basis)

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

Note 2: A budget amendment is pending for this variance.



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
November 27

DATE: November 19, 2012
MEMO TO: Honorable Mayor and City Council Members
FROM: Lynn Fessel, City Clerk
SUBJECT: Establishing December 11, 2012 public hearings on Special Assessment Roll Nos. 3371, 3372 and 3373.

Establishment of December 11, 2012, at the City Council meeting as the time and place to hold public hearings on the following Special Assessment Rolls for street construction:

- 1. Roll No. 3371 for Street Repaving on Hibbard Street from Wildwood to Railroad Tracks**
- 2. Roll No. 3372 for Street Repaving on Homewild Street from Ellery Street to Edgewood Street**
- 3. Roll No. 3373 for Street Repaving on Forest from Bend in the road to Edgewood Street**

The above public improvements have been completed and the City Assessor has prepared the Assessment Rolls. If action is taken to establish the public hearings, notification letters will be sent to the property owners included on the rolls and a notice will be placed in the Jackson Citizen Patriot.

C: City Manager

Special Assessment Roll for CITY OF JACKSON
Roll for Year 2012
Population: Special Assessment District (3371)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3371 RPV HIBBARD, WILDFREESE JOYCE A TRUST 1002 WILDWOOD AVE JACKSON MI 49202	2-0823.1000	0.00 0.00	0.00		0.00	640.22 0.00	640.22
LOT 4 EX N 67 FT OF BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDHAWLEY KATHRYN R 1115 W MICHIGAN AVE JACKSON MI 49202	2-082300000	0.00 0.00	0.00		0.00	683.40 0.00	683.40
N 67 FT OF LOT 4 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDBITNER JAMES H & SANDRA K 314 HIBBARD AVE JACKSON MI 49202	2-0825.1000	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 5 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDGUTEKUNST MARIA A 322 HIBBARD AVE JACKSON MI 49202	2-082600000	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 6 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDGUTEKUNST MARIA A 322 HIBBARD AVE JACKSON MI 49202	2-082700000	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 7 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDJUDGE JAMES 326 HIBBARD AVE JACKSON MI 49202	2-082800000	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 8 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDCOMACHO MARK E & NICHOLE 408 S BOWEN ST JACKSON MI 49203	2-082900000	0.00 0.00	0.00		0.00	504.90 0.00	504.90
S 3 RDS OF LOT 9 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDSMITH BRIAN & KARA 334 HIBBARD AVE JACKSON MI 49202	2-083000000	0.00 0.00	0.00		0.00	504.90 0.00	504.90
N 16.5 FT OF LOT 9 & S 33 FT OF LOT 10 BLK 1 MRS M J SMITH'S WILDWOOD ADD							

Special Assessment Roll for CITY OF JACKSON
Roll for Year 2012
Population: Special Assessment District (3371)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3371 RPV HIBBARD, WILDPETERSON TRAVIS R & LAURA K 336 HIBBARD AVE JACKSON MI 49202	2-083100000	0.00 0.00	0.00		0.00	504.90 0.00	504.90
N 33 FT OF LOT 10 & S 16.5 FT OF LOT 11 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDBEASTER DANIEL 338 HIBBARD AVE JACKSON MI 49202	2-083200000	0.00 0.00	0.00		0.00	504.90 0.00	504.90
N 3 RDS OF LOT 11 BLK 1 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDPERKINS ANTHONY J 920 WILDWOOD AVE JACKSON MI 49202	2-083300000	0.00 0.00	0.00		0.00	821.82 0.00	821.82
LOT 1 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDSNITCHLER GERALDINE 309 HIBBARD AVE JACKSON MI 49202	2-083500000	0.00 0.00	0.00		0.00	448.80 0.00	448.80
S 44 FT OF LOT 3 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILD COLE ALICE 311 HIBBARD AVE JACKSON MI 49202	2-083600000	0.00 0.00	0.00		0.00	448.80 0.00	448.80
N 22 FT OF LOT 3 & S 22 FT OF LOT 4 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILD CHEYNE THOMAS J 313 HIBBARD AVE JACKSON MI 49202	2-083700000	0.00 0.00	0.00		0.00	448.80 0.00	448.80
N 44 FT OF LOT 4 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDBOS GERALD 315 HIBBARD AVE JACKSON MI 49202	2-083800000	0.00 0.00	0.00		0.00	448.80 0.00	448.80
S 44 FT OF LOT 5 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDMCFATE MILDRED 317 HIBBARD AVE JACKSON MI 49202	2-083900000	0.00 0.00	0.00		0.00	448.80 0.00	448.80
N 22 FT OF LOT 5 & S 22 FT OF LOT 6 BLK 2 MRS M J SMITH'S WILDWOOD ADD							

Population: Special Assessment District (3371)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3371 RPV HIBBARD, WILDSPAHR TAMMERA	2-084000000 321 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	448.80 0.00	448.80
N 44 FT OF LOT 6 BLK 2 MRS M.J. SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDST CLAIR BRENDA	2-084100000 325 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 7 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDHOFF JEREMY J	2-084200000 329 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 8 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDMALINZAK COLLEEN M	2-084300000 333 HIBBARD AVE #2 JACKSON MI 49202	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 9 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDKUBIAK MICHAEL	2-084400000 337 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	673.20 0.00	673.20
LOT 10 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDHEBB SHEILA	2-084500000 401 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	336.60 0.00	336.60
N 1/2 OF LOT 11 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDNAVARE MARLA E	2-084600000 339 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	336.60 0.00	336.60
S 1/2 OF LOT 11 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDHEBB SHIELA	2-084700000 401 HIBBARD AVE JACKSON MI 49202	0.00 0.00	0.00		0.00	564.06 0.00	564.06
LOT 12 BLK 2 MRS M J SMITH'S WILDWOOD ADD							

Special Assessment Roll for CITY OF JACKSON
Roll for Year 2012
Population: Special Assessment District (3371)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3371 RPV HIBBARD, WILDHOWLAND MATTHEW 405 HIBBARD AVE JACKSON MI 49202	2-084800000	0.00 0.00	0.00		0.00	564.06 0.00	564.06
LOT 13 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDHOWLAND MATTHEW 405 HIBBARD AVE JACKSON MI 49202	2-084900000	0.00 0.00	0.00		0.00	564.06 0.00	564.06
LOT 14 BLK 2 MRS M J SMITH'S WILDWOOD ADD							
3371 RPV HIBBARD, WILDBAKER MARK & LORINA 404 HIBBARD AVE JACKSON MI 49202	2-0851.1000	0.00 0.00	0.00		0.00	1,114.92 0.00	1,114.92
LOTS 1 & 2 BLK 3 MRS M J SMITH'S WILDWOOD ADD SPLIT ON 02/02/2012 WITH 2-085000000, 2-085100000, 2-085200000 INTO 2-0851.1000;							
Total Parcels: 27		0.00 0.00	0.00		0.00	15,723.74 0.00	15,723.74

