



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

AGENDA – CITY COUNCIL MEETING

February 9, 2010
7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Andrew R. Frounfelker, 5th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Citizen Comments. (3-Minute Limit)**
6. **Presentations/Proclamations.**
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meetings of January 26, 2010.
 - B. Approval of a taxicab license for the year ending April 30, 2010, in accordance with the recommendation of the City Clerk.
 - C. Approval of the request to approve the low bid award to Bio Tech Agronomics, Beulah, Michigan, at their low bid price of \$0.03 per gallon, for hauling and land application of sewage sludge, in accordance with the recommendation of the Director of Sewage Treatment and Facilities and the Purchasing Agent.
 - D. Consideration of the request to approve Amendment No. 5 to the contract with Hamilton Anderson Associates in the increased amount of \$16,781.75, for a total not-to-exceed price of \$424,967.75, for the Grand River ArtsWalk project, and authorization for the Interim City Manager and City Engineer to execute the appropriate document(s).
 - E. Receipt of the 2010 Analysis of Impediments to Fair Housing Choice.
 - F. Receipt of the 2009 District Court/Administrative Hearings Bureau (AHB) Annual Report.
 - G. Receipt of the City Engineer's report for street construction on W. Mason Street from Jackson to Mechanic Street, and establishment of February 23, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.
 - H. Receipt of the City Engineer's report for street construction on Wesley Street from Jackson to Blackstone Street, and establishment of February 23, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.
 - I. Receipt of the City Engineer's report for street construction on Mason Street from Mechanic to Francis Street, and establishment of February 23, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.
 - J. Receipt of the City Engineer's report for street construction on State Street from Pearl to Ganson Street, and establishment of March 9, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.
 - K. Receipt of the City Engineer's report for street construction on Loomis Street from LeRoy to Argyle Street, and establishment of March 9, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.

8. **Committee Reports.**
 - A. Receipt of the City Affairs Committee report and recommendations.
 - B. Receipt of the Rules and Personnel Committee report and consideration of their recommendation that the City Council bring Warren Renando in at his earliest convenience for discussion.

9. **Appointments.**
 - A. Approval of the Mayor's recommendation to appoint Michelle Woods to the Ella W. Sharp Park Board of Trustees filling a current vacancy, beginning immediately, and ending January 31, 2013.
 - B. Approval of the Mayor's recommendation to appoint Ken Stapleton to the Board of Review filling a current vacancy, beginning immediately, and ending January 31, 2013.
 - C. Approval of the Mayor's recommendation to reappoint Diane Cerqueira to the Local Officers Compensation Commission for a seven-year term, beginning March 1, 2010, and ending February 28, 2017.
 - D. Approval of the Mayor's recommendation to reappoint David Mikelonis and Robert F. Cole to the Jackson Transportation Authority for a three-year term each, beginning March 2, 2010, and ending March 1, 2013.

10. **Public Hearings.**
 - A. Public hearing on St. John's Catholic Church's appeal of the Historic District Commission's decision denying the Church's request to demolish the St. John's Rectory located at 717 Francis Street.
 1. Consideration of St. John's Catholic Church's appeal of the Historic District Commission's decision.
 - B. Public hearing on the request filed by Refrigeration Sales, Inc., to amend Industrial Development District No. 80. (City Affairs Committee recommends approval.)
 1. Resolution approving the amended district.
 - C. Public hearing on the application for an Industrial Facilities Exemption Certificate (IFEC) filed by Refrigeration Sales, Inc., located at 910 Myrtle Street.
 1. Resolution approving the application. (City Affairs Committee recommends approval.)
 - D. Public Hearing of necessity for the proposed street paving on W. Argyle Street from N. Wisner Street to N. West Avenue.
 1. Resolution ordering the street paving and preparation of the Special Assessment Roll.

11. **Resolutions.**
 - A. Consideration of a resolution of support for an application for Fiscal Year 2011 Federal Appropriation funding in the amount of \$1,500,000.00 to assist with the demolition of the 212 W. Michigan Avenue building, and authorization for the Interim City Manager to submit the application and the Mayor to execute the appropriate document(s).
 - *B. Consideration of a resolution supporting the construction of the Center for Family Health's new facility located at 505 N. Jackson Street.

12. **Ordinances.**
 - A. Final adoption of Ordinance No. 2010.03, amending Chapter 25, City Code, adding Section 25-31 that will authorize issuing citations to district court, impounding vehicles, or immobilizing of vehicles where the owner of the vehicle has six (6) or more unanswered parking tickets. (City Affairs Committee recommends approval.)
 - B. Final adoption of Ordinance No. 2010.04, amending Chapter 28, City Code, adding regulations governing Wireless Telecommunication Facilities.

13. **Other Business.**
 - A. Consideration of the request to approve the first renewal of the 2009 Materials Testing Contract with CTI and Associates, Inc., Wixom, in the amount of \$81,000.00, for material testing services, and authorization for the Mayor and City Clerk to execute the

appropriate document(s), and for staff to make any minor changes if necessary, in accordance with the recommendation of the City Engineer.

14. **New Business.**

***A. Item Deleted.**

- B. Consideration of request to approve an Interdepartmental Funding Application from the City Attorney's office for fiscal year 2010-2011 Community Development Block Grant (CDBG) funding.
- C. Consideration of the request to approve the preliminary allocation for fiscal year 2010-2011 Community Development Block Grant (CDBG) and HOME programs.
- D. Consideration of the 2010 Building Inspection Division Fee adjustment request and referral to the Finance Committee for review and recommendation.
- E. Consideration of the request to approve a Letter of Agreement between the Police Officers Labor Council (POLC) - Non-Supervisory Unit and the City regarding employee wage concessions beginning February 1, 2010, through June 30, 2011, and a contract extension until June 30, 2012, in accordance with the recommendation of the Interim City Manager.
- F. Consideration of a request to approve non-union employee wage concessions and suspension of Appendix A-1 and Appendix A-2, City Personnel Policy, beginning February 1, 2010, through June 30, 2011, in accordance with the recommendation of the Interim City Manager.
- G. Consideration of the request to approve the Interim City Manager's temporary wage reduction in the amount of five percent until the conclusion of his appointment to the position.
- H. Consideration of the request to approve a Letter of Agreement between the Police Officers Labor Council (POLC) - Supervisory Unit and the City regarding employee wage concessions beginning February 1, 2010, through June 30, 2011, in accordance with the recommendation of the Interim City Manager.
- I. Consideration of the request of the Interim City Manager to refer to the Finance Committee or the City Affairs Committee for further discussion and analysis the City's involvement in special events.

15. **City Councilmembers' Comments.**

16. **Manager's Comments.**

17. **Executive Session to discuss legal opinion of sale of real property.**

18. **Return to Open Session.**

- A. Consideration of the following requests from Carnegie Place, LLC, regarding a City owned vacant property located north of the Hayes Hotel and west of the Jackson District Library:
 - 1. Approve the Option to Purchase, Purchase Agreement, and Development Agreement as proposed;
 - 2. Approve the Option to Purchase, Purchase Agreement, and Development Agreement with modifications;
 - 3. Reject the Option to Purchase, Purchase Agreement, and Development Agreement; andAuthorization for the Mayor and City Clerk to execute the appropriate document(s), and for staff to make minor modifications if needed, in accordance with the recommendation of the City Attorney. (Postponed by City Council at the January 26, 2010, meeting.)

19. **Adjournment.**

*Items Added, Deleted, or Changed.

JACKSON CITY COUNCIL MEETING

MINUTES

JANUARY 26, 2010

CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:01 p.m. by Mayor Karen F. Dunigan.

PLEDGE OF ALLEGIANCE – INVOCATION.

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

ROLL CALL.

Present: Mayor Karen F. Dunigan and Councilmembers Carl L. Breeding, Robert B. Howe, Daniel P. Greer, Kenneth E. Gaiser, Andrew R. Frounfelker and John R. Polaczyk—7. Absent: none.

Also Present: Interim City Manager Christopher W. Lewis, City Attorney Julius A. Giglio and City Clerk Lynn Fessel.

AGENDA.

Motion was made by Councilmember Breeding and seconded by Councilmember Howe to change the order of this agenda and all future agendas, by placing Citizen Comments prior to Presentations/Proclamations. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

Mayor Dunigan announced the addition of Item L under the Consent Calendar, approving the Groundhog Gallop on February 6, contingent upon department approvals and receipt of proper insurance coverage. Motion was made by Councilmember Greer and seconded by Councilmember Howe to adopt the agenda, as amended. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

CITIZEN COMMENTS.

Jean Stewart, 4635 S. Jackson Road, asked the Council to approve a base for the headstone of her daughter's grave. Motion was made by Councilmember Breeding and seconded by Councilmember Gaiser to refer this matter to the Interim City Manager and staff and if the matter can't be resolved to Mrs.

Stewart's satisfaction, then the matter will be brought back to the Council and the rules of the cemetery will be referred to the City Affairs Committee for possible revision. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

Gerald Montgomery, 341 Hill Street, questioned the proposed payout to Glenn Chinavare.

Deborah Herbert, President, Jackson District Library Board of Trustees, asked the Council to modify the purchase agreement with Carnegie Place, LLC, by removing the parking lot on Blackstone Street and to offer it separately for sale to the Jackson District Library at a mutually agreeable price.

Scott Aughney, 707 N. Park, stated his appreciation for Councilmember Gaiser's suggestion that Citizen Comments be at the beginning and end of each Council meeting agenda. He thanked Councilmember Breeding for consistently opposing the expenditure of funds for the Grand River Artswalk. He will address issues related to immigrants/deportation at a later date.

Pat Gillespie, representing the Gillespie Group, outlined the proposed Carnegie Place project, discussing a mixed use of retail, office and housing. He would like to create a small urban village within this 3 ½ acre site. He said there is a need for this and people want to be in downtown Jackson.

PRESENTATIONS/PROCLAMATIONS.

None.

CONSENT CALENDAR.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to approve the following Consent Calendar. (*Item L was added at the time the agenda was adopted.*) The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of January 12, 2010.
- B. Approval of the request from the Jackson Storyfest Committee for police assistance and use of the City Council Chambers on Friday, May 7, 2010, for their annual Jackson Storyfest to be held on Friday and Saturday, May 7 and 8, 2010. (Recommended approval received from the Police, Fire, Traffic Engineering, and Purchasing Departments and the Downtown Development Authority. A Hold Harmless Agreement has been executed in lieu of insurance coverage.)
- C. Approval of Traffic Control Order (TCO) No. 2042, prohibiting parking on the west side of the 400 block of N. East Avenue from Burr Street to Homewild Avenue.
- D. Approval of Amendment No. 2 to the Topographic Mapping Services Contract, the first one-year extension to a three-year renewable contract, with Alpine Engineering, Inc., Novi, at an additional contract price of \$52,000.00, for additional topographic mapping, and authorization for the City Engineer and Interim City Manager to execute the appropriate document(s), in accordance with the recommendation of the City Engineer.
- E. Receipt of notice of intent to file claim of appeal regarding demolition of St. John's Rectory, referral to the City Attorney for appropriate action and establishing February 9, 2010, at 7:00 p.m. as the date and time to hear the appeal before the City Council, as required under City Code, Chapter 13, Section 13-9(b)(2)a.

- F. Receipt of the City of Jackson's summary of revenue and expenditures for six (6) months ended, December 31, 2009.
- G. Receipt of CDBG Financial Summary Report through December 31, 2009.
- H. Receipt of the Dangerous Building Report for December 31, 2009.
- I. Receipt of a Summons and Complaint filed in Circuit Court by Abelardo Moralez, v. City of Jackson Police Department and four named Police Officers, and referral to the City Attorney for appropriate action.
- J. Receipt of the City Engineer's report for street construction on W. Argyle Street from N. Wisner Street to N. West Avenue, and establishment of February 9, 2010, at the City Council meeting as the time and place to hold a public hearing of necessity.
- K. Establishment of February 9, 2010, at the City Council meeting as the time and place to hold a public hearing on the request to amend Industrial Development District #80 and an application for an Industrial Facilities Exemption Certificate filed by Refrigeration Sales, Inc., 910 Myrtle Street, and referral to City Affairs Committee for review and recommendation.
- L. *Approval of the request from the Center for Family Health to conduct the 33rd annual Groundhog Gallop on February 6, 2010, beginning and ending at the Middle School at Parkside, contingent upon approval of the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments and the receipt of proper insurance coverage.)*

COMMITTEE REPORTS.

A. RECEIPT OF THE CITY AFFAIRS COMMITTEE REPORT AND CONSIDERATION OF THE FOLLOWING RECOMMENDATION:

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to receive the report. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

1. DIRECT CITY STAFF TO REVISE THE CITIZEN PARTICIPATION PLAN TO INCLUDE THE RESTRUCTURING OF THE CITIZENS ADVISORY COUNCIL, APPROVE ALTERNATIVE #2 – MEMBERSHIP BY COMMUNITY LEADERS, AND RENAME THE GROUP.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to direct City staff to revise the Citizen Participation Plan, approving Alternative #2. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

B. RECEIPT OF THE RULES AND PERSONNEL COMMITTEE REPORT AND CONSIDERATION OF THE FOLLOWING RECOMMENDATIONS:

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to receive the report. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

1. RECOMMEND TO THE CITY COUNCIL TO FOLLOW THE EDUCATION ASSOCIATES RECOMMENDATION NO. 1, TO CONDUCT A SECOND

INTERVIEW WITH ROBERT HILLARD AND THEN DECIDE THE NEXT STEPS TO BE TAKEN.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to refer this matter back to the Rules & Personnel Committee for appropriate action and to schedule a meeting on Wednesday, February 3. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

2. RECOMMEND TO PROCEED WITH THE SEPARATION AGREEMENT FOR GLENN CHINAVARE PRESENTED TO THE CITY COUNCIL AT THEIR JANUARY 12, 2010, CITY COUNCIL MEETING.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to recommend the proposed Separation Agreement for Glenn Chinavare.

Motion was made by Councilmember Breeding to amend the motion by reducing the amount to \$12,500.00. The motion died for lack of a second.

The motion was then voted on and adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Howe, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: Councilmember Breeding—1. Absent: 0.

3. RECOMMEND TO THE CITY COUNCIL THAT THEY ESTABLISH A FINANCE COMMITTEE WITH NOT MORE THAN THREE CITY COUNCILMEMBERS SERVING ON THE COMMITTEE.

Motion was made by Councilmember Greer and seconded by Councilmember Breeding to form the Finance Committee with Mayor Dunigan and Councilmembers Gaiser and Frounfelker serving on the Committee. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

APPOINTMENTS.

A. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT JEANNE KUBISH TO THE REGION 2 PLANNING COMMISSION FILLING A CURRENT VACANCY, BEGINNING IMMEDIATELY, AND ENDING DECEMBER 31, 2012.

Motion was made by Councilmember Breeding and seconded by Councilmember Polaczyk to approve the Mayor's recommendation. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

B. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT VICTOR CUISS TO THE ELLA W. SHARP PARK BOARD OF TRUSTEES FOR A THREE-YEAR TERM, BEGINNING FEBRUARY 1, 2010, AND ENDING JANUARY 31, 2013.

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to approve the Mayor's recommendation. The motion was adopted by the following vote.

Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

C. APPROVAL OF THE MAYOR'S RECOMMENDATION TO REAPPOINT FREDERICK L. DAVIES, JOSEPH WHELAN, AND ARLENE ROBINSON TO THE INCOME TAX BOARD OF REVIEW FOR A THREE-YEAR TERM EACH, BEGINNING FEBRUARY 1, 2010, AND ENDING JANUARY 31, 2013.

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to approve the Mayor's recommendation. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

D. APPROVAL OF THE APPOINTMENT OF MICHAEL BEYERSTEDT AS THE FIRE CHIEF OF THE JACKSON FIRE DEPARTMENT, IN ACCORDANCE WITH THE RECOMMENDATION OF THE INTERIM CITY MANAGER.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Breeding to approve the appointment.

Motion was made by Councilmember Greer and seconded by Councilmember Gaiser to postpone consideration of this matter for 2 weeks. The motion FAILED adoption by the following vote. Yeas: Mayor Dunigan and Councilmembers Greer and Gaiser—3. Nays: Councilmembers Breeding, Howe, Frounfelker and Polaczyk—4. Absent: 0.

The main motion was then voted on and adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Frounfelker and Polaczyk—6. Nays: Councilmember Gaiser—1. Absent: 0.

E. APPROVAL OF THE APPOINTMENT OF JON DOWLING AS THE DIRECTOR OF ENGINEERING/DEPARTMENT OF PUBLIC WORKS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE INTERIM CITY MANAGER.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to approve the appointment. The motion was adopted by the following vote. Yeas: Councilmembers Breeding, Howe, Greer, Frounfelker and Polaczyk—5. Nays: Mayor Dunigan and Councilmember Gaiser—2. Absent: 0.

PUBLIC HEARINGS.

A. PUBLIC HEARING TO AMEND THE CITY'S BROWNFIELD PLAN FOR PROPERTY LOCATED AT 249-269 W. MICHIGAN AVENUE (ANESTHESIA BUSINESS CONSULTANTS), TO INCLUDE PROPERTY LOCATED AT 230 W. CORTLAND STREET, AS RECOMMENDED BY THE JACKSON BROWNFIELD REDEVELOPMENT AUTHORITY (JBRA), AND THE COMMUNITY DEVELOPMENT DIRECTOR.

Mayor Dunigan opened the public hearing. Sandy Schade and Michael Ordonez from MiraMed Revenue Group discussed their project and their intention to bring employment to the City of Jackson. The Mayor closed the public hearing.

1. RESOLUTION APPROVING THE AMENDED BROWNFIELD PLAN FOR PROPERTY LOCATED AT 249-269 W. MICHIGAN AVENUE, INCLUDING PROPERTY LOCATED AT 230 W. CORTLAND STREET.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to adopt the resolution, in accordance with the recommendation of the Jackson Brownfield Redevelopment Authority. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

B. PUBLIC HEARING TO ESTABLISH AN OBSOLETE PROPERTY REHABILITATION DISTRICT (OPRD #7) FOR PROPERTY LOCATED AT 230 W. CORTLAND STREET. (CITY AFFAIRS COMMITTEE RECOMMENDS APPROVAL.)

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

1. RESOLUTION APPROVING THE ESTABLISHMENT OF AN OBSOLETE PROPERTY DISTRICT (OPRD #7) AT 230 W. CORTLAND STREET.

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to adopt the resolution, in accordance with the recommendation of the City Affairs Committee. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

C. PUBLIC HEARING TO APPROVE AN APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION ACT (OPRA) TAX EXEMPTION CERTIFICATE AT 230 W. CORTLAND STREET. (CITY AFFAIRS COMMITTEE RECOMMENDS APPROVAL FOR A 12-YEAR TERM.)

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

1. RESOLUTION APPROVING AN APPLICATION FOR AN OPRA TAX EXEMPTION CERTIFICATE.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to adopt the resolution, in accordance with the recommendation of the City Affairs Committee. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

D. ITEM DELETED.

E. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS FOR 2010-2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING AND COMMUNITY DEVELOPMENT NEEDS.

Mayor Dunigan opened the public hearing. The following applicants for CDBG funding addressed the Council: Laura Ratcliff, Allegiance Health Transportation Assistance; Sarah Hill and Bob Johnson, American Red Cross; Rebecca Filip, AWARE, Inc.; Dr. Jane Grover, Center for Family Health – Adult Dental Services; Jasmine Bennett, Center for Women Pregnancy Counseling Services; Joyce Parker, Miriam Dorsey and Mary Heard, Elnora V. Moorman Community Help Center; Linda Tallman and Shante Patton, Family Service & Children’s Aid FAST Program; Karen Jackson, Jackson Affordable Housing Corp. Foreclosure Prevention, Homeownership Program and HOME Down Payment Assistance; Kim Hastings, Jackson School of the Arts; John Willis, King Center Summer Youth Program; Karrie Beilfuss, LifeSpan; Ben Keaster, Michelle Foster and Bryan (student), Partnership Park After School Program; Major John Mallett, The Salvation Army; Nick Lynch, United Way; Carol Konieczki, Community Development Department; Jon Dowling, Department of Engineering/Public Works; Tom Steiger, Forestry; and Carrie Good, John George Home. Kathleen Conley, HRC Chair, gave general recommendations from the HRC, which include the Red Cross, Fair Housing Center, King Center, Salvation Army, Partnership Park, curb cuts and CAA HOME grants.

The following applicants for HOME funding addressed the Council: Alban Pacunas, Renovations Your Way; Toby Budd, CAA HOME funding; and Kevin Dowd, Habitat for Humanity. The Mayor closed the public hearing.

F. PUBLIC HEARING ON THE REQUEST FOR A TEXT AMENDMENT TO THE CITY’S ZONING ORDINANCE, CITY CODE, CHAPTER 28, ADDING REGULATIONS GOVERNING WIRELESS TELECOMMUNICATION FACILITIES. (CITY PLANNING COMMISSION AND ITS STAFF RECOMMENDS APPROVAL.)

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

1. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, CITY CODE, ADDING REGULATIONS GOVERNING WIRELESS TELECOMMUNICATION FACILITIES.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

RESOLUTIONS.

A. CONSIDERATION OF A RESOLUTION FROM THE LIQUOR CONTROL COMMISSION REGARDING THE REQUEST TO TRANSFER OWNERSHIP OF 2009 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 1715 E. MICHIGAN, FROM THE GARAGE BILLIARDS, INC., TO LIONS PAW, INC., AND REQUESTS NEW OFFICIAL PERMIT (DANCE-ENTERTAINMENT) FOR WEEKDAYS, 2:30 A.M. TO 5:00 A.M.

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 Dunigan and Councilmembers Breeding, Howe, Greer and Frounfelker—5. Nays: Councilmembers Gaiser and Polaczyk—2. Absent: 0.

ORDINANCES.

- A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 25, CITY CODE, ADDING SECTION 25-31 THAT WILL AUTHORIZE ISSUING CITATIONS TO DISTRICT COURT, IMPOUNDING VEHICLES, OR IMMOBILIZING OF VEHICLES WHERE THE OWNER OF THE VEHICLE HAS SIX OR MORE UNANSWERED PARKING TICKETS. (CITY AFFAIRS COMMITTEE RECOMMENDS APPROVAL.)**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to approve the ordinance and place it on the next regular Council meeting agenda for adoption, in accordance with the recommendation of the City Affairs Committee. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

- B. FINAL ADOPTION OF ORDINANCE NO. 2010.02, AMENDING CHAPTER 5, SECTION 5-3, CITY CODE, TO MODIFY THE REQUIREMENTS FOR BUILDING DEMOLITION.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt Ordinance No. 2010.02. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

OTHER BUSINESS.

- A. CONSIDERATION OF THE RECOMMENDED REVISED 2011-2014 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) LIST.**

Motion was made by Councilmember Greer and seconded by Councilmember Gaiser to approve the revised TIP list. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to direct staff to work on drafting some language to notify constituents of these affected streets and bring to the City Affairs Committee for a recommendation in the near future. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0

NEW BUSINESS.

- A. RECEIPT WITH REGRET THE RESIGNATION OF VICE MAYOR/1ST WARD COUNCILMEMBER CARL BREEDING FROM THE CITY AFFAIRS COMMITTEE, AND APPOINTMENT OF A NEW COMMITTEE MEMBER.**

Motion was made by Councilmember Greer and seconded by Councilmember Howe to receive the resignation with regret. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser and Frounfelker—6. Nays: Councilmember Polaczyk—1. Absent: 0.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to appoint Councilmember Howe to the City Affairs Committee. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: Councilmember Howe—1. Absent: 0.

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Polaczyk thanked the Interim City Manager for setting up the Town Hall meetings to discuss the City's budget and he will be pleased to attend the meeting held in the Sixth Ward.

Councilmember Breeding inquired about the annual report. It was noted that it is available on the City's website.

Councilmember Howe thanked the representatives from the non-profit agencies who gave presentations on their requests for CDBG funding and stated it was a shame we aren't able to give them all the funding they need. He commended Carrie Good on her excellent job with the John George Home.

Councilmember Greer requested a report on the Council Chambers sound system, hoping it will be improved since a technician is present. He noted that recently there has been some difficulty obtaining electronic Council packets and he would like an update on this matter.

Mayor Dunigan also thanked the applicants for CDBG funding who spoke this evening and reminded everyone of the importance of participating in the census.

MANAGER'S COMMENTS.

Interim City Manager Lewis announced the following Town Hall meetings and encouraged everyone to attend:

February 2	(6:30 p.m. until 7:30 p.m.)	St. Joseph's Social Center
February 11	(6:30 p.m. until 7:30 p.m.)	Jackson District Library (Carnegie Branch)
February 16	(6:30 p.m. until 7:30 p.m.)	Cascades Elementary Auditorium
March 2	(6:30 p.m. until 7:00 p.m.)	Martin Luther King Center

He told Council he would like to plan a budget strategy meeting that he will facilitate. He stated we can't stand still; we need to keep moving the City forward and providing services. He thanked the Unions for coming to the table - willing to listen and willing to work with the City.

EXECUTIVE SESSION TO DISCUSS LEGAL OPINION OF SALE OF REAL PROPERTY AND LABOR NEGOTIATIONS OVER WAGE CONCESSIONS.

CONSIDERATION OF THE FOLLOWING REQUESTS FROM CARNEGIE PLACE, LLC, REGARDING A CITY OWNED VACANT PROPERTY LOCATED NORTH OF THE HAYES HOTEL AND WEST OF THE JACKSON DISTRICT LIBRARY:

1. **APPROVE THE OPTION TO PURCHASE, PURCHASE AGREEMENT, AND DEVELOPMENT AGREEMENT AS PROPOSED;**
 2. **APPROVE THE OPTION TO PURCHASE, PURCHASE AGREEMENT, AND DEVELOPMENT AGREEMENT WITH MODIFICATIONS;**
 3. **REJECT THE OPTION TO PURCHASE, PURCHASE AGREEMENT, AND DEVELOPMENT AGREEMENT; AND**
- AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), AND FOR STAFF TO MAKE MINOR MODIFICATIONS IF NEEDED, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ATTORNEY.**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to go into closed executive session to discuss labor negotiations and postpone consideration of the real estate issue until the next regular Council meeting. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

RETURN TO OPEN SESSION.

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

ADJOURNMENT.

No further business being presented, a motion was made by Councilmember Howe and seconded by Councilmember Greer to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 10:30 p.m.

Lynn Fessel
City Clerk

MEMORANDUM

Lynn Fessel, City Clerk

February 2, 2010

TO: Honorable Mayor and City Councilmembers

SUBJECT: Approval of a Taxicab Company License

Timothy Mullins has applied to the City Clerk's office for a Taxicab Company license for Starlite Cab Company at 310 E. Ganson Street. Mr. Mullins is purchasing this currently licensed company, but must complete the application process, as our licenses are not transferable. All payments and department approvals have been received. Insurance is pending upon Council approval and must be in place before the license is issued. It is my recommendation that Council approve this application.

Thank you.

C: City Manager



Wastewater Treatment

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

January 28, 2010

TO: Christopher Lewis - Interim City Manager
FROM: Paul Vermaaten - Director Sewage Treatment and Facilities
RE: **Award of Hauling and Land Application of Wastewater Treatment Sludge to Bio Tech Agronomics for their low bid of \$0.03 per gallon**

Bids were opened at the Purchasing Department for hauling and land application of Wastewater Treatment Plant (WWTP) sludge. Two firms have submitted bids. They were:

Synagro Central, LLC
7014 East Baltimore Street
Baltimore, MD 21224 they bid \$0.0304 per gallon

Bio Tech Agronomics
1651 Beulah Hwy.
Beulah, MI 49617 they bid \$0.03 per gallon

Land application of sludge is a budgeted item in our Sludge Handling activity 590-553-818. We normally dispose of around 3 to 3.5 million gallons of liquid sludge per year. The contract allows 4 one- year renewal options (1.02 multiplier from base bid for the first renewal, 1.04 for the second renewal etc.) if both parties want to renew.

I recommend that the bid be awarded to Bio Tech Agronomics.

If you concur with this recommendation to award the hauling and land application of WWTP sludge to the low bidder Bio Tech Agronomics of Beulah, MI for their low bid of \$0.03 per gallon, will you place it on the City Council agenda for their review and approval?



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

Date: February 1, 2010
To: Christopher Lewis, Interim City Manager
From: Jon Dowling, P.E., City Engineer
Re: Grand River ArtsWalk, Amendment 5 to Hamilton Anderson Agreement

On February 22, 2006, City Council approved a contract with Hamilton Anderson Associates for consulting services to perform studies, design and prepare construction documents for The Grand River ArtsWalk trail. Hamilton Anderson completed construction plans for a trail that will begin at the Farmer's Market and follow Mechanic Street north through the Armory Arts Village to North Street, and then follow the Grand River from North Street to Monroe Street with a pedestrian bridge connection to Lions Park. Bids for the construction contract have been received by the Michigan Department of Transportation and construction is expected to start in March or April.

The attached Amendment 5 to the Hamilton Anderson contract will add the Construction Oversight Assistance task to their contract. This task includes construction site visits, technical assistance and review of contractor submittals during the construction phase of the ArtsWalk project. The amendment is an increase of \$16,781.75, bringing the total professional service agreement to a not-to-exceed price of \$424,967.75. The additional cost will be paid from the Major Street Construction Fund.

With your concurrence, I request that Amendment 5 to the Engineering Services contract with Hamilton Anderson Associates be submitted to City Council for their approval and that the City Engineer and Interim City Manager be authorized to sign the documents.

If you have any questions, please contact me.

RTM/sms

c: Randall T. McMunn, P.E., Assistant City Engineer
Shelly Allard, Purchasing Coordinator
Lucy Schultz, Accounting Manager

hamiltonanderson

February 1, 2010

Jon Dowling
City of Jackson
161 West Michigan Ave.
Jackson, MI 49201

Subject: Re: Grand River ArtsWalk;
Amendment No. 5
HAA Job No: 25303.00 (02)

Dear Mr. Dowling:

Thank you for the opportunity to submit this amendment to the Grand River ArtsWalk project contract. We respectfully request approval of Amendment No.5 in the amount of \$16,781.75. A breakdown and description of the scope of services is enclosed. See Exhibit A and B for Fee and Rate Schedule.

Original Contract Amount:	\$	144,880.00
Amendment No. 1:	\$	47,660.00
Amendment No. 2:	\$	46,425.00
Amendment No. 3:	\$	5,500.00
Amendment No. 4:	\$	163,721.00
Current Contract Total:	\$	408,186.00
Proposed Amendment No. 5:	\$	16,781.75

Proposed New Contract Amount: \$ 424,967.75

Please execute (3) three copies and return one for our office file. If you have any questions or comments please contact us. We appreciate this opportunity to submit this amendment for your consideration. Thank you.

Sincerely,

HAMILTON ANDERSON ASSOCIATES


Burke Jenkins ASLA
Project Manager

ACCEPTED: CITY OF JACKSON

By: _____
Christopher W. Lewis,
Interim City Manager

By: _____
Jon H. Dowling, City Engineer

Date: _____

B:mof
Enclosure

Grand River ArtsWalk
City of Jackson
HAA Job #: 25303.00(02)
January 27, 2010

Amendment No. 5 Scope of Services

Task One: Construction Oversight Assistance

Hamilton Anderson Associates proposes to assist the City in oversight and administration of the construction of the Grand River Artswalk. Construction is planned for the spring of 2010. HAA proposes the following items of work. Charges will be billed for actual hours worked at the hourly rates included herein.

Construction Oversight Assistance

Total Hours – 409

Estimated Expenses – Included in original contract

Estimated Not to Exceed Cost - \$38,616

- 12 Field visits to review construction progress
- Attendance at progress meetings in conjunction with Field Visits when requested
- Preparation of field reports and photos as a follow up to field visits
- Respond to requests for information from the contractor as requested by the City
- Review of shop drawings and contractor submittals

Total not to exceed cost for Task One: \$38,616

Due to a change in HAA's original scope the following items of work were not brought to 100% completion and can be deducted from the contract amount.

Task	Fee Reduction
-Hydraulic Study	\$1,192.00
-Lighting Design	\$17,212.25
-Land Negotiations and Rail Coord.	<u>\$3,430.00</u>

Total Fee Reduction: \$21,834.25

Total estimated cost for Amendment No. 5: \$16,781.75

Schedule of Work

Hamilton Anderson assumes task one will begin following the Preconstruction meeting tentatively planned to occur in February 2010 and will be completed by September 2010.

**EXHIBIT A
FEE AND RATE SCHEDULE FOR PROFESSIONAL SERVICES**

The professional staff of Hamilton Anderson Associates, Inc. includes architects, landscape architects, urban designers, planners, engineers, interior designers and graphic designers. Hourly Rates for services are as follows:

Principal	\$ 165.00/hr - \$ 185.00/hr
Associate/Senior Professional	\$ 135.00/hr - \$ 155.00/hr
Senior Project Manager	\$ 120.00/hr - \$ 130.00/hr
Project Manager	\$ 100.00/hr - \$ 115.00/hr
Senior Architect/Landscape Architect/Designer	\$ 105.00/hr - \$ 130.00/hr
Architect/Landscape Architect/Designer	\$ 75.00/hr - \$ 105.00/hr
Junior Designer/Junior Landscape Designer	\$ 65.00/hr - \$ 75.00/hr
Senior Interior Designer	\$ 100.00/hr - \$ 120.00/hr
Interior Designer	\$ 75.00/hr - \$ 100.00/hr
Junior Interior Designer	\$ 65.00/hr - \$ 75.00/hr
Senior Planner	\$ 80.00/hr - \$ 105.00/hr
Planner	\$ 65.00/hr - \$ 75.00/hr
Senior Civil Engineer	\$ 105.00/hr - \$ 130.00/hr
Civil Engineer	\$ 75.00/hr - \$ 105.00/hr
Senior Graphic Designer	\$ 90.00/hr - \$ 105.00/hr
Graphic Designer	\$ 70.00/hr - \$ 90.00/hr
Senior Administrative Support	\$ 90.00/hr - \$ 125.00/hr
Technical Support	\$ 50.00/hr - \$ 65.00/hr
Administrative Support	\$ 50.00/hr - \$ 65.00/hr

The billing rates are valid through December 31, 2010. The billing rates will be adjusted January 1st of each year to reflect adjustment in compensation for HAA employees.