Population: Special Assessment District (3372)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3372 RPV HOMEWILD,	7-078700000 ELLW A FOOTE MEMORIAL HOSPITAL 1 JACKSON SQUARE STE 107 JACKSON MI 49201	0.00 0.00	0.00		0.00	391.08 0.00	391.08
0787 THRU 0807, 849 THRU 855 LAND OWNED & USED AS ONE PARCEL & DESC AS BEG AT INTERS OF CENTER LN OF EAST AVE (NOW VACATED) & N LN OF MICHIGAN AVE TH NLY ALG CENTER LN OF EAST AVE TO S LN OF HOMEWILD AVE TH ELY ALG S LN OF HOMEWILD AVE TO E LN OF ELLERY AVE TH SLY ALG E LN OF ELLERY AVE TO N LN OF MICHIGAN AVE TH W ALG N LN OF MICHIGAN AVE TO BEG BLK 1 LOOMIS HOMEWILD ADD & W 1/2 SE 1/4 SEC 35 T2S R1W ALSO LOTS 1 THRU 6 BLK 2 LOOMIS HOMEWILD ADDN ALSO LOTS 1 THRU 6 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD EX FOOTE HEALTH CENTER CONDOMINIUM PLAT ALSO EX LAND USED FOR RELOCATED FOREST ST ALSO EX LAND E OF RELOCATED FOREST AVE							
3372 RPV HOMEWILD,	7-085700000 ELLNEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,661.34 0.00	2,661.34
0853 0854 0855 LOT 8 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD ALSO BEG AN THE NW COR OF SAID LOT 8 TH S ALONG W LN OF LOT 8 114.19 FT TH S 77 DEG 08'31" W 43.57 FT TO THE E LN OF RELOCATED FOREST AVE TH N 12 DEG 57'14" W 33.59 FT TH 27.27 FT ALONG AN ARC 80 RADIUS CIR TO THE RT CHORD BEARING N 03 DEG 11' 19" W 24.17 FT, TH N 06 DEG 34'36"E 64.64 FT TO THE S LN OF HOMEWILD AVE, TH S 81 DEG 17'07" E 19.33 FT TO POB BEING PART OF LOTS 4,5 & 6 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-085900000 ELLNEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,063.92 0.00	2,063.92
LOT 10 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-086100000 ELLPIOTROWSKI THEO 1215 HOMEWILD AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,397.35 0.00	2,397.35
LOT 12 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-086300000 ELLDUKE STEVEN 1219 HOMEWILD AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,055.09 0.00	2,055.09
LOT 14 EX E 3 FT HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-086500000 ELLNEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,305.65 0.00	2,305.65

E 3 FT OF LOT 14 & ALL OF LOT 16 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD
ADD

Population: Special Assessment District (3372)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3372 RPV HOMEWILD,	7-086700000 ELLNEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,377.48 0.00	1,377.48
LOT 18 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-087000000 ELLBURKE CHRISTOPHER G 206 EDGEWOOD ST JACKSON MI 49202	0.00 0.00	0.00		0.00	2,668.69 0.00	2,668.69
LOT 21 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3372 RPV HOMEWILD,	7-096800000 ELLW A FOOTE MEMORIAL HOSPITAL 1 JACKSON SQUARE STE 107 JACKSON MI 49201	0.00 0.00	0.00		0.00	2,631.41 0.00	2,631.41
LOT 3 EX N 20 FT & WLY 40.5 FT OF LOT 4 EX N 20 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							
3372 RPV HOMEWILD,	7-097000000 ELLTHOMAS CHLOANNE S 1206 HOMEWILD JACKSON MI 49201	0.00 0.00	0.00		0.00	1,553.21 0.00	1,553.21
ELY 20.25 FT OF LOT 4 EX NLY 20 FT & W 20.25 FT OF LOT 5 EX NLY 20 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							
3372 RPV HOMEWILD,	7-0971.A000 ELLTHOMAS CHLOANNE 1208 HOMEWILD AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	4,429.43 0.00	4,429.43
0972 E 40.5 FT OF LOT 5 EX N 20 FT ALSO LOT 6 EX N 80 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							
3372 RPV HOMEWILD,	7-097300000 ELLRASER DAVID L & LYNDA M 1212 HOMEWILD AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,453.76 0.00	2,453.76
LOT 7 EX N 70 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							
3372 RPV HOMEWILD,	7-097600000 ELLPRYOR THOMAS & JULIE 1224 HOMEWILD AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	2,840.44 0.00	2,840.44
LOT 10 EX N 10 FT ALSO EX W 10 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							
3372 RPV HOMEWILD,	7-097700000 ELLGUDOWSKI ADOLF A 606 GARFIELD JACKSON MI 49203	0.00 0.00	0.00		0.00	2,751.12 0.00	2,751.12
LOT 8 EX N 70 FT & W 10 FT OF LOT 10 EX N 10 FT BLK 14 LOOMIS HOMEWILD ADD NO 2							

Special Assessment Roll for CITY OF JACKSON
Roll for Year 2012
Population: Special Assessment District (3372)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
Total Parcels: 14		0.00 0.00	0.00		0.00	32,579.97 0.00	32,579.97

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3373 RPV FOREST, BEND	7-085600000 LUPPO JOSEPH 1210 FOREST AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,649.19 0.00	1,649.19
LOT 7 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-085800000 NEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 9 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-086000000 NEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 11 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-086200000 NEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 13 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-086400000 NEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 15 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-086600000 NEW TRIBES MISSION INC 1210 E MICHIGAN AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 17 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-086800000 HAMISFAR W K & KAROLEE 1222 FOREST AVE JACKSON MI 49201	0.00 0.00	0.00		0.00	1,641.72 0.00	1,641.72
LOT 19 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-0873.2000 FENNIMORE ROBERT K ET AL 200 EDGEWOOD ST JACKSON MI 49202	0.00 0.00	0.00		0.00	4,510.76 0.00	4,510.76

869, 872, 873, 873.1
LOTS 20, 23 & 24 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD

Special Assessment Roll for CITY OF JACKSON
Roll for Year 2012
Population: Special Assessment District (3373)

Sp. District Heading	Parcel # Owner	Principal Admin Fee	Interest Penalty	Addtl Penlty Cert Fee	Total Installment	Prin Bal Payoff Int	Total Payoff
3373 RPV FOREST, BEND	7-087400000 NEW TRIBES MISSION INC 1210 E MICHIGAN JACKSON MI 49201	0.00 0.00	0.00		0.00	3,750.00 0.00	3,750.00
LOT 25 HALL & KENNEDY'S ALTERATION OF BLK 3 & LOT 7 BLK 2 LOOMIS HOMEWILD ADD							
3373 RPV FOREST, BEND	7-098800000 NEW TRIBES MISSION INC 1210 E MICHIGAN JACKSON MI 49201	0.00 0.00	0.00		0.00	13,127.04 0.00	13,127.04
LAND COM AT INTERS OF NLY LN OF MICHIGAN AVE WITH E LN OF HALL & KENNEDY'S ALTERATION OF BLK 2 LOOMIS HOMEWILD ADD TH E 267.8 FT TH N 450 FT TH WLY 387.25 FT TH SLY 440 FT TO BEG W 1/2 SE 1/4 SEC 35 T2S R1W							
Total Parcels: 10		0.00 0.00	0.00		0.00	32,887.31 0.00	32,887.31



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
November 27, 2012

DATE: November 20, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk
SUBJECT: Liquor Control Commission Resolution for 117 W. Louis Glick Highway
and Farmers Market Parking Lot

**RESOLUTION FROM THE LIQUOR CONTROL COMMISSION REGARDING THE
APPLICATION FROM VERITAS VINEYARD LLC FOR SMALL WINEMAKER,
MICROBREWERY, SMALL DISTILLER AND OUTDOOR SERVICE LICENSES TO BE
LOCATED AT 117 W. LOUIS GLICK HIGHWAY AND THE FARMERS' MARKET
PARKING LOT.**

Attached please find the subject resolution from Veritas Vineyard LLC. Neither the Police Department nor the Fire Department have objections, but there are objections from the County Health and Neighborhood & Economic Operations Departments. Therefore, my recommended action is to adopt the resolution.