EXHIBIT B

HOURLY BILLING RATES

<u>Classification</u>	<u>Rate</u>
Principal	\$144
Senior Project Manager	\$129
Project Manager	\$104
Project Engineer	\$85
Staff Engineer	\$73
CADD	\$90
Technical/Clerical	\$51

Rates include overhead and profit

1/27/09



February 2, 2010

TO: Christopher W. Lewis, Interim City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: Receipt of Analysis of Impediments to Fair Housing Choice

As an entitlement community receiving CDBG and HOME funds, the City of Jackson is required to annually certify it will affirmatively further fair housing (AFFH). The extent of the AFFH obligation has never been defined statutorily; however, HUD defines it as requiring a grantee to:

1. Conduct an analysis to identify impediments to fair housing choice within the jurisdiction.
2. Take appropriate actions to overcome the effects of any impediments identified through the analysis.
3. Maintain records reflecting the analysis and actions in this regard.

HUD interprets those broad objectives to mean:

- ✓ Analyze and eliminate housing discrimination in the jurisdiction;
- ✓ Promote fair housing choice for all persons;
- ✓ Provide opportunities for racially and ethnically inclusive patterns of housing occupancy;
- ✓ Promote housing that is physically accessible to, and usable by, all persons, particularly persons with disabilities; and,
- ✓ Foster compliance with the non-discrimination provisions of the Fair Housing Act.

Although the City's AFFH obligation arises in connection with the receipt of Federal funding, its AFFH obligation is not restricted to the design and operation of HUD-funded programs at the State or local level. The AFFH obligation extends to all housing and housing-related activities in the City, whether publicly or privately funded.

The Analysis of Impediments should have been updated in 2005 when the current Five-Year Consolidated Plan was approved by both City Council and HUD. Due to staff and administration turnover in the Community Development Department during 2004 and 2005, this requirement was not fulfilled and no analysis has occurred since 2000-2001. During the past nine years, the City lost its only Fair Housing Center and, while Community Action Agency received CDBG funding to conduct fair housing education and training, there has not been a device in place to receive and investigate housing discrimination complaints since 2003.

Community Development staff prepared the attached Analysis of Impediments to Fair Housing Choice through a collaboration with many community agencies. A review of the impediments identified (pages 2 – 3) and summary of recommendations (page 32) is advised when considering annual allocations of CDBG and HOME funds.

Requested action is for City Council to receive the Analysis of Impediments to Fair Housing Choice. Please place this item on the February 9, 2010 City Council agenda.

cc: Heather L. Soat, Financial Analyst
Michelle L. Pultz, CD Project Coordinator

S:\Michelle Pultz\CDBG\FY 10-11\Agenda Items\Receipt of AI.doc



Analysis of Impediments to Fair Housing Choice



Prepared by:
City of Jackson Community Development Department
161 West Michigan Avenue
Jackson, MI 49201
(517) 788-4060
February 2010



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Executive Summary

The City of Jackson is a United States Department of Housing and Urban Development (HUD) identified entitlement community. As such, the City has been the recipient of Community Development Block Grant (CDBG) funds since 1974 and HOME Investment Partnerships Program (HOME) funds since 1991. HUD has charged its entitlement communities to affirmatively further fair housing (AFFH) based on HUD's obligation under Section 808 of the Fair Housing Act.

Prohibition on discriminatory actions first appeared in Title VI of the Civil Rights Act of 1964, as amended in 1988. Discrimination was prohibited on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. HUD was not approved to conduct reviews and provision for monetary damages in settlements of discrimination cases was not permitted. The Fair Housing Act (42 USC 3601-3619) was passed under Title VIII of the Civil Rights Act of 1968, which included provisions to collect monetary damages. The Fair Housing Act (FHA) initially prohibited discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, and religion. The FHA was amended in 1974 to include the prohibition of discrimination based on sex; and again in 1988 to prohibit discrimination based on disability and familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18). It was also in 1988 that HUD was charged with the responsibility to investigate claims of housing discrimination.

The extent of the AFFH obligation has never been defined statutorily; however, HUD defines it as requiring a grantee to:

1. Conduct an analysis to identify impediments to fair housing choice within the jurisdiction.
2. Take appropriate actions to overcome the effects of any impediments identified through the analysis.
3. Maintain records reflecting the analysis and actions in this regard.

HUD interprets those broad objectives to mean:

- ✓ Analyze and eliminate housing discrimination in the jurisdiction;
- ✓ Promote fair housing choice for all persons;
- ✓ Provide opportunities for racially and ethnically inclusive patterns of housing occupancy;
- ✓ Promote housing that is physically accessible to, and usable by, all persons, particularly persons with disabilities; and,
- ✓ Foster compliance with the non-discrimination provisions of the Fair Housing Act.

Although the City's AFFH obligation arises in connection with the receipt of Federal funding, its AFFH obligation is not restricted to the design and operation of HUD-funded programs at the State or local level. The AFFH obligation extends to all housing and housing-related activities in the grantee's jurisdictional area, whether publicly or privately funded.

(excerpted from Fair Housing Planning Guide, HUD-1582G-FHEO, March 1996)

Identified Impediments to Fair Housing Choice

The author of this Analysis consulted with several entities to obtain a comprehensive understanding of issues, both perceived and real, facing City residents in obtaining housing. Among the efforts undertaken:

Region 2 Planning Commission – requested assistance in reviewing potential zoning issues within the City.

Jackson County Continuum of Care Housing Committee – discussion ensued during the November 3, 2009 meeting, which was attended by the Executive Directors of Jackson Affordable Housing Corporation and Jackson Housing Commission, Michigan Prisoner Re-entry Initiative (MPRI) Community Coordinator, two representatives from the Jackson Interfaith Shelter (the City's largest homeless shelter) and a representative from AWARE, Inc. (a shelter for domestic violence or sexual assault victims). Several issues were identified by this knowledgeable group:

- Lack of resources/developers to create more affordable or low-income housing.
- Urban food deserts, which is the lack of grocery stores in low- and moderate-income areas. Residents oftentimes rely on local convenience stores, which generally charge significantly more for an identical item found cheaper in a large grocery store. This also greatly reduces the availability of fresh produce, meat, and bakery items.
- Lack of local banking establishments in low- and moderate-income areas – residents again often rely on convenience stores to cash checks and are either charged a sizeable fee for the service, or are required to purchase a certain amount of goods from the store before it will cash the check.
- Landlords who monopolize available housing, which people in the housing community often refer to as 'slumlords' or 'shady dealers'. Tenants feel they are in a Catch-22 – if they complain to the landlord, their complaint goes ignored; if they complain to the City, they risk the chance of becoming homeless should conditions exist that pose a health and safety hazard for the tenant; landlords may retaliate for complaints made by initiating eviction.
- Landlord foreclosures – tenants are rarely given adequate advance notice to find alternate housing.
- Not In My Back Yard (NIMBY) – over the past several years, NIMBY has reared its ugly head in the City, resulting in instances such as the withdrawal of a potential significant investment of creating affordable housing in the downtown, and homeowners lobbying their Councilmembers to change the definition of "family" in the zoning ordinance in an attempt to limit certain types of individuals from sharing living expenses (this ordinance change was eventually abandoned by City Council).
- Lack of housing for working poor (middle income) – those persons who work every day and barely make ends meet, but do not qualify for assistance from the Department of Health and Services, food stamps, childcare, etc.

Human Relations Commission – the author addressed the Human Relations Commission (HRC) at their November 18, 2009 meeting requesting input. In addition to the items identified above, the HRC also expressed concern over lack of fair housing complaint

investigations and a decreased awareness among residents and landlords due to a lack of education.

Legal Services of Southeastern Michigan – while Legal Services has lacked funds to represent tenants in Court during the eviction process, it still received inquiries and provided as much guidance outside of court representation as possible. Some of the issues heard by attorneys working with tenants at Legal Services included inquiries regarding racial or familial discrimination. Legal Services has recently received Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds in which it was able to hire a full time attorney to provide legal representation to tenants facing eviction.

Jackson Interfaith Shelter – the managers of the Jackson Interfaith Shelter, the largest homeless shelter in the City, identified the following issues:

- Lack of jobs available for low- and moderate-income persons in which the potential employee may be able to perform, but is lacking the required experience;
- Unable to afford public transportation or no routes established near work place;
- Unable to afford proper insurance, registration and licensing for own vehicle;
- Unable to afford vehicle maintenance and repairs.

Recommendations

City Council should remain mindful of the impediments identified above by those organizations that work most closely with the low- to moderate-income community, especially those concentrating efforts on housing needs. Opportunities to alleviate or eliminate the impediments should be given high consideration, whether it is by providing a specific service or supporting community partners who are better able to address the issues.

While it is unlikely to eradicate all instances of prejudices and discrimination within a community, Fair Housing educational opportunities should be highly encouraged. This would be especially prudent should future potential developers seek to invest in housing within the community. The City is mandated by HUD regulations and certifications to affirmatively further fair housing and should not be swayed by a vocal minority of business owners and/or residents in upholding its obligations.

Demographics

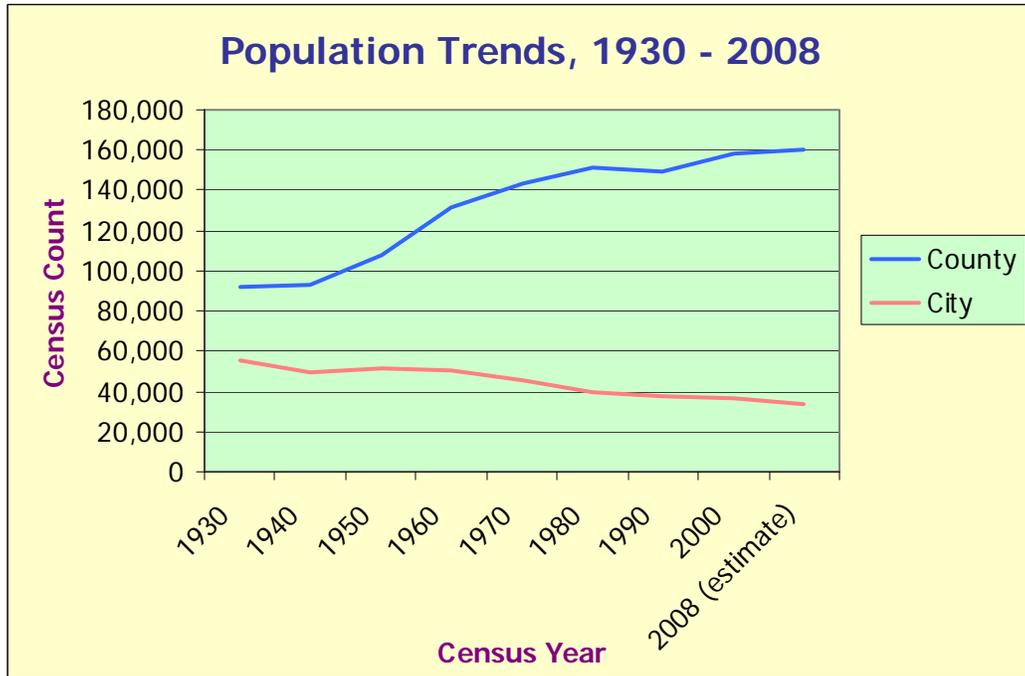
According to the State of Michigan's Department of History, Arts, and Libraries, while Jackson County's estimated population increased 1.1% (from 158,422 in April 2000, to an estimate of 160,180 in 2008), the City of Jackson suffered the greatest loss in population. In April 2000, the City's population was 36,316; however, 2008 estimates place it at 33,518, resulting in a 7.7% decline over the span of eight years. Other areas hardest hit in Jackson County include the Village of Springport (7.2% decline), the Village of Sandstone (7.3% decline), Village of Parma (6.8% decline) and Village of Cement City (6.7% decline). Very significant differences between the listed villages' rates of decline and that of the City is the population of each village is less than 1,000 and the township within which each village is located experienced population growth.

Area Name	Census (actual)	2008 (estimate)	Change
Jackson County	158,422	160,180	+1.1%
Blackman Charter Township	22,800	24,348	+6.8%
Brooklyn, Village	1,176	1,340	+13.9%
Cement City, Village	30	28	-6.7%
Columbia Township (balance)	6,028	6,152	+2.1%
Concord, Village	1,101	1,072	-2.6%
Concord Township (balance)	1,591	1,658	+4.2%
Grass Lake, Village	1,082	1,170	+8.1%
Grass Lake Charter Township (balance)	3,504	4,087	+16.6%
Hanover, Village	424	413	-2.6%
Hanover Township (balance)	3,368	3,351	-0.5%
Henrietta Township	4,483	4,825	+7.6%
Jackson, City	36,316	33,518	-7.7%
Leoni Township	13,459	13,501	+0.3%
Liberty Township	2,903	3,046	+4.9%
Napoleon Township	6,962	6,961	-0.0%
Norvell Township	2,922	2,999	+2.6%
Parma, Village	251	234	-6.8%
Parma Township (balance)	2,445	2,531	+3.5%
Pulaski Township	1,931	2,002	+3.7%
Rives Township	4,725	5,019	+6.2%
Sandstone, Village	656	612	-7.3%
Sandstone Township (balance)	3,145	3,378	+7.5%
Spring Arbor Township	7,577	8,324	+9.9%
Springport, Village	704	653	-7.2%
Springport Township (balance)	1,478	1,538	+4.1%
Summit Township	21,534	21,635	+0.5%
Tompkins Township	3,758	2,817	+2.1%

Excerpted from Estimated Population of Michigan Cities, Villages, Townships, and Remainders of Townships, 2000-2008

The trend for the City losing population is not new, but has risen sharply since 1960. Jackson County has seen an increase in population of over 42% since 1930, while the City has lost

nearly 40% of its residents during the same time period, over 28% of which occurred between 1960 and 2000.



Historical Census information obtained from Region 2 Planning Commission

While the male/female mix is very similar in the City and County, females slightly outnumber males in the City (52.3% female versus 47.7% male). The County's population is the opposite with 51% being male and 49% being female. It should be noted the 2005-2007 American Community Survey estimates the City's male/female population has shifted to 45.3% male and 54.7% female. The median age of City residents is 31.3 with 25 to 34 year olds making up nearly 16% of the population. The County's median age is slightly older at 36.6, nearly 17% being in the 35 to 44 year age range.

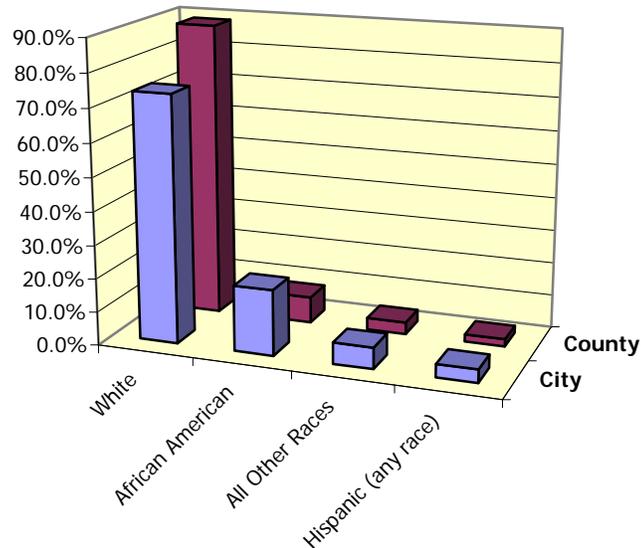
	City	County
Male Residents	17,307 (47.7%)	80,848 (51%)
Female Residents	19,009 (52.3%)	77,574 (49%)
Median Age	31.3	36.6
Largest Age Group	25 – 34 years	35 – 44 years
Racial/Ethnicity Makeup		
White	26,825 (73.9%)	140,267 (88.5%)
Black or African American	7,154 (19.7%)	12,543 (7.9%)
All Other Races	2,337 (6.4%)	5,612 (3.6%)
Hispanic or Latino (any race)	1,469 (4%)	3,493 (2.2%)

Source: Table DP-1 – Profile of General Demographic Characteristics: 2000 Census

Census tract (CT) 6, the central downtown business district, is the only area in the City which contains more male than female residents.

As demonstrated above, the City of Jackson is more culturally diverse than the outlying County.

Racial Makeup - City v County



Residential areas comprise 46.3% of City land. There are four types of residential areas:

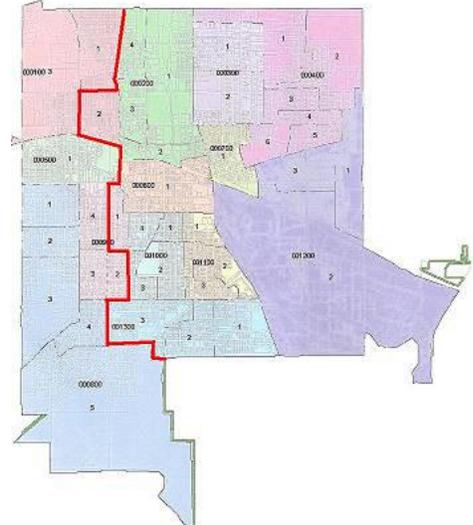
- *Single-family neighborhoods.* These areas are comprised exclusively of single-family residences. They also encompass almost one-third of the City.
- *One- and two-family neighborhoods.* Very similar in nature to their single family counterparts. Owner occupancy of homes and duplex units should be encouraged.
- *Medium-density neighborhoods.* Medium-density buildings contain 3 to 6 dwelling units. However, these areas are also comprised of single-family homes and duplexes.
- *High-density residential complexes.* These areas are comprised of apartment and condominium complexes with 7 or more units. They are scattered throughout the City.

The balance of City land is comprised of commercial areas (8.6%), mixed-use areas (2.6%), industrial areas (21.4%), and public and quasi-public areas (21.1%).

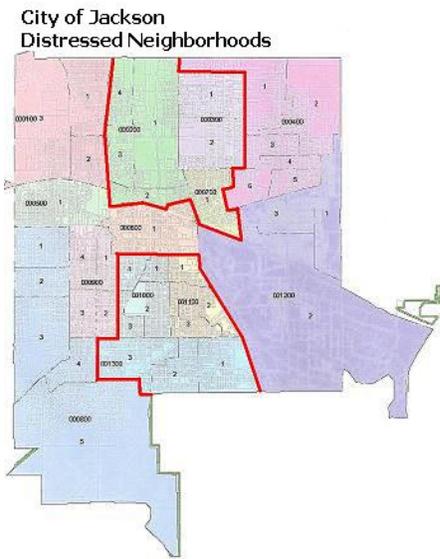
Most Affluent Neighborhoods

By far, the western edge of the City contains the most prosperous of its residents, led by CT 8 in the southwest corner of the City, CT 5 immediately north, then CT 1 in the northwest corner of the City and most of CT 9 located immediately east of the northern portion of CT 8. The median family income in these Census tracts ranges from \$40,230 in CT 1 to \$68,125 in CT 8 (2000 Census). Other than an industrialized section of the City (CT 12), CT 8 encompasses the largest area and has the highest population and lowest population density. CT 8 also has the lowest percentage of overcrowded housing, highest owner-occupied population, most educated and highly compensated residents, and

City of Jackson
Affluent Neighborhoods



uppermost elderly, white inhabitants. While CT 9 has the highest population density of all Census tracts in the City, it is also one of the least overcrowded in housing.



Most Distressed Neighborhoods

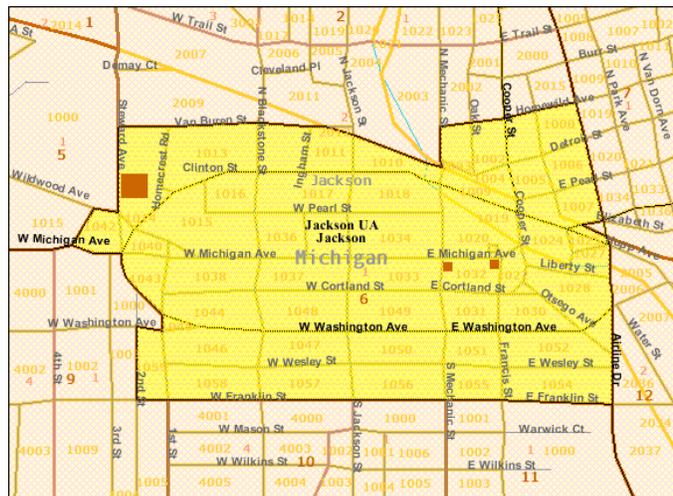
Outside of CT 6, which encompasses the City's central business district, the most distressed areas of the City include the middle south section (CTs 10, 11 and 13), and the area north and east of downtown (CTs 2, 3 and 7). CTs 10 and 11 experience the highest poverty rates with CT 11 encountering the overall lowest family median income in the City at \$16,847 (2000 Census). CTs 2, 7, 10 and 11 have a higher rental to owner-occupied housing and the highest vacancy rates. After CT 9, the highest population densities are in CTs 10 and 11; however, unlike CT 9, CTs 10 and 11 experience the highest percent of overcrowded housing, followed by CT 7. Unemployment levels have been highest in CTs 7, 10, 11 and 13, which directly correlates to these same Census tracts having the least educated individuals, ranging from 83.6% of CT 7 having a high school diploma or less, to

60.9% in CT 13. Other CTs that fall in this range include 2 (66.3%), 3 (61.4%), 10 (65.6%), 11 (65.7%), and 12 (67.1%). In the southern Census tracts, median income ranges from \$15,636 to \$30,333; in the northern Census tracts the range is from \$20,357 to \$25,745 (2000 Census). Racially, CTs 10, 11 and 13 have a disproportionately high percentage of African-American residents as compared to other areas of the City, ranging from 35% to almost 70% of the total population in these areas. The City's Hispanic community is concentrated in CT 7 (11.2%), with other above average concentrations in CTs 10 (7.26%) and 11 (5.08%).

Elderly and Disabled Population

Approximately 11% of the City's population is comprised of persons 65 years of age or older with the largest number residing in CT 8 and the least number in CT 7. However, when expressed as a percentage of the population in each Census tract, CT 6 has the highest percentage of elderly (16.5%) and disabled (92.6%) citizens when compared to the rest of its inhabitants. This is due, in part, to the overall low number of residents living in the downtown central business district, and the existence of three facilities catering to the elderly and disabled:

- The Elaine Apartments is a 33-unit, nine-story, HUD-subsidized building located on the corner of East Michigan Avenue and Mechanic Street;



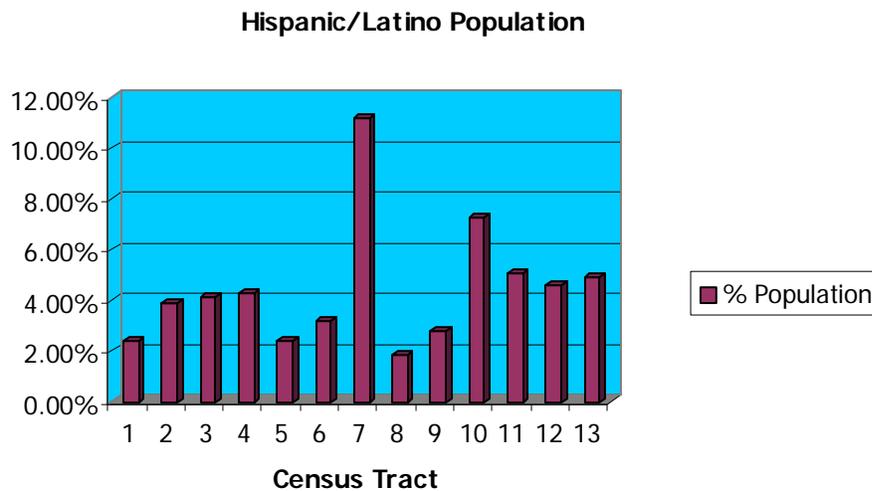
- Otsego Apartments, a 76-unit subsidized facility for seniors and disabled is located at the eastern end of the same block, at East Michigan Avenue and Francis Street;
- Reed Manor is a 295 unit HUD subsidized facility specializing in accommodations for seniors and the disabled, operated by the Jackson Housing Commission, a public housing authority. This facility is located in the northwest corner of CT 6 at Steward Avenue and Louis Glick Highway.

Due to the elevated concentrations of the elderly and disabled population in the downtown area, the median household income is the lowest in the entire City, being \$9,934 per the 2000 Census.

As a whole, 38% of City residents claim some type of disability. Disabled children and youths aged five to 15 years account for 2% of the population, with 69% of their reported disability being mental in nature. At almost one-quarter of the population, the largest portion of the City's disabled residents are aged 16 to 64 years, with 32% reporting an employment disability. The remaining 11% of the disabled population consists of residents over the age of 65, with 35% reporting a physical disability.

Hispanic/Latino Population

Overall, the Hispanic/Latino community makes up four (4%) of the City's population with a disproportionately high concentration in CT 7 at 11.2%. Other distressed areas of the City also contain above average populations as shown below. The lowest percentage of Hispanic/Latino ethnicity resides in CT 8 which, again, is the most affluent area of the City.



Education

It was disheartening to realize during analyses of the City's Census tracts that nearly 84% of CT 7's population 25 years and older had a high school diploma/GED or less, with nearly half of having no diploma at all. By contrast, only 6.3% of CT 8's 25-plus year olds did not complete high school. At the time the 2000 Census was conducted, almost 23% of the City's 25 and over residents had not completed high school. It was not surprising to learn 75% of CT 8's residents

over 25 years of age had attended college at some level and that 46% had attained an Associates Degree or higher. Just over 20% of the entire City was made up of persons over 25 successfully completing higher education.

Similar percentages of male and female City residents either did not complete high school/ receive a diploma, or did complete high school/pass an equivalency test. Past high school, males had a slight advantage as four percent more male than female residents had attended some college, and three percent more male than female received an Associates Degree or higher.

Income and Poverty

The Federal Financial Institutions Examination Council (FFIEC) published Summary Census Information based on estimates in 2008. The 2008 HUD Estimated Median Family Income for the County of Jackson is \$57,100; only CT 8 in the City surpassed that amount by recording an estimated Median Family Income of \$76,331.

CT	Percent Minority	Percent Below Poverty	2000 Median Household Income	2000 Median Family Income	2008 Est. Median Family Income
1	12.04%	7.84%	\$35,075	\$40,230	\$45,075
2	28.35%	28.93%	\$20,357	\$26,548	\$29,743
3	16.51%	19.35%	\$25,745	\$35,682	\$39,981
4	12.52%	13.06%	\$34,640	\$38,115	\$42,705
5	11.49%	6.74%	\$40,577	\$47,177	\$52,857
6	30.03%	40.29%	\$ 9,932	\$21,728	\$24,347
7	21.86%	22.16%	\$25,431	\$32,917	\$36,881
8	9.83%	3.09%	\$50,246	\$68,125	\$76,331
9	21.17%	16.30%	\$35,912	\$41,480	\$46,479
10	48.32%	33.53%	\$24,107	\$26,213	\$29,372
11	80.09%	48.04%	\$15,636	\$16,847	\$18,877
12	24.96%	21.30%	\$32,545	\$40,912	\$45,840
13	62.74%	22.64%	\$30,333	\$35,491	\$39,764

Source: 2008 FFIEC Census Report

HUD provides the following definitions:

Family – all persons living in a household who are related by birth, marriage or adoption.

Household – All persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any groups of related or unrelated persons who share living arrangements.

Zoning

The City of Jackson has five (5) residential zoning districts, with most dedicated solely to residential uses. The minimum lot size for single-family homes is 7,500 square feet; duplexes and multi-family dwellings fluctuate depending on the zoning district and number of units and bedrooms per unit. New construction is allowed on lots which do not meet the minimum lot size or width as long as the minimum setbacks are met and/or variances from those requirements

are granted. Many of the residential lots in the City do not meet the minimum area and/or width requirements. Accordingly, Chapter 28, Section 28-121(b) of the City of Jackson Code of Ordinances provides the following exception:

In any R district, notwithstanding limitations imposed elsewhere in this chapter, a single-family dwelling and customary accessory structures may be erected on any single lot of record in existence on the effective date of the ordinance or amendment rendering such lot nonconforming. This provision shall apply even though such lot fails to meet the requirements for area or width that are generally applicable in the district; provided that yard dimensions and other requirements not involving area of width, or both, of the lot shall conform to the regulations of the district in which such lot is located. Yard requirement variances may be obtained through approval of the zoning board of appeals.

Family day care homes are allowed in every residential district, as well as group day care homes as long as they are located in a single-family home on a lot with a minimum area of 7,500 square feet. Child care centers are allowed as a conditional use in all residential districts. Rooming/boarding houses are permitted in the R-3 and R-4 districts. Institutions for children and the aged, sanitariums and other institutions for human care are permitted as a conditional use in the R-4 district. College dormitories and fraternity/sorority houses are permitted in the R-4 district. Resource centers are also allowed as a conditional use in all residential districts.

Licensed group homes are allowed as a single-family use in all residential districts as provided by state law. Unlicensed group homes are also allowed in all residential districts; however, the size of an unlicensed group home is regulated by the definition of a functional equivalent of a family. The size of such a household is limited to six (6) people or less.

(excerpted from October 21, 2009 memo from Region 2 Planning Commission's Principal Planner)

History of Fair Housing in the City of Jackson

Ordinances

The City of Jackson's Fair Housing Ordinance is outlined in Chapter 14, Article IV, Sections 14-131 through 14-140, City of Jackson Code of Ordinances, and prohibits discrimination in the sale, lease or rental of real property, discrimination in lending, and discrimination by a real estate broker or employee because of an individual's religion, race, color, national origin, age, sex, marital status, handicap or source of income. The City's Fair Housing Ordinance also declares it unlawful to publish, circulate, issue, or display any communication relating to the sale, rental or lease of real property indicating exclusion of or preference for any person or group of persons based on the factors listed above, nor to knowingly or intentionally present a false or substantially misleading statement to authorities charged with enforcement of the ordinance.

Section 14-138 of the Fair Housing Ordinance provides for the following exclusions:

- 1) Rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or lessor or a member of his family resides in one (1) of the housing accommodations.
- 2) Rental of a room in a single-family dwelling by the owner or lessor if he or a member of his family resides therein.
- 3) Rental of a housing accommodation for a period of time not to exceed twelve (12) months by the owner or lessor where it was occupied and maintained as his home for at least three (3) months immediately prior to occupancy by the tenant and is temporarily vacated by being maintained as a legal residence.
- 4) Restriction by a religious organization or institution of facilities for housing or accommodation to persons of the denomination involved.
- 5) Limitation of occupancy in a federally funded housing project or to the provision of federally funded public accommodations, assistance, or services to persons of low income, over fifty (50) years of age, or who are handicapped.
- 6) Limitation by an educational institution of the use of its facilities to those affiliated with such institution.
- 7) Practice by the owner of an owner-occupied one- or two-family dwelling, housing accommodations, or public accommodation devoted entirely to the housing and accommodation of individuals of one (1) sex, to restrict occupancy and use of the facility on the basis of an individual's sex.

Fair Housing Actions

From 1988 to 2004 the City allocated nearly \$400,000 in CDBG funds to the operation of the Jackson County Fair Housing Center (JCFHC). From 1988 to 2003, the JCFHC conducted fair housing testing, enforcement activities and counseling. In 2003, JCFHC changed its name to the Fair Housing Alliance of Mid-Michigan in an attempt to diversify its funding sources and provide services outside of Jackson County. Unfortunately, the only funding the Fair Housing Alliance was able to obtain during the 2004-2005 fiscal year was \$20,000 in CDBG funds from the City. As this was not enough to conduct fair housing services, the Fair Housing Alliance had to close its doors and relinquish the 2004-2005 CDBG allocation.

After the Fair Housing Alliance disbanded, the City contracted with an alternate fair housing provider, Community Action Agency (CAA), which received \$41,027 in 2005-2006 CDBG funds to further the City's fair housing commitment. CAA provided education, testing and administrative services. CAA was again allocated CDBG funds during 2006-2007 to conduct fair housing activities, however, City Council has not provided fair housing funding since that time from its CDBG Public Services cap. CAA was able to obtain fair housing funds directly from HUD for education and counseling components in 2008, but did not receive funding in 2009-2010 from any sources to continue its program.

The Fair Housing Center of Southeastern Michigan (FHC) received a Fair Housing Initiative Program grant in December 2008 allowing it to provide fair housing enforcement activities in several counties, including Jackson. The FHC will provide undercover testing, investigation, advocacy, advice, education, and attorney referral. Because services to Jackson County are new, very little activity is available to report on. However, between July 1, 2004 and June 30, 2009, when the City did not have a Fair Housing Center advocating for its residents, FHC received 16 complaints and processed seven cases from Jackson County (information was not kept whether complaints and cases occurred inside or outside the City). The complaints received were for the following:



Basis of Complaint	# Received	% of Total Cases
Race	6	38%
Physical Disability	5	31%
Mental/Emotional Disability	5	31%
Familial Status	3	19%
Age	1	6%
Sex	1	6%
Marital Status	1	6%
National Origin	1	6%

Of the cases processed, one case (physical disability) was settled for an undisclosed amount, two cases (marital status and physical/mental disability) were sent to cooperating attorneys, and several cases were still under investigation as of September 1, 2009.