C: City Manager



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: B1095F

Request ID: _____

(For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a REGULAR meeting of the JACKSON CITY council ~~XXXX~~
(regular or special) (township, city, village)
 called to order by _____ on NOV. 13, 2012 at _____
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____
 that the application from VERITAS VINEYARD LLC
(name of applicant)
 for the following license(s): SMALL WINEMAKER, MICROBREWER, SMALL DISTILLER, OUTDOOR SERVICE
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit
 Extended Hours Dance Permit Hours Required: _____
 Extended Hours Entertainment Permit Hours Required: _____

to be located at 117 W LOUIS GLICK HWY and FARMERS MARKET PARKING LOT, JACKSON, MICHIGAN
 be considered for _____
(approval or disapproval)

Approval

Disapproval

Yeas: _____
 Nays: _____
 Absent: _____

Yeas: _____
 Nays: _____
 Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of th resolution offered and adopted by the JACKSON CITY
 council/~~board~~ at a REGULAR meeting held on _____
(regular or special) (date) (township, city, village)

Name and title of authorized officer (please print): _____
 Signature and date of authorized clerk: _____
 Phone number and e-mail of authorized officer: _____



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
NOVEMBER 27, 2012

DATE: November 14, 2012
MEMO TO: Honorable Mayor and City Council members
FROM: Lynn Fessel, City Clerk
SUBJECT: Public Hearing and Resolution for Special Assessment Roll No. 4217

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

A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4217 FOR METERLESS PARKING 2012-2013

1. RESOLUTION CONFIRMING ROLL NO. 4217

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

Attached for your consideration is a resolution confirming Roll # 4217 for 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: City Manager

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4217 in the amount of \$47,400.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 27th day of November, 2012, at 7:00 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

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

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

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest (with a billing date of November 28, 2012), the first of which is due and payable by January 28, 2013, and the second of which shall be due and payable by March 29, 2013.

* * * * *

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 27th day of November, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 28th day of November, 2012.

Lynn Fessel, City Clerk

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

November 27, 2012

TO: Honorable Mayor and City Council

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

RE: Extension of Medical Marihuana Moratorium

DATE: November 15, 2012

REQUESTED ACTION: **To approve the Medical Marihuana Moratorium and place it on the next regularly scheduled City Council Agenda for adoption.**

Attached is a proposed Ordinance that extends Ordinance No. 2012.15 adopted by Council on June 26, 2012. Council adopted said ordinance to extend the medical marihuana moratorium that was originally adopted January 25, 2011.

The Moratorium provides that it will continue to be in effect for "six months ... or until such time as an appropriate medical marihuana ordinance is enacted, whichever occurs first." Accordingly, if we do take final action on a Medical Marihuana Ordinance, by operation of the Moratorium Ordinance, it will automatically lapse. The Moratorium being proposed would expire July 10, 2013 if adopted December 11, 2012.

The requisite action is to approve the Medical Marihuana Moratorium and place it on the next regularly scheduled City Council Agenda for adoption.

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

JAG/dn

Enc.

cc w/enc.: Patrick Burtch, City Manager
Julius Giglio, City Attorney
Lynn Fessel, City Clerk
Lt. Elmer Hitt, Jackson Police Department
Grant Bauman, Region 2 Planning Commission

ORDINANCE 2012. __

An Ordinance declaring an additional temporary moratorium on the establishment of operations, and the issuance of permits or licenses for operations that relate to either the cultivation, dispensing, or use of medical marihuana in the City of Jackson.

WHEREAS, On January 25, 2011, the Jackson City Council adopted Ordinance 2011.04, which established a moratorium on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2011.04 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, On July 19, 2011, the Jackson City Council adopted Ordinance 2011.11, which extended the moratorium on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2011.11 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, On January 10, 2012, the Jackson City Council adopted Ordinance 2012.1, which extended the moratorium on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2012.1 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, On June 26, 2012, the Jackson City Council adopted Ordinance 2012.15, which extended the moratorium on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2012.15 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, The former Jackson City Affairs/Rules and Personnel Committee has met numerous times to discuss a proposed Medical Marihuana Ordinance including changes to the Zoning Ordinance of the City of Jackson to regulate the use and cultivation of marihuana for specific medical conditions;

WHEREAS, Although the City Affairs/Rules and Personnel Committee had made a recommendation to City Council, the City Council has determined that additional time may be needed to consider, study, and enact regulations for medical marihuana as defined in the Michigan Medical Marihuana Act, M.C.L. 333.26421 et seq.; and

WHEREAS, the City Council desires that no operations be established and no permits or licenses be authorized or issued in the City of Jackson for operations related to either the cultivation, dispensing, or use of medical marihuana; now therefore,

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Continuation of Moratorium

No operations, or applications for permits or licenses for operations, that relate to either the cultivation, dispensing, or use of medical marihuana shall be accepted, no pending applications shall be processed, and no permits or licenses shall be issued from the effective date of this ordinance and while the moratorium enacted by this ordinance or any subsequently adopted ordinances which may extend this moratorium shall remain in effect.

This limited moratorium on the operations and the issuance of operation permits or licenses related to the operations for the cultivation, dispensing, or use of medical marihuana is intended to continue, without interruption, the moratorium and all other provisions established by Ordinance No. 2012.15 and shall be applied retroactively to the extent necessary to accomplish that intent.

The moratorium established by this Ordinance shall further continue in effect for six months from the effective date hereof, or until such time as an appropriate medical marihuana ordinance is enacted, whichever occurs first.

Section 2. Effective Date

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



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
November 27, 2012

DATE: November 14, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn*
SUBJECT: Retirement and Termination of Employment Agreement

**RECEIVE CITY CLERK LYNN FESSEL'S NOTICE OF RETIREMENT AND
TERMINATION OF EMPLOYMENT AGREEMENT**

In accordance with Section 6 of my Employment Agreement dated June 26, 2012, I am providing notice that I will retire and terminate my Employment Agreement, effective 5:00 p.m. on Friday, March 29, 2013.

C: City Manager



**CITY COUNCIL MEETING
NOVEMBER 27, 2012**

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Patrick Burtch, City Manager
SUBJECT: Request for Resolution to Order Sidewalk Replacement

RECOMMENDED ACTION

To Adopt a Resolution to Order Sidewalk Replacement At Three Locations

On June 29, 2012 the property owner of 120 Gibson Place was sent a letter giving 45 day notice to arrange for repair of the sidewalk at this address. August 10th, the owner of record for 911 Williams was sent a 45 day notice letter and on August 15th, 2012 the owner of record for 1201 Woodbridge was sent a letter giving 45 day notice for repair of the sidewalk. An inspection was performed on November 15, 2012 to verify the status of these sidewalks and they have not been repaired.