Recommendations

The City of Jackson is required to annually certify it will “affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.” The Analysis of Impediments should have been updated in 2005 when the current Five-Year Consolidated Plan was approved by both City Council and HUD. Due to staff and administration turnover in the Community Development Department during 2004 and 2005, this requirement was not fulfilled and no analysis has occurred since 2000-2001. During the past nine years, the City lost its only Fair Housing Center and, while Community Action Agency received CDBG funding to conduct fair housing education and training, there has not been a device in place to receive and investigate housing discrimination complaints since 2003. While the Fair Housing Center of Southeastern Michigan received a federal grant in December 2008 to expand its services to surrounding counties, including Jackson, it will not specifically target the City. FHC has applied for \$20,000 in CDBG funds under the Public Services cap for Program Year 2010-2011 to reinstitute housing discrimination complaint investigation and potential prosecution. It is recommended City Council allocate all or a portion of their request to this activity. Doing so will provide a much-needed service to City residents that has been lacking for over six years and will also allow City Council and staff to receive reports and analyses specific to the City of Jackson.

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

Housing and Code Enforcement

All Census tracts in the City of Jackson record a significant number of aging housing stock, ranging from 70.6% (CT 6) to 96.8% (CT 9) of housing units being built before 1970. The highest concentration of the oldest housing occurs in CT 7, which records 70.4% having been built before 1940. Over 75% of CT 8 is comprised of owner-occupied housing, with the City's highest rental areas being CT 6 (96.7%), CT 11 (71.5%), CT 10 (64.6%) and CT 7 (63.6%). As demonstrated above, these higher rental percentages are in areas of highest minority and lowest income residents.

The City's Community Development Department employs four inspectors to conduct code enforcement activities related to its systematic rental housing inspections and blight ordinance enforcement. Ordinance enforcement activities to beautify neighborhoods include citing residents and businesses with excessive garbage, inoperable or unlicensed motor vehicles, and dead or fallen trees. Reviewing blight ordinance citations written during 2009, a significant number of violations were noted in the area immediately south of the central downtown area, with other lower-income, higher-rental areas also experiencing above average citations. The western side (the areas of highest home ownership) as well as the industrial section in the southeast corner of the City experienced very low numbers of violations being cited. Those properties not voluntarily complying with the citations written were ordered to appear at the City's Administrative Hearings Bureau (AHB). A total of 140 civil infraction AHB summons were initiated for non-compliance with blight enforcement between December 2008 and December 2009. Final resolution of citations was achieved through eventual compliance or with the homeowner being defaulted. Further, the Administrative Hearings Officer assessed fines and costs in most instances as penalty for not bringing the code violations into compliance voluntarily.

In addition to its blight enforcement activities, the City also performs a systematic housing code inspection process. Owner occupied housing receives an exterior-only inspection while rental units are subject to interior and exterior inspections to ensure the housing meets local code. If code compliance is not achieved within 90 days of the initial inspection and the property owner is making progress but needs additional time, they have an opportunity to appeal to the Building Code Board of Examiners and Appeals (BCBA) for an extension of time to complete repairs. Among other mitigating factors, should the property owner choose not to present their case before the BCBA, or if hazardous conditions remain, such as smoke detectors not being installed by the first reinspection, a Violation and Notice of Hearing is issued mandating the property owner appear at the AHB. The areas receiving the most concentrated efforts during 2009 were CDBG Area 4 (located in CT 7) and CDBG Area 34 (located in CT 10). During 2009, a total of 1,171 inspections were initiated on housing units.

As it can take a number of years before a certain area reaches the top of the rotation cycle, a tenant-based complaint system also exists. Many times tenants are reluctant to utilize this tool for fear of retaliation by the landlord in the form of eviction, or possible homelessness should the inspection conducted based their complaint verify the existence of living conditions that pose a serious risk to the health or safety of the tenant.

Affordable Housing Units

While one of the identified impediments to Fair Housing Choice is an insufficient number of affordable units, the City is still blessed with several options. Ten separate apartment complexes exist, providing 1,074 units requiring income qualification to inhabit.

The Jackson Housing Commission (JHC) is the City's Public Housing Authority (PHA). The JHC manages 543 units of public housing in seven developments and a Section 8 program of 475 participants. After assessing the housing needs of the City and surrounding Jackson County area, JHC has determined that it currently meets, and will continue to meet, the housing needs of the community to the extent practical for a medium-sized agency. The JHC is updating and rewriting its Admissions and Continued Occupancy Plan, Dwelling Lease, and Grievance procedures to comply with all Quality Housing and Work Responsibility Act (QHWRA) of 1998, and regulatory revisions since including, but not limited to, the Violence Against Women Act and Asset Management provisions. The JHC has established a minimum rent of \$25 and has conducted market rate surveys to establish reasonable flat rents.

The JHC operates the following complexes:

Shahan-Blackstone North Apartments – a 108-unit facility constructed in 1980 and 1982, located in the north-central section of the City (CT 2).

Reed Manor – the first 23 units of this complex was constructed in approximately 1956. An additional 146 units were added in 1970 and another 126 units in 1971. Reed Manor is able to accommodate the special needs of the elderly and disabled and is located in the northwest section of CT 6.

Chalet Terrace – located in the southeast portion of CT 11, this 100-unit public housing complex was constructed in 1965.

There is no pattern of concentration of tenants by race or ethnicity in the complexes; however, policy is in place which permits transfer to another complex to de-concentrate should the need arise. The JHC also allows an applicant to reject a unit twice before they are placed at the bottom of the waiting list. Section 8 vouchers are portable anywhere in the continental United States and federal territories after the first year of occupancy, or during the first year with the landlord/owner's permission. The JHC also absorbs voucher holders from other jurisdictions as soon as possible and assist in locating available units from participating landlords.

In addition to these apartment complexes, several scattered site homes are also available as housing options for low-income residents. The JHC also manages a HUD-approved Home Ownership Plan, which has sold 10 scattered site units to qualifying low- and moderate-income homebuyers. The remaining 40 scattered site units will be receiving updates and improvements from the \$889,894 made available to JHC under the Public Housing Capital Fund (Entitlement) program from the American Recovery and Reinvestment Act of 2009. Proceeds from sales will be used to further support housing purposes to include, but not be limited to, development of low-income housing. All JHC scattered site housing is located in CT 10 and was newly constructed in 1991. King Community Homes has approximately 65 scattered site residences in CT 11.

Two of the City's newest low-income housing complexes are within a mile of each other. In late 2007/early 2008, 310 S Mechanic Lofts opened (CT 6), providing 18 units of low-income housing in a historic 1889 brick building, converting a former bar/restaurant/banquet facility into a housing resource. The lofts offer a unique blending of old and new – interior exposed brick walls, bamboo hardwood floors, open floor plans, large windows and secured underground parking. The site is conveniently located near the heart of downtown and is within easy walking distance of the YMCA, coffee houses, restaurants, shopping, public library, schools, churches, and art/entertainment venues. (<http://www.mechaniclofts.com>)

The Armory Arts Village (CT 2), which opened in January 2008, is a creativity-focused urban redevelopment project which offers 62 units of permanently affordable live/work space for a wide variety of “creative artists” in the dramatic 19th century Jackson State Prison. The open floor plan allows tenants to tailor their live/work space to meet their individual needs. In addition to apartment units, the facility boasts specialized shared workspace and equipment, a two-story industrial art production space, ceramics/sculpture studio, three generic classroom/workrooms, gallery and exhibit area, and a multi-use performance/special events space. The initial phase is a re-use of three stone and brick prison buildings; the second phase, which is currently in development, plans to offer senior housing. (www.armoryartsvillage.com/about)

Other HUD Housing Subsidy programs located in the City of Jackson include:

Blair Park Apartments – provides 100 units in CT 3.

Elaine Apartments – a 33-unit, nine story apartment complex catering to elderly and/or disabled residents in CT 6.

Otsego Apartments – a 76-unit subsidized facility for seniors and disabled residents, located in CT 6.

Peterson Apartments – located in the northernmost area of CT 10, this complex offers 30 units catering to elderly and/or disabled tenants.

Southridge Park – offers 120 affordable housing units in CT 11.

Woodland Hills – provides 126 units in CT 3.

Partnership Park

The Partnership Park area is situated just south of downtown and was initially populated largely with persons of German descent. Over time as people moved out, the neighborhood started to deteriorate and eroded to a 90% rental neighborhood.

In the early 1990s, the consequences of being a high rental district started to show. Houses were dilapidated, crime was high, and the streets were becoming unsafe. In 1994, drug traffic was so prevalent the City dropped planters in street intersections to prevent drug dealers from having through routes. Many residents who were not criminally inclined and institutions trying to conduct their missions became frustrated with this solution and, as a result, neighbors began getting together to police the neighborhood and come up with strategies to get the planters removed.

Leading residents began to confront drug dealers and users in direct conversations. They began liaisons with officers and began reporting crime in their area through neighborhood watches. In turn, officers began investing time and effort in the area with hopes of stabilizing the neighborhood and reducing calls to the dispatcher. Soon, residents and a community liaison officer contacted the property owners of a vacant lot that was becoming overgrown and a dumping ground. The thought was to turn the blighted property into a park for the area and the property owners agreed. Residents sought donations for the park, which they received, conducted a clean up day, and the park was born. A contest was held to name of the park and the winning name of "Partnership Park" came from a neighborhood child.

In 2002, two separate, informal neighborhood groups came together and began meeting more formally. Meanwhile, Community Action Agency (CAA) had started seeking funding to stabilize the area, which they received in the form of a Neighborhood Preservation grant. The grant allowed CAA to launch a process of gathering neighborhood input about what was needed and desired in the neighborhood. In 2003, the neighborhood group formalized itself into a 501(c)(3) non-profit organization called The Partnership Park Downtown Neighborhood Association (PPDNA). The board was a combination of founding churches, area businesses, interested community groups, local government, police, and residents – a practice that has been very effective for reshaping the neighborhood.

(history excerpted from www.parntershippark.org)

Since 2003, PPDNA, in collaboration with CAA, private investors, and State and local government, has leveraged funding to rehabilitate existing structures and construct 16 new homes; opened the Barham Center, a neighborhood resource center; established an after school program for area youths; expanded a community gardens program; and conducted charitable giving and neighborhood awareness events.



CAA led the construction of the new 16 homes in the Partnership Park neighborhood in collaboration with the Sterling Group. The homes are all 3-bedroom, single family homes and were financed utilizing equity from the Low-Income Housing Tax Credit program administered by the Michigan State Housing Development Authority (MSHDA), with additional funding from local banks. The City approved a Payment In Lieu of Taxes (PILOT) tax abatement for a minimum of 15 years (no more than 20 years) or until the homes are sold to residents. The homes are being managed by Sterling Management, Ltd. for at least 15 years and are being leased to area families whose income is up to 60% of the Jackson County area medium income. The ultimate goal is for the resident occupying the home to have the opportunity of purchasing it and securing a mortgage after 15 years of renting. At the time the resident purchases the home, the PILOT expires and the resident will pay fully assessed property taxes.

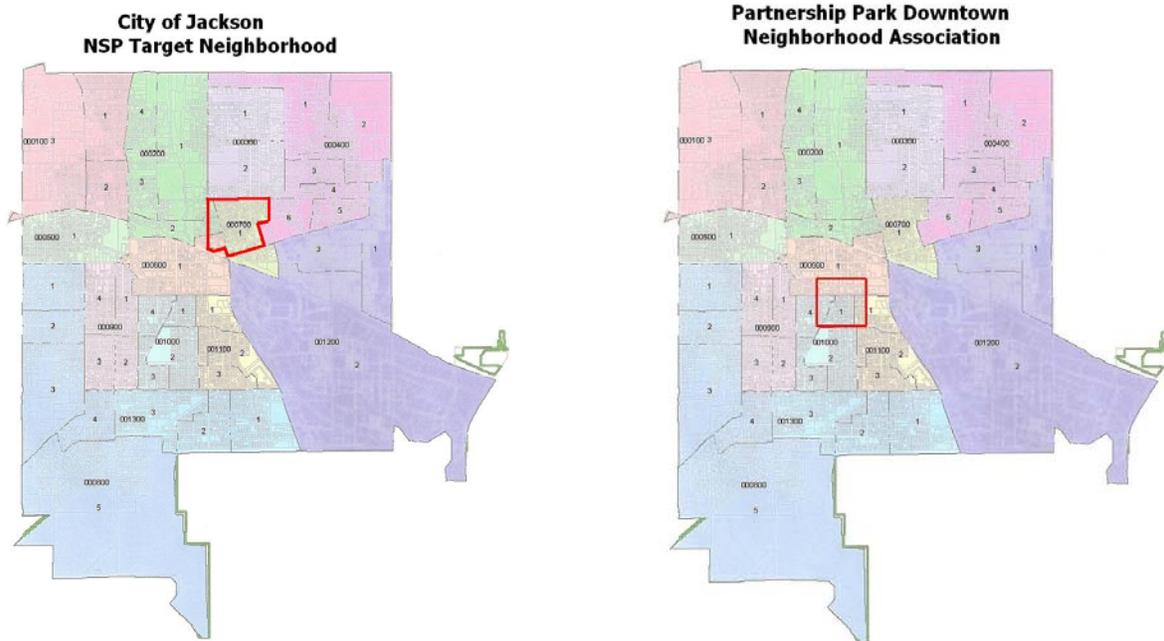
Future revitalization plans include development of 18 units of housing for low- to moderate-income renters in the Partnership Park Neighborhood. The total project includes six townhouses and a mixed-use development with a commercial component. CAA is currently seeking funding for this \$2 million project from various sources, including the City's HOME funds, MSHDA HOME funds, Michigan Business Tax Credit, Jackson Brownfield Redevelopment Authority, Federal Home Loan Bank, and Low Income Housing Tax Credits.

Recommendations to Affirmatively Further Fair Housing

Currently, the Community Development Department includes a HUD Fair Housing logo on its letterhead and on many forms. In addition, the City has posted HUD forms 928.1 and 928.1A in both the entrance to City Hall and in the lobby of the Community Development Department. When landlords bring their rental units into conformity with the City's Housing Maintenance Code through the systematic inspection process, a certificate of compliance is issued in each instance. In order to remind landlords of their Fair Housing obligations, it is recommended the City add the following statement to the certificates upon issuance:

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

In 2009, the City received \$1.7 million in Neighborhood Stabilization Program (NSP) funds from MSHDA and determined its target neighborhood as CT 7. In addition to supporting continuing efforts to revitalize the Partnership Park neighborhood, City Council should continue to support efforts to improve the NSP target neighborhood even after those particular grant funds are fully expended. Concentration of infrastructure improvements, increased code enforcement, demolition of severely blighted structures, marketing the City's rehabilitation program, and providing grants to appropriate local partners targeting this particular area should take high priority when considering CDBG and HOME allocations.



Transportation

Public Transportation

Every metropolitan area with a population greater than 50,000 is required to have a Metropolitan Planning Organization (MPO) to provide a forum for transportation decision-making and coordinated approach to transportation improvements. MPOs, in cooperation with state and local transportation operators and interests, are responsible for developing a 20-year long range transportation plan (LRTP) and periodic development of a 4-year programming document for implementing projects called the Transportation Improvement Plan (TIP). The Region 2 Planning Commission (R2PC) serves as the MPO for the Jackson Metropolitan Area and the committees which comprise the Jackson Area Comprehensive Transportation Study (JACTS) serve as advisory bodies to the R2PC. JACTS also works with the US Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and the Michigan Department of Transportation (MDOT) to ensure local compliance with federal and state transportation regulations. (<http://www.region2planning.com/website/Committees>)

In January 2009, a group of Jackson community leaders committed to meeting monthly (now quarterly) to discuss the history, current status and future of public transportation in Jackson County. This group consisted of individuals from a wide range of backgrounds, including representatives of township, city and state government, health, education, economic development and nonprofit/disability entities.

Public transportation is a vital and needed service for all citizens of Jackson County who choose to use public transportation or cannot afford or to own, maintain, or operate their own vehicle. The availability of public transportation drastically affects the quality of life of individuals who rely on it to connect them with the community. Use of public transit is growing at this critical time in our Nation's history when the economy is changing the way we prioritize and budget ways to get around.

The Jackson County Transit Study Group began by discussing how transportation is funded and authorized, creating a forum for a conversation about Jackson County. Included was a review of the "big picture" of public transportation in Michigan and the way other states who have built transit infrastructure helped their communities grow and develop economically. The history of public transit in Jackson was considered, along with the recent discussions and resulting decisions that have led to the current system. The needs of the rural and urban communities in Jackson County were discussed, including creative ways to collaborate across transit systems and the development of ideas to meet the needs of the community as a whole.