Per the City Code of Ordinance after resolution is passed a 20 day notice letter will be sent to the owners to respond and abate the hazardous sidewalk condition. If no response is received after the second notification, Public Works will make the necessary sidewalk restoration and invoice the owner as listed on record. I hereby recommend that the City Council adopt this resolution.

RESOLUTION

BY CITY COUNCIL:

WHEREAS, the City Council on June 20 of 1992 adopted a program for restoration of hazardous sidewalks in the City of Jackson; and

WHEREAS, that program in part provides that where property owners fail to repair sidewalks within 45 days of the receipt of notice of hazardous sidewalk, that the City Council will order that sidewalk replacement; and

WHEREAS, notice of hazardous sidewalk conditions have been sent to certain property owners and those property owners have failed to restore sidewalks within the 45-day allotted time;

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby order sidewalk replacement as described in the individual notices provided for properties at the following address:

Stencil Number	Address
8-224900000	120 Gibson Place
4-086000000	911 Williams
4-101800000	1201 Woodbridge

* * * * *

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 27th day of November, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 28th day of November, 2012.

_____ City Clerk



**CITY COUNCIL MEETING
November 27, 2012**

TO: Honorable Mayor and City Councilmembers
FROM: Matthew R. Heins
Chief of Police
SUBJECT: HSGP-State Homeland Security Program Purchase

Recommendation:

To adopt a resolution amending the 2012-2013 Budget to reflect receipt of a State Homeland Security Program grant, in the amount of \$207,950.

A HSGP-State Homeland Security Program grant in the amount of \$207,950 has been awarded to the Jackson Police Department for the purchase of radio equipment.

This purchase will allow the department to consolidate radio VHF communication services with the Jackson County Sheriff Office. This equipment will permit joint communication services with more than fifteen different law enforcement agencies, area fire departments, first responders, and the Sheriff's Office. This equipment will also enable the Jackson Police Department to meet new FCC narrowband compliance regulations, as well as meet a national priority to strengthen interoperable communication capabilities.

The Police Department is now requesting the City Council adopt the attached resolution amending the 2012/2013 fiscal year budget.

RESOLUTION

WHEREAS, the City has entered into the federal government's 2010 State Homeland Security Program (HSGP) grant, through the Region I Board fiduciary, the City of Lansing.

WHEREAS, this grant requires the activity relating to this project be kept in a separate account to facilitate reporting and compliance under the terms of the grant.

NOW, THEREFORE, BE IT RESOLVED, that the 2012/2013 budget be amended as follows:

General Fund

	<u>Increase</u>
REVENUES:	
101-318-000-501.343 Federal-Homeland Security	<u>207,950</u>
EXPENDITURES:	
101-318-000-986.001 Radio Equipment-Homeland Security	<u>207,950</u>
	<u>207,950</u>

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

I, Lynn Fessel, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on November 27, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 28th day of November 2012.

City Clerk



CITY COUNCIL MEETING
November 27, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Matthew R. Heins
Chief of Police

SUBJECT: 2012/13 JNET Grant

RECOMMENDATION:

To adopt a resolution amending the 2012/2013 Budget to reflect receipt of the 2012/2013 JNET Conspiracy Continuation Project Grant in the amount of \$40,867, and to amend the Drug Law Enforcement Fund budget.

The Michigan Office of Drug Control Policy through the Department of State Police has awarded the Jackson Police Department a grant to fund the JNET officer position. Due to staffing constraints this position is scheduled to be filled March through September 2013. The JNET Conspiracy Continuation Project's top priority is to reduce and prevent drug use, trafficking, and crime.

This grant requires a local match of \$20,434, which will come from the Drug Law Enforcement Fund (DLEF) account 265.333.999.270.000. The DLEF is entirely funded with drug forfeiture monies. The Police Department is now requesting the City Council adopt the attached resolution.

RESOLUTION

WHEREAS, the City wishes to enter into an agreement with the State of Michigan, Office of Drug Control Police, through the Department of State Police for the JNET Conspiracy Continuation Project;

WHEREAS, this grant requires the activity relating to this project be kept in a separate account to facilitate reporting and compliance under the terms of the grant;

NOW, THEREFORE, BE IT RESOLVED, in order to meet the above requirement, the 2012/2013 JNET Conspiracy Continuation Project grant budget be established and the 2012/2013 Drug Law Enforcement Fund budget be amended as follows:

REVENUES:	Increase
270-333-213-501.000 Federal Grant	20,433
270-333-213-699.265 Cont. Drug Law Enforcement	20,434
	<hr/>
	40,867
	<hr/> <hr/>
EXPENDITURES:	
270-333-213-706.000 Salaries	30,091
270-333-213-715.000 FICA	436
270-333-213-719.000 Heath Insurance	8,708
270-333-213-724.000 Unemployment	0
270-333-213-724.001 Workers' Compensation	451
270-333-213-725.000 Other Fringe Benefits	573
270-333-213-919.001 Physical Agility	608
	<hr/>
	40,867
	<hr/> <hr/>
	<u>Drug Law Enforcement Fund</u>
EXPENDITURES:	Increase
265-333-999-270.000	20,434
	<hr/> <hr/>

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

I, Lynn Fessel, 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 by the Jackson City Council on November 27, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and
the seal of the City of Jackson, on this 28th day of November 2012.

City Clerk



Department of Public Works – Utility Division

2995 Lansing Avenue - Jackson, MI 49202
Telephone: (517) 788-4075 — Facsimile: (517) 788-4641

CITY COUNCIL MEETING
November 27, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager

SUBJECT: Consideration of a request to approve the purchase of well parts from Northern Pump and Well Company in the amount of \$41,597.00.

RECOMMENDATION:

To approve the purchase of well parts from Northern Pump and Well, Lansing in the amount of \$41,597.00.

On November 15, 2012, the City of Jackson Purchasing Department accepted sealed bids for the above referenced items to be utilized in the Water Treatment Plant. The bids are as follows:

<u>Company</u>	<u>Cost</u>
Northern Pump and Well	\$41,597.00
Peerless Midwest	\$61,450.00

Considering the substantial difference between the respective bidders, staff reviewed the lower bidder's number for justification and found Northern's bid to be legitimate. I have attached a detail of the bids requested as well as the winning bid. This purchase is included in the approved 2012-2013 Water Department budget line item 402-591-000-982.002.

BIDDERS:
See Instructions to Bidders attached
Opening Date: 2:00 PM, Thursday, November 15, 2012

Bid Number: _____
City Department: Water
Subject: Well Parts

RETURN TO: Purchasing Department
10th Floor, City Hall
161 West Michigan Avenue
Jackson, Michigan 49201

MARK ENVELOPE: Well Parts

Proposal: We propose to furnish all materials, equipment or tools required in accordance with the specifications and conditions contained herein in consideration of the sum or sums stated below and agree that this document and its attachments will constitute the contract if accepted by the City.

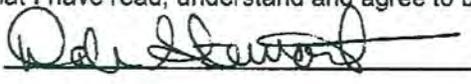
Forty One Thousand Five Hundred Ninety Seven and 00/100 Dollars ----- **LUMP SUM BID**
Lump sum bid for well parts per the attached specifications \$41,597.00

We propose to deliver the (Brand & Model) National Pump's K12HC, COLUMN PARTS, SHAFTS, BRGS.
no later than (Delivery Date) 60 days of receiving notice of awarded contract

All freight and delivery charges must be included in bid.

I hereby state that all of the information I have provided is true, accurate, and complete and that I agree to be bound by the terms and conditions. I hereby state that I have the authority to submit this bid which will become a binding contract if accepted by the City of Jackson. I hereby state that I have not communicated with nor otherwise colluded with any other bidder, nor have I made any agreement with nor offered/accepted anything of value to/from an official or employee of the City of Jackson that would tend to destroy or hinder free competition.

I hereby state that I have read, understand and agree to be bound by all terms of this bid document.

Signed:  Name: Dale Stewart
(Type or Print)
Title: Owner / Manager Date: November 15, 2012
Phone: (517) 322-0219 Fax: (517) 322-0135 dstewart@northernpwco.com
Firm Name: (Robindale Enterprises LLC) dba, NORTHERN PUMP & WELL COMPANY
Address: 7300 Millett Highway, Lansing Michigan 48917
(Street Address) (City) (State) (Zip)





Purchasing Department

161 West Michigan Avenue — Jackson, Michigan 49201
Telephone: (517) 788-4020 — Facsimile: (517) 788-4630

October 15, 2012

ADDENDUM NO.1

WELL PARTS

Prospective Bidders:

Notice is hereby given that the following additional information and changes shall become part of the specifications of the above referenced contract. You are to certify that you have received and understood the contents by signing one (1) copy of Addendum No. 1 and submitting it with your bid on **THURSDAY, NOVEMBER 15, 2012, 2:00 PM.**

Page S 2 of 4, add the following:

8" Bottom Column Pipe shall be epoxy coated on the inside and outside except in the threaded area.

8" Top Column Pipe shall be epoxy coated on the inside and outside except in the threaded area.

Date: NOVEMBER 14, 2012
By: [Signature]
Title: OWNER / MANAGER
Company: NORTHERN PUMP + WELL CO.
Address: 7300 MILLETT HWY
City, State, Zip, Phone: LANSING MI 48917 (517) 322-0219

NOTE: This form must be included when you submit your bid.

36 each **8" Intermediate Column Pipe with Combination Couplings** complete shall be 8" I.D. ASTM A-53 Grade B steel pipe with 8-threads per inch with 1/8" taper and faced parallel to permit the ends to but against the machined surfaces within the column couplings. The **exact length** of the intermediate column pipe shall be **9' 9-5/8"**. The column pipe shall be epoxy coated on the inside and outside except in the threaded area. The column couplings shall be attached properly to the pipes.

8" column pipe combination couplings, shall be ductile A-536 Grade 65-45-12. The coupling shall have an integrally cast spider hub to hold and accurately align the line shaft bearing. Each coupling shall be provided with a 1-1/2" X 2-3/4" snap in synthetic rubber bearing. Column pipe Coupling shall be for schedule 40 pipe and conform to turbine pump standards. The external shape of the bearing shall be such as to retain it in the coupling spider hub without use of auxiliary collars or rings. The internal shape of the bearing shall be a polygon to provide minimum friction contact to the shaft sleeves or equal. Replacement bearing shall be capable of being installed by hand without special tools. Couplings shall have an integrally cast spider hub to hold an accurately align water lubricated line shaft bearing or tube centering bushing as appropriate. Spider hub shall have a height of 2-3/8" to facilitate column pipe lengths of 9' 9-5/8" there by achieving center to center measurements of 10' 0". Machined butt face surface in coupling shall be exactly perpendicular to the center axis of the bearing hub. Width of butt face surface shall be that it will accept and totally cover the butt end of respective sized Schedule 40 Column Pipe. Outside diameter of column couplings shall be machined to a uniform diameter and include rounds on each end. Couplings shall be threaded to accept 8 threads per inch column pipe, threads shall have a taper of 1/8" per foot. Threads shall be CNC cut to National

Bureau of Standards H-28 Class 3 Thread Specifications. Threading size in each coupling shall be verified by screwing into each thread, a precision, hardened and ground gauge. Finished couplings shall be solvent washed to remove all residues from threads and bores. Integrally cast spider hub for water-lubricated application shall accept line shaft bearings of variable diameters and hold said bearings in place without the use of external collars, lock rings or adhesives. The outside diameter of the bearing hub shall not exceed the outside diameter of the bearing plus 0.60", or equal. Bearings shall be totally uniform with flanged ends and shall not be slotted to facilitate easy installation. Line shaft bearing material shall be water resistant and made of SBR (Styrene Butadiene Rubber) with a Shore Hardness ranging from a low of 60 to a high of 90. Bearings shall be capable of operating in water up to 150 degrees Fahrenheit. The bearings shall be molded with an upper and lower flange such that it will snap into the bearing hub. Bearings shall have an internal spiral groove or vertical flutes with a surface area equal to 20% to 30% of the internal area of the bearing. Groove shall have a depth of approximately 1/8 of an inch. Grooves shall be designated to provide maximum sand rejection or equal.

38 each Intermediate Line Shafts shall be 1-1/2" full diameter, ASTM A-108 grade 1045 steel ground and polished with a surface finish not to exceed 40 rms. The butting ends shall be machined, face and recessed square to the axis of the shaft to insure accurate alignment, the shaft shall be straight within 0.007 inches total indicator reading. The ends of the shaft shall be accurately threaded 1-1/2" in diameter, 8-threads per inch left hand with 2.25 inches of threads. Each shaft shall be provided with an ASTM A296 type 304 stainless steel sleeve and secured in position by a suitable adhesive. The shaft sleeve shall be positioned accurately 8.5 inches

from the end of the shaft. Line shafting shall be interchangeable and have an exact length of 10' 0".

With 1-1/2" type 416 stainless steel Line Shaft Couplings shall be bored and threaded from solid stainless steel bars designed with a safety factor of 1-1/2 times that of the shaft. The threads shall be left hand to tighten during pump operation. The coupling shall be without vent holes.

3 each

Bottom Line Shaft shall be 1-1/2" diameter. ASTM A-108 grade 1045 steel ground and polished with a surface finish not to exceed 40 rms. The butting ends shall be machined, faced and recessed square to the axis of the shaft. To insure accurate alignment, the shaft shall be straight within 0.007 inches total indicator reading. The ends of the shaft shall be accurately threaded 1-1/2" in diameter, 8-threads per inch left hand with 2.25 inches of thread. The shaft shall be provided with an ASTM A-296 type 304 stainless steel sleeve and secured in position by a suitable adhesive. The shaft sleeve shall be positioned accurately 8.50 inches from the end of the shaft. Bottom line shaft shall be exactly 5' 0".

With 1-1/2" type 416 stainless steel line shaft coupling shall be bored and threaded from solid stainless steel bars designed with a safety factor of 1-1/2 times that of the shaft. The threads shall be left hand to tighten during pump operation. The coupling shall be without vent holes.