The Jackson Transportation Authority (JTA) is organized under Act 196 and is an independent public transportation governmental authority. As such, JTA has jurisdictional limits consisting of the City of Jackson boundaries. Any services provided outside the city limits must be provided pursuant to an actual cost basis contract. JTA has been providing fixed route (bus routes throughout the City of Jackson) and Reserve-a-Ride (door-to-door service throughout the City and County) transportation for many years.

In 2004, a Transportation Summit was held with over 200 community participants to discuss all forms of transportation and the impact it has on the community. Conclusions of the Transportation Summit participants included:

- Public transportation should be available “24/7” to all Jackson County residents;
- Transportation is a core part of a community’s infrastructure, just like schools, roads, police protection, and sewers;
- Good public transportation is essential to our economy;
- Every person riding public transportation is going somewhere to spend money or to make money;
- People who cannot drive need access to public transportation in order to fully participate in their community;
- Transportation is essential for people to live independent lives. It is needed for employment, medical care, recreation, social activities, education, volunteerism, and faith-based participation;
- Without public transportation, many people are forced to live very lonely, isolated lives;
- The public transportation system is drastically under-funded and will need additional dollars to maintain the current system that isn’t even meeting all of the community’s transportation needs.

In January 2007, JTA and community advocates began discussions with the Jackson County Board of Commissioners about a millage to support the costs of Reserve-a-Ride services outside the Jackson city limits. Unfortunately, no millage was presented to the county community for a vote, so in September 2007 it became necessary to cut 75% of the hours of the Reserve-a-Ride service, eliminating service completely on Tuesdays and Thursdays, and severely limiting Monday/Wednesday/Friday availability.

The final recommendations of the 2009 Jackson County Transit Study Group were:

- 1) JTA should continue and expand discussions with urban townships in Jackson County and other entities for the purpose of the creation of a regional authority that has legal jurisdiction with the City, townships, and other entities wanting to participate.
- 2) The continuation and expansion of conversations with interested entities about services that could be shared to reduce overall transit-related costs, such as purchasing fuel, maintenance of vehicles, purchasing equipment, etc.
- 3) Educate other entities within the community to begin the process of understanding the issue and making informed decisions regarding public transportation to address the community’s needs.
- 4) Continuation and expansion of transportation partnerships, such as discussions with local school districts, to identify ways to collaborate and utilize existing public vehicles and systems in an efficient manner.
- 5) Continuation of pilot projects, such as the Blackman Township O’Neil Drive six-month pilot.
- 6) Utilization of an ad hoc advocacy group to help monitor the horizon for opportunities for public transportation at the state and local levels.

- 7) Exploration of linkage to other modes of transportation and communities to provide passenger access to as wide an area as possible. Examples include continuing the commitment of maintaining bike racks on buses, continuing the Greyhound connection, and adding access to Michigan Flyer and Amtrak to connect to other parts of the state and beyond.

A review of the current Jackson County public and private transportation choices for the community include:

Public

JTA:

- City bus fixed routes: Monday through Friday, 6:15 a.m. to 6:15 p.m.; Saturday 10:15 a.m. to 6:15 p.m.
- City Reserve-a-Ride schedule: Monday through Friday 6:00 a.m. to 10:00 p.m.; Saturday 10:00 a.m. to 10:00 p.m.; Sunday 7:00 a.m. to 4:00 p.m.
- County Reserve-a-Ride schedule: Monday, Wednesday and Friday between 6:00 a.m. to 6:00 p.m., on a space available basis.
- Job Access Reverse Commute (JARC): Grant funded; provides assistance to people with disabilities and people of very low income to get to and from work if they are unable to ride the fixed bus routes.
- New Freedoms Initiative: Grant funded; began in May 2008 to fill gaps in Reserve-a-Ride in the evenings and weekends, specifically for persons with disabilities.
- Contracts with Jackson Community College, Center for Family Health, Forrest Park, and Blackman Township to provide additional support for certain customers of transit.

Jackson County Intermediate School District and Jackson Public Schools

Provide daily transportation of students to and from school, Monday through Friday, September through June.

Private

Local Cab Companies

Average fees are \$1.25 meter drop, \$2.40 per mile, and \$.40 per minute to wait.

Nonprofit Support

- ❖ American Cancer Society – transportation for cancer patients utilizing volunteers.
- ❖ Department of Human Services – medical transportation for medical appointments if no other options are available and with prior doctor's letter and prior approval.
- ❖ Catholic Charities – transportation for seniors and veterans utilizing volunteers.
- ❖ Center for Family Health – limited to their clients, occasional transit related to health appointments.

Other Transit Providers:

Amtrak
Michigan Flyer
Greyhound

(above information excerpted from Report: Jackson County Transportation Study Group 2009)

In late 2008, JTA obtained seven new buses with \$2.5 million in state and federal dollars, replacing some of the current buses which had been purchased in 1997 and had 500,000 miles on them. Features of the new JTA buses include:

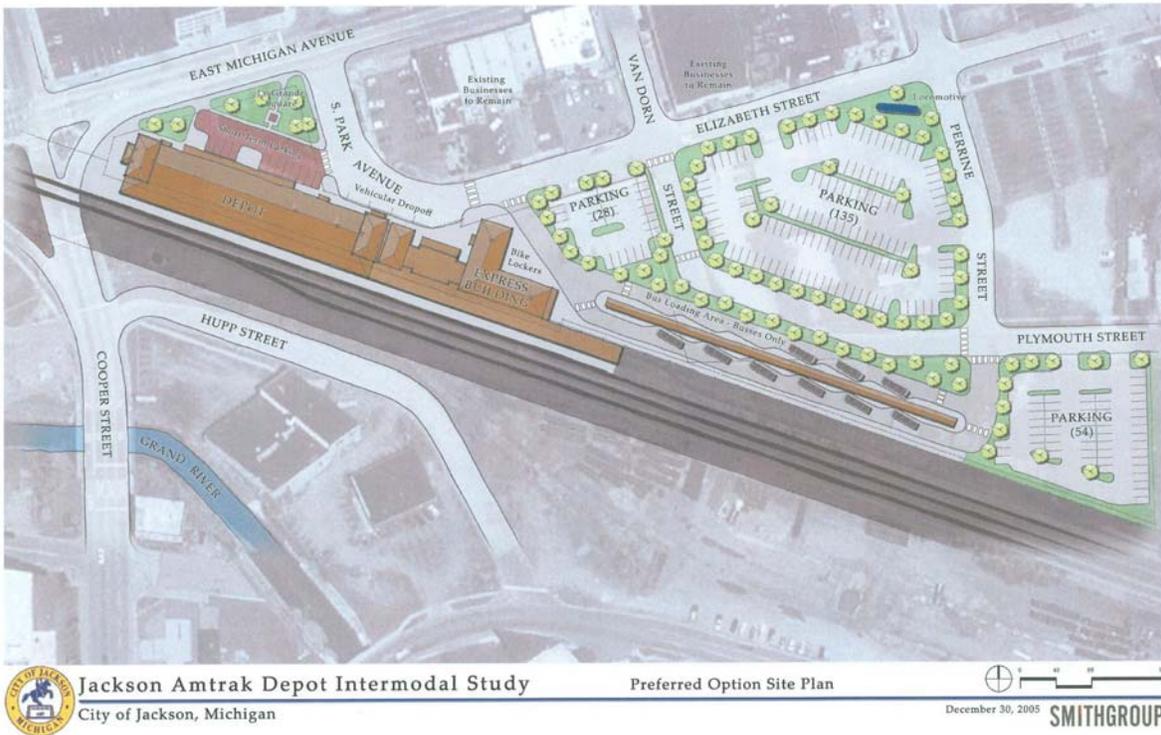
- Lower to the ground;
- Bright colors;
- Security cameras;
- Step-up aisles and seating in the rear;
- Cushioned seats with colorful designs;
- More standing room;
- Kneelers in the front and back;
- Computer-generated voices announcing upcoming stops;
- More advertising space;
- Magnetic push-strip bell to request a stop;
- A ramp instead of a lift;
- More fuel-efficient and environmentally friendly;
- Storage area in front for riders' personal items.

JTA is also developing plans to install several new bus shelters at Armory Arts Village, utilizing artists in the design and fabrication, Reed Manor housing complex, Jackson County Health Department, Hunt Club, Woodland Hills apartment complex, Kroger on Argyle Street, and United Way of Jackson County. These areas were selected based on increases in riders to these locations.

Intermodal Transportation Hub

Since 2005, the City has worked in conjunction with other agencies, such as Region 2 Planning Commission, to implement an intermodal transportation hub focused at the historic Amtrak Depot just east of the immediate downtown area. Phases I, II and III of a feasibility study have been conducted and grant funds have started to be received for the project. In 2007, the Michigan Department of Transportation (MDOT) provided a \$300,000 grant to pay for roofing, brickwork and other repairs needed to stabilize the depot and the nearby Express Building. Another \$938,000 was received through the American Recovery and Reinvestment Act of 2009 to repair problems with the foundation, gutters, masonry work, and sewer and electrical upgrades. Eventually, plans are to develop the train depot to incorporate a transfer center for the Jackson Transit Authority, Michigan Flyer (bus transportation to and from Detroit Metro Airport), Greyhound, and add space for taxis to park and wait for customers.

The cost needed to make the station an intermodal transportation hub is estimated at between \$14 million and \$15 million. MDOT has provided an additional \$60,000 grant to the City to review the three reports from the feasibility study to refine a reasonable cost estimate and create a timeframe for construction. It is hoped these improvements and future plans will enhance the City's chances of becoming a stop on a high-speed rail line between Detroit and Chicago.



Non-Motorized Transportation

To promote safe, non-motorized transportation, the Walkable Communities Commission (WCC) has been working with City Engineering to advocate adding bike lanes, when feasible, to local streets being reconstructed. Utilizing an abandoned railbed, the WCC has been pivotal in development of the Falling Waters Trail, which opened in 2007 linking Concord to Jackson, and the Intercity Trail. Further development is ensuing to link this trail system from South Haven on the west side of Michigan to Port Huron on the east side of Michigan. Consultation has been ongoing between the WCC and the City's Parks & Recreation and other departments to link the Falling Waters Trail with the Intercity Trail. From there, another link will be achieved to bring together the Intercity Trail on the south side of the City to the soon-to-be-constructed Grand River ArtsWalk which will start in downtown Jackson, go through the Armory Arts Village, and meander along the Grand River north to Monroe Street.



The WCC is also conducting audits of areas surrounding local schools under the Safe Route to School program, identifying obstacles to safe walking, such as missing sidewalks, no signals at

busier intersections, abandoned housing, loose dogs, poor lighting, etc. Audits of four schools have been completed and a fifth is currently underway.

Recommendations

The City participates through various staff representations on JACTS and the Jackson County Transportation Study Group. Continued involvement with these committees is highly encouraged to provide needed input on improving public transportation options not only for the City, but countywide to afford the City's residents full access to the community for employment, medical care, recreation, social activities, education, volunteerism, and faith-based participation purposes.

After years of no representation from the City of Jackson on the JTA Board of Directors, the Mayor appointed three city representatives to the JTA Board in 2007. As with the committee and study group listed above, the City should continue to re-appoint representatives to the JTA Board as needed. It is imperative for the City to provide its citizens with a voice on the community's needs.

Lending Practices

Informational reports from the 2008 Home Mortgage Disclosure Act (HMDA) were downloaded, reviewed and analyzed for this report. It should be noted a significant majority of loans were originated by white City residents with African-Americans generally the second highest. Because all other races were represented by a nominal number of loans overall, this analysis concentrated on the black and white community. Even though the Hispanic/Latino community makes up only 4% of the overall citizenry in the City of Jackson, some results are noteworthy and will be addressed below. An analysis was also completed based on gender – those loans applied for by females only, males only, and male/female joint applications. The loan types addressed below will be limited to FHA, FSA/RHS and VA Home-Purchase Loans; Conventional Home-Purchase Loans; Refinance Loans; and Home Improvement Loans. Information was minimal for Loans on Dwellings for 5 or More Families and Loans on Manufactured Home Dwellings, especially as it relates to the City. The analysis below also only concentrates on Applications Received, Loans Originated, and Applications Denied as they are lender-made decisions; the other categories of Applications Approved but Not Accepted, Applications Withdrawn, and Files Closed for Incompleteness were not taken into consideration as they are applicant-made decisions.

Census Tracts

HMDA Aggregate Table 1: Disposition of Loan Applications, by Location of Property and Type of Loan allowed for the delineation of City-specific information (Census tracts 1 through 13) from County-wide information (Census tracts 1 through 13, plus 50 through 68.02).

Loans Originated - Number				
CT	FHA	Conventional	Refinance	Home Improvement
1	14	10	27	7
2	3	2	14	4
3	13	9	26	6
4	21	9	33	10
5	10	7	16	2
6	0	4	3	1
7	5	0	2	2
8	18	18	57	14
9	21	13	29	5
10	3	3	14	4
11	1	4	4	1
12	9	9	24	4
13	3	10	22	13
Total:	121	98	271	73

Loans Originated - Amount				
CT	FHA	Conventional	Refinance	Home Improvement
1	\$1,028,000	\$692,000	\$1,895,000	\$58,000
2	\$184,000	\$92,000	\$868,000	\$120,000
3	\$962,000	\$416,000	\$1,845,000	\$80,000
4	\$1,422,000	\$1,324,000	\$2,367,000	\$188,000
5	\$736,000	\$330,000	\$1,141,000	\$29,000
6	-0-	\$274,000	\$444,000	\$79,000
7	\$298,000	-0-	\$144,000	\$11,000
8	\$1,890,000	\$1,668,000	\$5,534,000	\$312,000
9	\$1,428,000	\$674,000	\$2,089,000	\$73,000
10	\$128,000	\$103,000	\$624,000	\$82,000
11	\$24,000	\$275,000	\$275,000	\$25,000
12	\$493,000	\$385,000	\$1,692,000	\$66,000
13	\$133,000	\$499,000	\$1,531,000	\$276,000
Total:	\$8,726,000	\$6,732,000	\$20,449,000	\$1,399,000

Applications Denied - Number				
CT	FHA	Conventional	Refinance	Home Improvement
1	1	4	31	8
2	2	2	17	11
3	3	7	31	6
4	3	7	47	12
5	0	0	15	2
6	2	3	1	2
7	1	2	2	0
8	3	3	30	11
9	4	3	35	6
10	0	1	20	9
11	0	7	9	5
12	2	7	22	16
13	1	3	31	18
Total:	22	49	291	106

Applications Denied - Amount				
CT	FHA	Conventional	Refinance	Home Improvement
1	\$59,000	\$130,000	\$2,463,000	\$231,000
2	\$149,000	\$114,000	\$1,264,000	\$126,000
3	\$167,000	\$465,000	\$2,925,000	\$148,000
4	\$218,000	\$293,000	\$3,712,000	\$431,000
5	-0-	-0-	\$1,764,000	\$61,000
6	\$206,000	\$321,000	\$182,000	\$59,000
7	\$89,000	\$112,000	\$30,000	-0-
8	\$283,000	\$306,000	\$3,844,000	\$345,000

Applications Denied - Amount				
CT	FHA	Conventional	Refinance	Home Improvement
9	\$292,000	\$68,000	\$3,224,000	\$314,000
10	-0-	\$12,000	\$1,374,000	\$338,000
11	-0-	\$469,000	\$808,000	\$153,000
12	\$98,000	\$234,000	\$1,571,000	\$342,000
13	\$63,000	\$65,000	\$2,651,000	\$615,000
Total:	\$1,624,000	\$2,589,000	\$25,812,000	\$3,163,000

FHA, FSA/RHS & VA Home-Purchase Loans

County-wide, a total of 783 applications for FHA loans were received. Of the applications received, 545 loans were originated for a total value of \$53,240,000. City residents made up 22% of the loans originated, but those loans only amounted to 16.4% of the total value. Out of the 133 applications that were denied in Jackson County, 16.5% were denied within the City which amounted to only 12.3% of the total denied value.

	Apps Rec'd	# Loans	Value	# Denied	Value
Female	223	157	\$13,235,000	39	\$3,691,000
Male	301	210	\$20,166,000	49	\$4,857,000
Joint	259	178	\$19,840,000	43	\$4,490,000
White	723	507	\$49,720,000	116	\$11,428,000
Black	35	20	\$1,528,000	11	\$1,245,000
White Female	201	142	\$12,025,000	34	\$3,153,000
Black Female	13	8	\$446,000	4	\$403,000
White Male	278	196	\$18,999,000	43	\$4,327,000
Black Male	14	8	\$647,000	5	\$481,000
White Joint	244	169	\$18,696,000	39	\$3,948,000
Black Joint	8	4	\$435,000	2	\$361,000
Hispanic	22	15	\$1,123,000	5	\$475,000
Non-Hispanic	734	512	\$50,212,000	119	\$11,505,000

County-wide, 28.5% of applications were received from women only, 38.4% by men only, and 33.1% by filing jointly. Seventy percent of loans were granted for female-only applicants and 17.5% of applications were denied. Loans to male-only applicants were also approved 69.8% of the time with a 16.2% denial rate. Those applications made jointly were approved 68.7% and denied 16.6% of the time.

Racially, whites applied for 92.3% of the FHA loans, African-Americans made up 4.5% of all applicants, and the balance of was made up of other races or race was not reported. Loans were granted to white applicants 70.1% and denied 16% of the time. Those claiming a Hispanic/Latino ethnicity received loans 68.1% and were denied 22.7% of applications made. An apparent disparity exists among Black applicants with 31.4% of loans being denied and only

57.1% were granted. Comparatively, white men were granted FHA loans at a rate of 70.5%, white women 70.6% and joint applications made by whites 71.1%. However, African-Americans were FHA loan recipients only 52.6% for men, 61.5% for women and 50% when filed jointly. Denial of applications by race/gender are equally telling – 35.7% for black men and only 15.5% for white men; 30.8% for black women and only 16.9% for white women, and 25% for joint applications made by black couples compared to 16.0% made by white couples. When reviewing the reasons FHA loans were denied, debt-to-income ratio and credit history were cited most often.

Thirty-seven percent of applicants for FHA Home-Purchase loans were in the 50% to 79% Area Median Income (AMI) range. Loans were denied most often to those persons making less than 50% AMI and were granted most often for those persons at 100% to 119% AMI.

Conventional Home-Purchase Loans

County-wide, a total of 919 applications for conventional mortgages were received. Of the applications received, 597 loans were originated for a total value of \$64,260,000. City residents made up 16.4% of the loans originated, but those loans only amounted to 10.5% of the total value. Out of the 174 applications that were denied in Jackson County, 28.2% were denied within the City which amounted to over 19% of the total denied value.

	Apps Rec'd	# Loans	Value	# Denied	Value
Female	194	123	\$11,555,000	41	\$3,196,000
Male	342	200	\$19,409,000	84	\$6,440,000
Joint	383	274	\$33,296,000	49	\$4,905,000
White	857	567	\$61,047,000	154	\$12,155,000
Black	32	9	\$895,000	14	\$1,126,000
White Female	172	115	\$10,863,000	31	\$2,459,000
Black Female	15	4	\$207,000	8	\$627,000
White Male	317	188	\$18,420,000	77	\$5,935,000
Black Male	12	2	\$154,000	5	\$475,000
White Joint	368	264	\$31,764,000	46	\$4,761,000
Black Joint	5	3	\$534,000	1	\$24,000
Hispanic	16	5	\$423,000	9	\$652,000
Non-Hispanic	867	570	\$61,473,000	157	\$12,501,000

County-wide, 21.1% of applications were received from women only, 37.2% by men only, and 41.7% by filing jointly. Sixty-three percent of loans were granted for female-only applicants and 21.1% of applications were denied. Loans to male-only applicants were also approved 58.5% of the time with a 24.6% denial rate. Those applications made jointly were approved 71.5% and denied 12.8% of the time.

Racially, whites applied for 93.3% of the conventional home-purchase loans, African-Americans made up 3.5% of all applicants, and the balance of was made up of other races or race was not

reported. Loans were granted to white applicants 66.2% and denied 18% of the time. An apparent disparity exists among Black applicants with 43.8% of loans being denied and only 28.1% were granted, and those claiming a Hispanic/Latino ethnicity received loans 31.3% and were denied 56.3% of applications made. Comparatively, white men were granted conventional loans at a rate of 59.3%, white women 66.9% and joint applications made by whites 71.7%. However, African-Americans were conventional loan recipients only 16.7% for men, 26.7% for women and 60% when filed jointly. Denial of applications by race/gender are equally telling – 41.7% for black men and only 24.3% for white men; 53.3% for black women and only 18% for white women, and 20% for joint applications made by black couples compared to 12.5% made by white couples. When reviewing the reasons conventional loans were denied, debt-to-income ratio was cited most often, followed by lack of collateral and credit history.

Thirty-seven percent of applicants for Conventional Home-Purchase loans had incomes greater than 120% AMI and those loans were granted 71% of the time. Loans were denied most often to those persons making less than 50% AMI.

Refinancing Loans

By far, Jackson residents applied to refinance existing mortgage loans more than any other method. County-wide, a total of 4,308 applications to refinance mortgages were received. Of the applications received, 1,773 loans were originated for a total value of \$212,294,000. City residents made up 15.3% of the loans originated, but those loans only amounted to 9.6% of the total value. Out of the 1,441 applications that were denied in Jackson County, 20.1% were denied within the City which amounted to nearly 14% of the total denied value.

	Apps Rec'd	# Loans	Value	# Denied	Value
Female	920	360	\$37,167,000	334	\$36,799,000
Male	1,295	487	\$56,005,000	453	\$57,221,000
Joint	1,802	835	\$108,979,000	545	\$75,742,000
White	3,656	1,582	\$191,186,000	1,166	\$150,815,000
Black	131	38	\$2,979,000	70	\$6,903,000
White Female	822	330	\$33,718,000	288	\$31,730,000
Black Female	47	13	\$1,110,000	26	\$2,603,000
White Male	1,157	458	\$53,436,000	377	\$48,755,000
Black Male	57	16	\$1,273,000	33	\$3,182,000
White Joint	1,661	791	\$103,672,000	492	\$68,892,000
Black Joint	27	9	\$596,000	11	\$1,118,000
Hispanic	45	14	\$1,814,000	14	\$1,313,000
Non-Hispanic	3756	1,593	\$191,328,000	1,232	\$158,444,000

County-wide, 22.9% of applications were received from women only, 32.2% by men only, and 44.9% by filing jointly. Almost 40% of loans were granted for female-only applicants and 36.3% of applications were denied. Loans to male-only applicants were approved 37.6% of the

time with a 35% denial rate. Those applications made jointly were approved 46.3% and denied 30.2% of the time.

Racially, whites applied for 84.9% of the refinancing loans, African-Americans made up 3% of all applicants, and the balance of was made up of other races or race was not reported. Loans were granted to white applicants 43.3% and denied 31.6% of the time. An apparent disparity exists among Black applicants with 53.4% of loans being denied and only 29% were granted, and those claiming a Hispanic/Latino ethnicity received loans 31.1% and also were denied 31.1% of applications made. Comparatively, white men were granted refinancing loans at a rate of 39.6%, white women 40.1% and joint applications made by whites 47.6%. However, African-Americans were refinancing loan recipients only 28.1% for men, 27.7% for women and 33.3% when filed jointly. Denial of applications by race/gender are equally telling – 57.9% for black men and only 32.6% for white men; 55.3% for black women and only 35% for white women, and 40.7% for joint applications made by black couples compared to 29.6% made by white couples. When reviewing the reasons refinancing loans were denied, a lack of collateral overwhelmingly lead the list of denials, followed by credit history and debt-to-income ratio.

Twenty-two percent of applicants for refinancing loans were in the 50% to 79% AMI range. Loans were denied most often to those persons making 80% to 99% AMI and were granted most often for those persons whose incomes were greater than 120% AMI.

Home Improvement Loans

County-wide, a total of 910 applications for home improvement loans were received. Of the applications received, 352 loans were originated for a total value of \$11,914,000. City residents made up 19.6% of the loans originated, but those loans only amounted to 11.7% of the total value. Out of the 325 applications that were denied in Jackson County, 32.6% originated within the City which amounted to nearly 24% of the total denied value.

	Apps Rec'd	# Loans	Value	# Denied	Value
Female	208	75	\$1,675,000	89	\$2,689,000
Male	309	121	\$3,607,000	127	\$4,105,000
Joint	349	163	\$6,168,000	88	\$5,832,000
White	780	314	\$11,067,000	254	\$10,986,000
Black	57	20	\$314,000	29	\$817,000
White Female	182	66	\$1,544,000	76	\$2,274,000
Black Female	19	8	\$122,000	9	\$214,000
White Male	267	110	\$3,414,000	102	\$3,513,000
Black Male	26	8	\$138,000	13	\$243,000
White Joint	329	157	\$6,076,000	76	\$5,199,000
Black Joint	12	4	\$54,000	7	\$360,000
Hispanic	16	6	\$270,000	8	\$103,000
Non-Hispanic	813	344	\$10,829,000	271	\$11,584,000

County-wide, 24% of applications were received from women only, 35.7% by men only, and 40.3% by filing jointly. Thirty-six percent of loans were granted for female-only applicants and 42.8% of applications were denied. Loans to male-only applicants were approved 39.2% of the time with a 41.1% denial rate. Those applications made jointly were approved 46.7% and denied 25.2% of the time.

Racially, whites applied for 85.7% of the home improvement loans, African-Americans made up 6.3% of all applicants, and the balance of was made up of other races or race was not reported. Loans were granted to white applicants 40.3% and denied 32.6% of the time. An apparent disparity exists among Black applicants with 50.9% of loans being denied and only 35.1% were granted, and those claiming a Hispanic/Latino ethnicity received loans 39.7% and were denied 50% of applications made. Comparatively, white men were granted home improvement loans at a rate of 41.2%, white women 36.3% and joint applications made by whites 47.7%. African-Americans were home improvement loan recipients at rates of 30.8% for men, 42.1% for women and 50% when filed jointly. Denial of applications by race/gender are equally telling – 50% for black men and only 38.2% for white men; 47.4% for black women and 41.8% for white women, and 58.3% for joint applications made by black couples compared to 23.1% made by white couples. Credit history was cited most often across all races and gender as the reason home improvement loans were denied.

Twenty-eight percent of applicants for Home Improvement loans had incomes greater than 120% AMI and those loans were granted over 43% of the time. Loans were denied most often to those persons making less than 50% AMI.

Recommendations

While there is no proof discriminatory practices by lending institutions are being leveraged against protected classes, disparities do exist in the percentage of loans granted and denied when compared to white applicants. However, this may be more due in part to the significantly overall lower number of applications made by non-white residents, which may not provide an accurate depiction of the racial and ethnic classes. It is again recommended City Council allocate Community Development Block Grant public service dollars to the Fair Housing Center of Southeastern Michigan (FHC). This allocation will supplement the federal Fair Housing Initiative Program grant received by the FHC so it can concentrate efforts within the City of Jackson. The FHC would be able to investigate complaints of discrimination alleged against lending institutions and provide reports specific to the City's population.

In order to afford the City's low-income residents continued opportunities to improve their choice of housing and/or maintain their current home, City Council should maintain CDBG and HOME allocations to support programs designed specifically for housing. Such programs include homeownership counseling, foreclosure prevention, down payment assistance, rehabilitation of housing, and construction of new housing.

Summary of Recommendations

Alleviate Identified Impediments to Fair Housing Choice - opportunities to alleviate or eliminate the impediments identified on pages 2 and 3 of this Analysis should be given high consideration, whether it is by providing a specific service or supporting community partners who are better able to address the issues.

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

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

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

Neighborhood Revitalization – City Council is advised place high importance on continued efforts to improve the Neighborhood Stabilization Program (NSP) Target Neighborhood after NSP grant funds have been expended to provide additional enhancement to this distressed area of the City. Medium importance should be placed on continued financial support to the Partnership Park Downtown Neighborhood as significant investment and revitalization has already occurred.

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

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

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney



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CITY ATTORNEY

MEMORANDUM

February 2, 2010

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney

RE: District Court/Administrative Hearings Bureau (AHB) Annual Report

Attached are memorandums from Gilbert Carlson and Susan Murphy in reference to 2009 cases for District Court and Administrative Hearings Bureau, respectively.

The District Court report (Attachment 1) reveals that prosecutions increased by 334 cases (18.5 percent) for 2009. Mr. Carlson's report identifies the type of cases handled by our office. As Council is aware, we only prosecuted ordinance misdemeanor violations, which, for the most part, are subject to a maximum \$500.00 fine and/or ninety days in jail. As Council is also aware, in October of 2009 we reduced a full-time attorney position to part-time. Because of the reduction in hours, Mr. Carlson's time has been spent almost exclusively on District Court prosecutions.

Ms. Murphy's report (Attachment 2) identifies all AHB cases since the AHB inception in 2005. The 2009 caseload had a modest increase (11 files) over the 2008 level. As indicated in Ms. Murphy's memorandum, we continue to experience a large number of non-payments of fines and costs. Even though the data shows that less than one-third of the cases are not paying, that uncollected portion accounts for more than 60 percent of the fines and costs assessed during 2009.

We have been negotiating a Professional Services Contract with Judicial Services Group, Ltd. (Judicial Services), which is the company that does collection work for District Court. Under the terms of the proposed contract, we will pay Judicial Services \$35.00 plus mileage for each seizure order served on an AHB respondent. (We only pay if we are unable to collect on a judgment.) However, on cases where Judicial Services can seize property and auction assets to satisfy a judgment, all costs will be paid from either collections on judgments or proceeds of asset sale. We anticipate Judicial Services' average costs for a seizure/auction situation will be approximately \$111.00 plus mileage. However, the City will not be responsible for those costs. (The costs will be paid from the proceeds of the asset sale, and the costs are in addition to the judgment amount.) The contract with Judicial Services is a pilot program in an attempt to try to

collect outstanding AHB judgments, which, as can be seen from Ms. Murphy's memorandum, is a substantial amount of money.

Attachment 3 is a printout from the Finance Department showing District Court revenue (fines and costs) received in 2009. We received \$211,848.06, which is up slightly from 2008 (increase of approximately \$7,100.00). In addition, we also receive approximately \$10,000.00 a year for attorney fees and other costs associated with prosecuting a case. In 2009, we received \$8,579.34 (see Attachment 4).

I am in the process of exploring the possibility of trying to recover some of our legal expenses and costs from Community Development Block Grant (CDBG) money for code enforcement. I am informed by Ms. Murphy that approximately sixty percent of her time is spent on CDBG issues. The City Attorney's office can charge CDBG for legal services performed. If we are allowed to charge CDBG funds for our code enforcement activities, we will reduce the impact this office has on the general fund. Ms. Konieczki informs me there is approximately \$30,000.00 of CDBG code enforcement money available in the current fiscal year that could be used to pay for legal expenses. I will be submitting an application to Ms. Konieczki to request CDBG funding for next fiscal year. That request will eventually come before Council for approval. I would hope that Council will look favorably on such a request. Any monies we are able to charge against the CDBG will have a corresponding reduction on the general fund.

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

JG/cr

Enc.

cc: w/enc.

Christopher Lewis, Interim City Manager

City Attorney Staff

X:\Ddrive\COUNCIL RE COURT CASES

ATTACHMENT 1
OFFICE OF THE



Julius A. Giglio
City Attorney
Susan G. Murphy
Deputy City Attorney
Gilbert W. Carlson
Assistant City Attorney

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Jackson, MI 49201
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CITY ATTORNEY

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Gilbert W. Carlson, Assistant City Attorney *gwc*
DATE: February 1, 2010
SUBJECT: District Court Prosecutions

Please find attached information regarding criminal caseload activity for the City Attorney's Office for the period of January 1, 2009 through December 31, 2009.

Please note that this caseload activity report represents only cases in which the City Attorney received a notice from the 12th District Court to appear in court on a particular case. These are cases that originated either by a warrant granted by this office and/or by tickets issued by police officers.

The total number of cases listed in the caseload activity report for 2009 does not reflect all the cases in which this office was involved. One example is when we review a police report and authorize charges against a person. If that person pleads guilty at arraignment, there is no need for our additional involvement nor does the court send us a notice to appear on that case.

It is worth noting that the caseload activity numbers for 2009 reflect an increase of 334 cases over the 2008 numbers, an 18.5% increase in cases.

GWC/dn
Enc.

cc Chris Lewis, City Manager
Julius A. Giglio, City Attorney

City Attorney Caseload Activity Report

Report Year: 2009

Offense Category	Case Activity for Year
Abandoned Vehicle	2
Assault and Battery	39
Barking dog/Dog at large	7
Bicycle Violation	1
Curfew	14
Dangerous Weapon	4
Disorderly Conduct	78
Domestic A&B	62
Drug Paraphernalia	22
False Information to Police	38
Frequenting	32
Furnish Alcohol to Minor	13
Gambling	1
Housing Violations	1
Illegal Dumping	1
Indecent Exposure	3
In Park After Hours	3
Larceny	44
Loud Music	16
Marijuana	113
Malicious Destruction of Property	7
Minor in Possession of Alcohol/Tobacco	83
Open Intoxicants	45

Operating While Intoxicated (includes OUID and Zero Tolerance)	233
PBT Refusal	4
Prostitution	7
Resisting Arrest	35
Suspended Operators	560
Tax (Failure to File City Income Tax Return)	184
Telephone Harassment	3
Throwing Projectiles	3
Traffic Violations	443
Trespass	22
Unsanitary Act	17
	<hr/>
	2138

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney
Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM

TO: Julius A. Giglio, City Attorney

FROM: Susan G. Murphy, Deputy City Attorney 

RE: Administrative Hearings Bureau Annual report

DATE: February 1, 2010

Attached are the annual reports that compare the cases we have handled and the fine/cost assessment data for the AHB from its inception. This year's report includes updates on the assessments and collection of assessments for prior years, so you will see changes from what was reported last January. We have had default judgments set aside for a variety of reasons including assessment against the wrong owner because of foreclosures. We have added assessments where cases have closed as being in compliance. And we have cases where payments have been made.