- 3 each **Head Shafts** shall be 1-1/2" full diameter, ASTM A-108 grade 1045 steel ground and polished with surface finish not to exceed 40 rms. The butting ends shall be machined, faced and recessed square to the axis of the shaft. To insure accurate alignment the shaft shall be straight within 0.007 inches total indicator reading. The ends of the shaft shall be accurately threaded 1-1/2" 8-threads per inch left hand with 2.25 inches of thread. **Exact shaft length shall be 5' 2"**.
- 3 each **8" Bottom Column pipe with Combination Couplings** shall be 8" I.D. ASTM A-53 Grade B steel pipe with 8-threads per inch with 1/8" taper and faced parallel to permit the ends to butt against the machined surfaces within the column coupling and pump bowl discharge nozzle. The **exact length** of the bottom column pipe shall be exactly **4' 10-13/16"**.
- 3 each **8" Top Column Pipe** shall be 8" I.D. ASTM A-53 Grade B steel pipe with 8-threads per inch with a 1/8" taper and faced parallel to permit the end to butt against the machined surfaces within the column coupling and flange. The column pipe shall have holding lugs and shall have an exact length of **4' 9-13/16"**.

Deep Well Turbine Pumps

1 each The pump shall replace a 12 RJMC with trimmed impellers if needed. The pump shall have a rated performance of 1100 GPM at 169 FT. TDH. The discharge shall be 8 inches. The suction shall be threaded for a standard 10 inch Layne suction pipe. The pump shaft shall be 1.5 inches with type 416 stainless steel shaft coupling. The pump bowl assembly shall be Layne type or Floway pump type or approved equal. The pump bowls shall be of close grain ASTM A48 Class 30, cast iron and shall have porcelain enamel coating of the water passages and shall be free of blowholes, sand holes and other detrimental defects and shall be accurately machined and fitted. The impellers shall be of bronze ASTM B584 alloy C83800, enclosed and statically balanced. Impellers shall be securely fastened to the shaft with taper split bushings of steel. Impellers shall be adjusted vertically by an external means. The pump shaft shall be of A582 grade 416 stainless steel, turned ground and polished. It shall be supported by bronze bearings of ASTM B505 alloy C84400 above and below each impeller. The suction case bearing shall be grease lubricated and protected by a bronze sand collar of ASTM B584 C83800. The discharge case shall be threaded on the outside and fitted with a cast iron ASTM A48 Class 30-column adapter of the proper size to connect to the column selected. Likewise, the suction case shall also be threaded on the OD and fitted with cast iron or steel suction adapter. When assembled, the pump bowl assembly must have a 12" shaft projection when measured from the machined face within the discharge bowl case. The supplier shall furnish a pump curve with the pump.

1 each

The pump shall replace a Goulds 10LHC with trimmed impellers if needed. The pump shall have a rated performance of 1400 GPM at 128 FT. TDH. The discharge shall be 8 inches. The outside bowl diameter shall not exceed 10 inches. The pump shaft shall be 1.5 inches with type 416 stainless steel shaft coupling. The pump bowl assembly shall be Layne pump type or Floway pump type or approved equal. The pump bowls shall be of close grain ASTM A48 Class 30, cast iron and shall have porcelain enamel coating of the water passages and shall be free of blowholes, sand holes and other detrimental defects and shall be accurately machined and fitted. The impellers shall be of bronze ASTM B584 alloy C83800, enclosed and statically balanced. Impellers shall be securely fastened to the shaft with taper split bushings of steel. Impellers shall be adjusted vertically by an external means. The pump shaft shall be of A582 grade 416 stainless steel, turned ground and polished. It shall be supported by bronze bearings of ASTM B505 alloy C84400 above and below each impeller. The suction case bearing shall be grease lubricated and protected by a bronze sand collar of ASTM C83800. The discharge case shall be threaded on the outside and fitted with a cast iron ASTM A48 Class 30-column adapter of the proper size to connect to the column selected. Likewise, the suction case shall also be threaded on the OD and fitted with cast iron or steel suction adapter. When assembled, the bowl assembly must have a 12 inch shaft projection when measured from the machined face within the discharge bowl case. The supplier shall furnish a pump curve with the pump.

General:

The manufacturer shall supply a sworn statement that all pipes and couplings furnished shall comply with the above standards referenced in these specifications.

Column pipes shall be schedule 40 and conform to turbine pump standards.

All component assemblies shall be interchangeable with existing turbine pumps. All shafting and shaft couplings shall be interchangeable with existing turbine pumps. The City of Jackson reserves the right to accept any or reject any bid or pricing at its sole discretion.

All prices are to include freight to 740 E. Mansion St. Jackson, Michigan 49203.

Deliveries are to be made to: City of Jackson Water Treatment Plant at 740 E. Mansion St. Jackson, Michigan 49203

All parts shall be delivered on an open flat bed truck. The parts shall be delivered on April 1, 2013 or after a delivery date has been agreed to by Supplier and the City of Jackson.

Suggested Bidders:

Layne-Northern

**3126 North Martin
Luther King Jr. Blvd.**

Lansing, Michigan 48906

Office: 517-323-4931

Fax: 517-323-1619

Peerless Midwest Inc.

505 Apple Tree Drive

Ionia, Michigan 48846

Office: 616-527-0050

Fax: 616-527-5508

Northern Pump & Well

7300 Millett Hwy.

Lansing, Michigan 48917

Office: 877-477-1757

Bill Frazier

Cast Coupling

**W188 S7618 Oak Grove
Drive**

Muskege, WI. 53150

Office: 262-679-3903

Fax: 262-679-4620

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Act 267 of 1976 as last amended (the Open Meetings Act) requires all public bodies to establish a schedule of regular meetings to be held each year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson, Michigan hereby declares that it will meet in the Council Chambers on the second floor of City Hall, 161 West Michigan Avenue, Jackson, Michigan during 2013 on the following dates:

January 8 (tentative)	July 16
January 22	
February 5	August 13
February 19	
March 12	September 10
March 26	September 24
April 9	October 8
April 23	October 22
May 14	November 12
May 28	November 26
June 11	December 3
June 25	December 17

* * * * *

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 November 27, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on the 28th day of November, 2012.

_____ City Clerk

Calendar for year 2013 (United States)

<p style="text-align: center;">January</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">4:☀ 11:☀ 18:☀ 26:☀</p>	<p style="text-align: center;">February</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28</p> <p style="text-align: center;">3:☀ 10:☀ 17:☀ 25:☀</p>	<p style="text-align: center;">March</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">4:☀ 11:☀ 19:☀ 27:☀</p>
<p style="text-align: center;">April</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</p> <p style="text-align: center;">3:☀ 10:☀ 18:☀ 25:☀</p>	<p style="text-align: center;">May</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">2:☀ 9:☀ 18:☀ 25:☀ 31:☀</p>	<p style="text-align: center;">June</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</p> <p style="text-align: center;">8:☀ 16:☀ 23:☀ 30:☀</p>
<p style="text-align: center;">July</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">8:☀ 15:☀ 22:☀ 29:☀</p>	<p style="text-align: center;">August</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">6:☀ 14:☀ 20:☀ 28:☀</p>	<p style="text-align: center;">September</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</p> <p style="text-align: center;">5:☀ 12:☀ 19:☀ 26:☀</p>
<p style="text-align: center;">October</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">4:☀ 11:☀ 18:☀ 26:☀</p>	<p style="text-align: center;">November</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30</p> <p style="text-align: center;">3:☀ 10:☀ 17:☀ 25:☀</p>	<p style="text-align: center;">December</p> <p>Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31</p> <p style="text-align: center;">2:☀ 9:☀ 17:☀ 25:☀</p>

Holidays and Observances:

Jan 1 New Year's Day	Sep 2 Labor Day
Jan 21 Martin Luther King Day	Oct 14 Columbus Day (Most regions)
Feb 14 Valentine's Day	Oct 31 Halloween
Feb 18 Presidents' Day	Nov 11 Veterans Day
Mar 31 Easter Sunday	Nov 28 Thanksgiving Day
May 12 Mother's Day	Dec 24 Christmas Eve
May 27 Memorial Day	Dec 25 Christmas Day
Jun 16 Father's Day	Dec 31 New Year's Eve
Jul 4 Independence Day	



Neighborhood & Economic Operations

Building a Stronger Jackson

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

Building Inspection
(517) 788-4012

Code Enforcement
(517) 788-4060

Engineering
(517) 788-4160

Planning & Economic Development
(517) 768-6433

CITY COUNCIL MEETING November 27, 2012

TO: Honorable Mayor Griffin and City Councilmembers
FROM: Patrick Burtch, City Manager
SUBJECT: Award Four (4) Demolition Contracts in the Total Amount of \$304,130.90

RECOMMENDATION:

Award four (4) contracts in the total amount of \$304,130.90 for demolition of vacant and abandoned structures based on individual unit pricing to:

Dunigan Brothers.....\$125,131.90
Lester Brothers.....\$ 92,030.00
Michigan Demolition\$ 25,819.00
Smalley Construction.....\$ 61,150.00

as outlined on attached Exhibit A, and to authorize the City Manager to approve all change orders required to complete the demolitions.

On November 19, 2012, sealed bids to demolish 37 properties in the City of Jackson were opened and processed. When bidding for demolition contracts, contractors are required to submit pricing for the entire package and for unit prices (cost to demolish an individual structure); contractors also have the option to submit an alternate, discounted bid of awarded the entire package. After careful scrutiny of the attached Bid Tabulations (Exhibit B), it was determined the City would realize a total cost savings of \$31,105.70 if contracts were awarded based on individual unit pricing as follows:

Dunigan Brothers\$125,131.90
Lester Brothers.....\$ 92,030.00
Michigan Demolition\$ 25,819.00
Smalley Construction.....\$ 61,150.00

A recommendation spreadsheet delineating the individual addresses and amounts awarded to each contractor is also attached as Exhibit A. Funds to be utilized for the demolitions will be from Account #252 Demolition Fund and Account #286 CDBG.

cc: Shelly Allard, Purchasing Agent
Frank Donovan, Chief Building Official
Sheila Prater, Records Management Coordinator

Award Demolition Contracts as Follows:

Dunigan Brothers

	Address	Structure		Amount
1	239 E Prospect St	House	\$	3,942.40
2	119 N Columbus St	Commercial	\$	3,194.40
3	230 W Biddle St	House	\$	7,367.00
4	240 W Biddle St	House	\$	9,139.20
5	320 W Biddle St	House	\$	7,974.40
6	705 Fourth St	House	\$	9,446.40
7	1010 Maple Ave	House	\$	8,383.90
8	1016 Maple Ave	House	\$	10,206.00
9	1011 Second Ct	House/Garage	\$	6,798.00
10	1020 Williams St	House	\$	6,691.80
11	1045 S Jackson St	House	\$	7,516.80
12	2009 Woodsum St	House	\$	5,850.00
13	322 W Ganson St	House/Shed	\$	6,350.40
14	1202 Williams St	House/Garage	\$	9,976.40
15	1407 Williams St	House	\$	6,787.20
16	1210 Merriman St	House/Carport	\$	8,250.00
17	1504 Deyo St	House	\$	7,257.60
			Total: \$	<u>125,131.90</u>

Lester Brothers

	Address	Structure		Amount
1	314 W Biddle St	House/Garage	\$	10,665.00
2	800 S Milwaukee St	Commercial	\$	13,460.00
3	910 First St	House	\$	13,415.00
4	1107 Maple Ave	House/Garage	\$	10,940.00
5	127 W Mason St	House	\$	7,945.00
6	424 W Trail St	House	\$	12,500.00
7	1020 Martin St	House/Garage	\$	12,040.00
8	1025 S Milwaukee St	House/Garage	\$	11,065.00
			Total: \$	<u>92,030.00</u>

Michigan Demolition

	Address	Structure		Amount
1	1707 TenEyck St	House	\$	6,828.00
2	524 N Pleasant St	House	\$	5,197.00
3	910 Page Ave	House	\$	5,010.00
4	118 Francis Ct	House	\$	8,784.00
Total: \$				25,819.00

Smalley Construction

	Address	Structure		Amount
1	329 E Mansion St		\$	5,800.00
2	116 E Mason St		\$	6,600.00
3	123 N Forbes St		\$	7,500.00
4	208 Mitchell St		\$	8,675.00
5	235 W Trail St		\$	6,200.00
6	329 W Trail St		\$	7,600.00
7	732 Irving St		\$	6,600.00
8	326 W Wilkins St		\$	12,175.00
Total: \$				61,150.00

Bid Tabulation for Demolition of Structures - Emergency Orders
 Various Locations Throughout the City of Jackson
 Monday, November 19, 2012, 2:00 p.m.

		DUNIGAN BROTHERS 911 E. South Street Jackson, MI 49203	MICHIGAN DEMOLITION 4788 Cornell Rd. Okemos, MI 48864	LESTER BROTHERS 5405 E. Michigan Avenue Jackson, MI 49201	SMALLEY CONSTRUCTION 1742 West US 10 Scottville, MI 49454
ITEM NO	ADDRESS/LOCATION	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT
1	1707 Ten Eyck Street	8,123.50	6,828.00	10,215.00	8,900.00
2	239 E. Prospect Street	3,942.40	4,342.00	5,305.00	5,700.00
3	524 N. Pleasant Street	5,846.40	5,197.00	5,690.00	6,425.00
4	910 Page Avenue	5,297.60	5,010.00	8,090.00	8,150.00
5	119 N. Columbus Street	3,194.40	5,500.00	5,285.00	9,800.00
	TOTAL BID	26,404.30	26,877.00	34,585.00	38,975.00
	ALTERNATE BID: DISCOUNTED TOTAL IF AWARDED ALL FIVE (5) LINE ITEMS				37,026.00

	Low Unit Price	Type of Structure	Amount	Contractor
1	1707 Ten Eyck Street	House	\$ 6,828.00	Michigan Demo
2	239 E. Prospect Street	House	\$ 3,942.40	Dunigan Bros
3	524 N. Pleasant Street	House	\$ 5,197.00	Michigan Demo
4	910 Page Avenue	House	\$ 5,010.00	Michigan Demo
5	119 N. Columbus Street	Commercial	\$ 3,194.40	Dunigan Bros
			\$ 24,171.80	

Awarding low unit price provides \$2,232.50 cost savings to City

Exhibit B

Bid Tabulation for Demolition of Structures - **Non-CDBG Eligible Properties**

Various Locations Throughout the City of Jackson

Monday, November 19, 2012, 2:00 p.m.

ITEM NO	ADDRESS/LOCATION	DUNIGAN BROTHERS	SMALLEY CONSTRUCTION	LESTER BROTHERS	DECOMMISSIONING SERVICES	MICHIGAN DEMOLITION
		911 E. South Street Jackson, MI 49203	1742 West US 10 Scottville, MI 49454	5405 E. Michigan Ave. Jackson, MI 49201	PO Box 614 Williamston, MI 48895	4788 Cornell Rd. Okemos, MI 48864
		BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT
1	118 Francis Ct.	9,888.00	8,984.00	12,215.00	14,978.00	8,784.00
2	230 W. Biddle Street	7,367.00	9,100.00	9,065.00	8,700.00	10,800.00
3	240 W. Biddle Street	9,139.20	11,150.00	10,815.00	11,360.00	11,700.00
4	314 W. Biddle Street	12,708.80	11,000.00	10,665.00	13,580.00	11,450.00
5	320 W. Biddle Street	7,974.40	9,425.00	9,690.00	9,915.00	10,115.00
6	329 E. Mansion Street	6,588.00	5,800.00	7,990.00	8,984.00	8,170.00
7	705 Fourth Street	9,446.40	11,600.00	11,965.00	12,292.00	17,360.00
8	800 S. Milwaukee Street	19,166.40	17,600.00	13,460.00	18,318.00	21,925.00
9	910 First Street	13,809.60	14,300.00	13,415.00	16,965.00	17,800.00
10	1010 Maple Avenue	8,383.90	12,150.00	11,265.00	10,138.00	9,650.00
11	1016 Maple Avenue	10,206.00	13,050.00	11,165.00	14,779.00	16,030.00
12	1107 Maple Avenue	11,726.00	12,025.00	10,940.00	11,084.00	11,695.00
13	1011 Second Ct.	6,798.00	10,325.00	8,340.00	9,366.00	9,295.00
14	1020 Williams Street	6,691.80	12,125.00	10,682.00	10,000.00	11,695.00
15	1045 S. Jackson Street	7,516.80	9,825.00	11,565.00	10,617.00	11,695.00
16	2009 Woodsum	5,850.00	6,350.00	9,565.00	6,878.00	9,630.00
TOTAL		153,260.30	174,809.00	172,802.00	187,954.00	197,794.00
ALTERNATE BID: Discounted Total if awarded all sixteen (16) line items above.		N/A	166,068.00	N/A	185,000.00	N/A

	Low Unit Price	Type of Structure	Amount	Contractor
1	118 Francis Ct.	House	\$ 8,784.00	Michigan Demo
2	230 W. Biddle Street	House	\$ 7,367.00	Dunigan Bros
3	240 W. Biddle Street	House	\$ 9,139.20	Dunigan Bros
4	314 W. Biddle Street	House/Garage	\$ 10,665.00	Lester Bros
5	320 W. Biddle Street	House	\$ 7,974.40	Dunigan Bros
6	329 E. Mansion Street	House/Garage	\$ 5,800.00	Smalley Const
7	705 Fourth Street	House	\$ 9,446.40	Dunigan Bros
8	800 S. Milwaukee Street	Commercial	\$ 13,460.00	Lester Bros
9	910 First Street	House	\$ 13,415.00	Lester Bros
10	1010 Maple Avenue	House	\$ 8,383.90	Dunigan Bros
11	1016 Maple Avenue	House	\$ 10,206.00	Dunigan Bros
12	1107 Maple Avenue	House/Garage	\$ 10,940.00	Lester Bros
13	1011 Second Ct.	House/Garage	\$ 6,798.00	Dunigan Bros
14	1020 Williams Street	House	\$ 6,691.80	Dunigan Bros
15	1045 S. Jackson Street	House	\$ 7,516.80	Dunigan Bros
16	2009 Woodsum	House	\$ 5,850.00	Dunigan Bros
			\$ 142,437.50	

Awarding low unit price provides \$10,822.80 cost savings to City

Exhibit B

Bid Tabulation for Demolition of Structures - **CDBG Eligible Properties**

Various Locations Throughout the City of Jackson

Monday, November 19, 2012, 2:00 p.m.

		DUNIGAN BROTHERS 911 E. South Street Jackson, MI 49203	SMALLEY CONSTRUCTION 1742 West US 10 Scottville, MI 49454	LESTER BROTHERS 5405 E. Michigan Ave. Jackson, MI 49201	DECOMMISSIONING SERVICES PO Box 614 Williamston, MI 48895
ITEM NO	ADDRESS/LOCATION	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT
1	116 E. Mason Street	8,221.20	6,600.00	8,965.00	9,588.00
2	123 N. Forbes Street	8,934.20	7,500.00	10,135.00	13,050.00
3	127 W. Mason Street	11,400.00	13,200.00	7,945.00	13,080.00
4	208 Mitchell Street	10,260.00	8,675.00	9,440.00	13,382.00
5	322 W. Ganson Street	6,350.40	11,650.00	14,765.00	9,549.00
6	235 W. Trail Street	8,448.00	6,200.00	7,615.00	8,774.00
7	329 W. Trail Street	9,768.00	7,600.00	8,765.00	11,732.00
8	424 W. Trail Street	13,845.60	13,728.00	12,500.00	15,878.00
9	732 Irving	8,073.00	6,600.00	10,565.00	8,036.00
10	1020 Martin Street	13,205.60	13,025.00	12,040.00	18,260.00
11	1025 S. Milwaukee	17,550.00	12,800.00	11,065.00	21,350.00
12	1202 Williams Street	9,976.40	12,550.00	13,965.00	3,655.00
13	1407 Williams Street	6,787.20	8,500.00	7,265.00	7,949.00
14	1210 Merriman Street	8,250.00	11,500.00	14,640.00	10,314.00
15	1504 Deyo Street	7,257.60	8,300.00	9,640.00	9,937.00
16	326 W. Wilkins Street	13,507.20	12,175.00	13,060.00	15,663.00
	TOTAL	161,834.40	160,603.00	172,370.00	190,197.00
	ALTERNATE BID: Discounted Total if awarded all sixteen (16) line items above.	N/A	152,572.00	N/A	188,000.00

	Low Unit Price	Type of Structure	Amount	Contractor
1	116 E. Mason Street	House	\$ 6,600.00	Smalley Const
2	123 N. Forbes Street	House	\$ 7,500.00	Smalley Const
3	127 W. Mason Street	House	\$ 7,945.00	Lester Bros
4	208 Mitchell Street	House/Garage	\$ 8,675.00	Smalley Const
5	322 W. Ganson Street	House/Shed	\$ 6,350.40	Dunigan Bros
6	235 W. Trail Street	House	\$ 6,200.00	Smalley Const
7	329 W. Trail Street	House	\$ 7,600.00	Smalley Const
8	424 W. Trail Street	House	\$ 12,500.00	Lester Bros
9	732 Irving	House/Shed	\$ 6,600.00	Smalley Const
10	1020 Martin Street	House/Garage	\$ 12,040.00	Lester Bros
11	1025 S. Milwaukee	House/Garage	\$ 11,065.00	Lester Bros
12	1202 Williams Street	House/Garage	\$ 9,976.40	Dunigan Bros
13	1407 Williams Street	House	\$ 6,787.20	Dunigan Bros
14	1210 Merriman Street	House/Carport	\$ 8,250.00	Dunigan Bros
15	1504 Deyo Street	House	\$ 7,257.60	Dunigan Bros
16	326 W. Wilkins Street	House	\$ 12,175.00	Smalley Const
			\$ 137,521.60	

Awarding low unit price provides \$18,050.40 cost savings to City

Exhibit B