We finished 2009 with 279 cases having been handled during the year: that being 11 files more than 2008. We are still doing about 20 new cases per month if you compare the net total of cases divided by the number of months – 2005 we handled 179 cases in 9 months for 19.8 per month and 2009 we handled 279 cases in 12 months for 23.25 cases per month. This does not mean we are handling 20 cases per month as can be seen by the dockets for the hearings dates. For example, on January 13th we handled 51 cases, on January 27th we had 35 cases on the docket, and on February 10th we have 36 cases scheduled on the docket.

The collections data continues to show that less than a third of the caseload is not paying judgments, but that this portion of the caseload accounts for more than 60% of the amount assessed during the year. This is attributable to the fact that the majority of these cases are default judgments that include a fine, often higher fines for repeat offenders. This is compared to 67% of the closed caseload where we are working with respondent-owners that are responding to the city issues, dealing with their properties, and paying their judgments. Often these cases do not receive fines because of the respondents' cooperation with the process in bringing properties into compliance. Some of these respondents have needed time to bring property into compliance and additional time to pay assessments because of the difficult economy.

As you know, we are in the process of entering into a Professional Services Contract with Judicial Services Group, Ltd. (the company that does collection work for the District Court.) Under the terms of the contract, we will have a pilot program to assess feasibility of collecting outstanding AHB judgments. Under the terms of the contract, we will pay \$35.00 plus mileage for each seizure order served on an AHB respondent where there is no financial recovery. On files where the company can seize and auction assets or recovers cash, all costs are paid through the monies recovered – we do not pay anything. By way of an example:

Average uncollectible file	\$830.17
Service + mileage	35.00 + mileage
If property is seized and sold	18.00 + mileage for posting
Upon recovery 7% of receipts < \$5K	58.11
Upon recovery 3% of receipts > \$5K	n/a

So, if property was seized and sold, the respondent would pay approximately \$111 + mileage in costs over the amount of the judgment. If the respondent paid Judicial Services Group, Ltd, in cash without the need for seizure and sale, the respondent would pay approximately \$93 + mileage in costs over the amount of the judgment.

By proceeding with the pilot program, we anticipate that it will reveal which outstanding assessments are recoverable because the respondent is collectible, but also identify those cases where the respondent is truly uncollectible justifying the judgment being set aside or discharged as uncollectible. Many of these cases include judgments that have not been liened against the property because the judgment was taken against the person who was the owner at the time of the offense, but was not the owner of the property when the lien could be filed. Obviously, if we have a high rate of success, we will consider making this a permanent part of the collections process.

Please let me know if you have any additional questions.

AHB
COLLECTION DATA
2005 THRU 2009

	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>TOTAL / AVERAGE</u>
<u>FILE ANALYSIS</u>						
FILES ISSUED	179	512	630	268	279	1868
FILES CLOSED	146	404	464	181	211	1406
CLOSED FILES JUDGMENT UNCOLLECTED	33	108	166	87	68	462
CLOSED FILES JUDGMENT COLLECTED	113	296	298	94	143	944
% CLOSED / FILES ISSUED	81.50%	78.90%	73.70%	63.80%	75.60%	75.30%
% FILES UNCOLLECTED/CLOSED	22.60%	26.70%	35.80%	48.10%	32.20%	33.10%
% FILES COLLECTED/CLOSED	77.40%	73.30%	64.20%	51.90%	67.80%	66.90%
<u>JUDGMENT ANALYSIS</u>						
YTD TOTAL ASSESSED	\$83,681.19	\$189,069.32	\$164,289.44	\$89,335.95	\$73,496.80	\$599,872.70
TOTAL UNCOLLECTED	\$27,847.64	\$102,408.08	\$104,746.98	\$64,363.15	\$56,451.34	\$355,817.19
TOTAL COLLECTED	\$55,833.55	\$86,661.24	\$59,542.46	\$24,972.80	\$17,045.46	\$244,055.51
% TOTAL ASSESSED UNCOLLECTED	33.3%	54.5%	64.0%	72.1%	77.0%	60.3%
% TOTAL ASSESSED COLLECTED	66.7%	45.4%	36.0%	27.9%	23.0%	39.7%
AVG assessment per uncollected file	\$843.87	\$948.22	\$1,203.99	\$739.81	\$830.17	\$913.21
AVG assessment per collected file	\$494.10	\$292.77	\$199.81	\$265.67	\$119.20	\$258.53

AHB COMPARISON

<u>Cases by type</u>	<u>2005</u> (9 months)	<u>2006</u> (12 months)	<u>2007</u> (12 months)	<u>2008</u> (12 months)	<u>2009</u> (12 months)	<u>Total</u>	<u>% of AHB cases only</u>
Housing	75 (DC) 108	184	221	116	147	776	41.5%
Garbage	55	86	217	27	22	407	21.8%
Vehicles	N/A	1(DC) 191	94	39	33	357	19.1%
Building Inspections	12	18	37	37	36	140	7.5%
Zoning	0 (DC) 4	9	0	1	2	16	0.9%
Noxious Weeds	N/A	24	61	48	39	172	9.2%
Total for Year	179	512	630	268	279	1868	
Voided	6	17	30	5	16	74	
Gross Total	185	529	660	273	295	1942	

DC - stands for District Court, only certain types of cases were previously handled at DC. We handle significantly more diverse cases at AHB.

N/A - not applicable, the particular case type was not handled at AHB at that time period.

User: phones

FROM 101-000-000-661.000 TO 101-000-000-661.000

DB: Jackson

TRANSACTIONS FROM 01/01/2009 TO 12/31/2009

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 101 GENERAL							
01/01/2009			101-000-000-661.000 ORDINANCE FINES & COSTS		BEG. BALANCE		(87,039.98)
01/26/2009	RA	IMPT	COUNTY OF JACKSON	902528		13,697.07	(100,737.05)
02/25/2009	RA	IMPT	COUNTY OF JACKSON	902932		16,514.77	(117,251.82)
03/23/2009	RA	IMPT	COUNTY OF JACKSON	903203		20,003.41	(137,255.23)
04/27/2009	RA	IMPT	COUNTY OF JACKSON	903517		19,065.74	(156,320.97)
05/26/2009	RA	IMPT	COUNTY OF JACKSON	904222		17,110.12	(173,431.09)
06/30/2009	JE	IMPT	ACCRUE 5/09 FINES	904769		16,250.59	(189,681.68)
07/01/2009			2009-10 Fiscal Year Begin				0.00
07/01/2009	RA	IMPT	COUNTY OF JACKSON	1000028		16,250.59	(16,250.59)
07/01/2009	JE	IMPT	ACCRUE 5/09 FINES	1000452	16,250.59		0.00
07/28/2009	RA	IMPT	COUNTY OF JACKSON	1000228		17,573.58	(17,573.58)
08/17/2009	RA	IMPT	COUNTY OF JACKSON	1000458		16,411.37	(33,984.95)
09/14/2009	RA	IMPT	COUNTY OF JACKSON	1000762		16,070.03	(50,054.98)
10/26/2009	CR	RCPT	ORDINANCE FINES & COSTS	90168933		20,714.50	(70,769.48)
11/23/2009	CR	RCPT	ORDINANCE FINES & COSTS	90177768		21,052.55	(91,822.03)
12/14/2009	CR	RCPT	ORDINANCE FINES & COSTS	90182695		17,384.33	(109,206.36)
12/31/2009			101-000-000-661.000	END BALANCE			(109,206.36)
			Cumulative Net Debits and Credits:		16,250.59	228,098.65	(211,848.06)

User: phones

FROM 101-210-000-582.001 TO 101-210-000-582.001

DB: Jackson

TRANSACTIONS FROM 01/01/2009 TO 12/31/2009

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 101 GENERAL							
01/01/2009			101-210-000-582.001 CONT.-DISTRICT COURT			BEG. BALANCE	(3,678.00)
01/15/2009	RA	IMPT	ST CHARLES	902460		200.00	(3,878.00)
01/15/2009	RA	IMPT	BREES	902460		120.00	(3,998.00)
01/15/2009	RA	IMPT	WRIGHT	902460		100.00	(4,098.00)
01/15/2009	RA	IMPT	WARREN	902460		283.00	(4,381.00)
01/15/2009	RA	IMPT	CARPENTER	902460		200.00	(4,581.00)
01/15/2009	RA	IMPT	FLEMMING	902460		40.00	(4,621.00)
01/15/2009	RA	IMPT	OLMSTEAD	902460		92.00	(4,713.00)
01/15/2009	RA	IMPT	CAPPS	902460		50.00	(4,763.00)
01/23/2009	RA	IMPT	WHEELER	902518		100.00	(4,863.00)
01/23/2009	RA	IMPT	REVENUE ACCOUNTING	902518		100.00	(4,963.00)
01/23/2009	RA	IMPT	SHEALY	902518		5.00	(4,968.00)
01/23/2009	RA	IMPT	OVERMYER	902518		50.00	(5,018.00)
01/23/2009	RA	IMPT	STULTS	902518		40.00	(5,058.00)
01/23/2009	RA	IMPT	SEGER	902518		200.00	(5,258.00)
01/23/2009	RA	IMPT	OLMSTEAD	902518		80.00	(5,338.00)
01/23/2009	RA	IMPT	BUSHINSKI	902518		100.00	(5,438.00)
02/10/2009	RA	IMPT	THAISEN	902801		100.00	(5,538.00)
02/10/2009	RA	IMPT	WARREN	902801		100.00	(5,638.00)
02/10/2009	RA	IMPT	PARKER	902801		20.00	(5,658.00)
02/10/2009	RA	IMPT	PAUL	902801		74.73	(5,732.73)
02/10/2009	RA	IMPT	JOHNSON	902801		85.00	(5,817.73)
02/10/2009	RA	IMPT	HARBOTTLE	902801		200.00	(6,017.73)
02/10/2009	RA	IMPT	ENGERS	902801		30.00	(6,047.73)
03/13/2009	RA	IMPT	SHEALY	903156		50.00	(6,097.73)
03/13/2009	RA	IMPT	VANDYKE	903156		20.00	(6,117.73)
03/13/2009	RA	IMPT	PALUCH	903156		200.00	(6,317.73)
03/13/2009	RA	IMPT	CAPS	903156		10.00	(6,327.73)
03/13/2009	RA	IMPT	LOVE	903156		120.71	(6,448.44)
03/30/2009	RA	IMPT	BRETON	903259		50.00	(6,498.44)
04/03/2009	RA	IMPT	ESPINOZA	903351		100.00	(6,598.44)
04/03/2009	RA	IMPT	DOWNARD	903351		200.00	(6,798.44)
04/03/2009	RA	IMPT	CLINE	903351		40.00	(6,838.44)
04/03/2009	RA	IMPT	BUNKER	903351		50.00	(6,888.44)
04/03/2009	RA	IMPT	BENNETT	903351		20.00	(6,908.44)
04/03/2009	RA	IMPT	BARKLEY	903351		178.09	(7,086.53)
04/03/2009	RA	IMPT	BURWELL	903351		84.00	(7,170.53)
04/03/2009	RA	IMPT	BROOKS	903351		25.00	(7,195.53)
04/03/2009	RA	IMPT	ANDERSON	903351		100.00	(7,295.53)
04/03/2009	RA	IMPT	MURRAY	903351		20.00	(7,315.53)
04/03/2009	RA	IMPT	JOHNSON	903351		258.00	(7,573.53)
04/03/2009	RA	IMPT	HERNANDEZ	903351		40.00	(7,613.53)
04/03/2009	RA	IMPT	GREEN	903351		398.31	(8,011.84)
04/03/2009	RA	IMPT	PRITCHARD	903351		40.00	(8,051.84)
04/03/2009	RA	IMPT	MOORE	903351		15.00	(8,066.84)
04/03/2009	RA	IMPT	HICKS	903351		20.00	(8,086.84)
04/03/2009	RA	IMPT	GARCIA	903351		50.00	(8,136.84)
04/03/2009	RA	IMPT	KNIGHT	903351		70.00	(8,206.84)
04/03/2009	RA	IMPT	ISAAC	903351		100.00	(8,306.84)
04/03/2009	RA	IMPT	WILLARD	903351		20.00	(8,326.84)
04/03/2009	RA	IMPT	WESTBROOK	903351		100.00	(8,426.84)
04/03/2009	RA	IMPT	WARREN	903351		200.00	(8,626.84)
04/03/2009	RA	IMPT	STULL	903351		30.00	(8,656.84)
04/03/2009	RA	IMPT	RUMSEY	903351		85.00	(8,741.84)
05/19/2009	RA	IMPT	PRITCHARD	903994		50.00	(8,791.84)
05/19/2009	RA	IMPT	BURWELL	903994		116.00	(8,907.84)
05/19/2009	RA	IMPT	BRETON	903994		50.00	(8,957.84)
05/19/2009	RA	IMPT	RUMSEY	903994		90.00	(9,047.84)
05/19/2009	RA	IMPT	WARREN	903994		781.00	(9,828.84)
05/19/2009	RA	IMPT	CREPEAU	903994		200.00	(10,028.84)
05/19/2009	RA	IMPT	JUDD	903994		486.00	(10,514.84)
05/19/2009	RA	IMPT	WESTBROOK	903994		40.00	(10,554.84)
06/18/2009	RA	IMPT	HULL	904529		50.00	(10,604.84)
06/18/2009	RA	IMPT	TRUSTY	904529		200.00	(10,804.84)
06/18/2009	RA	IMPT	HODGE	904529		40.00	(10,844.84)
06/18/2009	RA	IMPT	HASBROUCK	904529		25.00	(10,869.84)
07/01/2009			2009-10 Fiscal Year Begin				0.00
07/02/2009	RA	IMPT	12TH DISTRICT COURT	1000034		100.00	(100.00)
07/02/2009	RA	IMPT	12TH DISTRICT COURT	1000034		40.00	(140.00)
08/04/2009	RA	IMPT	12TH DISTRICT COURT	1000286		25.00	(165.00)
08/04/2009	RA	IMPT	12TH DISTRICT COURT	1000286		200.00	(365.00)
08/04/2009	RA	IMPT	12TH DISTRICT COURT	1000286		200.00	(565.00)
08/04/2009	RA	IMPT	12TH DISTRICT COURT	1000286		200.00	(765.00)
10/28/2009	AP	INV	OF RESTITUTION PAID IN ERROR		20.00		(745.00)
10/30/2009	CR	RCPT	DISTRICT COURT	90169737		200.00	(945.00)
10/30/2009	CR	RCPT	DISTRICT COURT	90169758		200.00	(1,145.00)
10/30/2009	CR	RCPT	DISTRICT COURT	90169759		200.00	(1,345.00)
12/04/2009	CR	RCPT	DISTRICT COURT	90180657		42.50	(1,387.50)
12/31/2009			101-210-000-582.001	END BALANCE			(1,387.50)
			Cumulative Net Debits and Credits:		20.00	8,599.34	(8,579.34)



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 26, 2010
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Engineer's Report for West Mason Street Paving, Jackson to Mechanic

The Department of Engineering requests that City Council establish a public hearing of necessity to be held February 23, 2010, for street paving on W. Mason Street from Jackson to Mechanic. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that this section of W. Mason Street last received new pavement in 1957, and crack sealed in 2002. The existing pavement has deteriorated with significant cracking throughout with scattered potholes. The existing curb is in fair condition. The attached photographs show the current street conditions.

The Department of Engineering proposes full depth asphalt pavement replacement and curb spot repairs where necessary. Estimated construction costs and funding are as follows:

Local Street Funds (CDBG)	\$ 82,000.00
Street Paving (Assessments)	<u>\$ 30,591.81</u>
Total Project Cost	\$112,591.81

The established individual assessment information has been reviewed by the City Assessor and includes corner lots where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted for this project, the number of annual installment periods will be ten.

TRW:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randal T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II



Photo 1: Facing east from Jackson Street



Photo 2: Facing west from Williams



Photo 3: Facing east from Williams Street



Photo 4: Facing west from Mechanic

S MECHANIC STREET

PROJECT LIMITS

LINDSAY, WILLIAM H & CAROLYN S
7565 LAKEVIEW DR
JACKSON, MI 49201 (508 S MECHANIC ST)
4-0133.1 R-3 66'
\$1,205.16

DONLEY, HARLEY SR & SUSAN
104 W MASON ST JACKSON, MI 49201 (102 W MASON ST)
4-0131 R-3 33'
\$100.00

DONLEY, HARLEY D SR & SUSAN E
104 W MASON ST JACKSON, MI 49201
4-0130 R-3 33'
\$899.58

16.5' ALLEY

HIGHTOWER, JANICE & WILLIAMS, PATRICIA
2008 FRANCIS ST
JACKSON, MI 49203 (108 W MASON ST)
4-0126 R-3 99'
\$275.00

STINSON, DARRELL
114 W MASON ST, JACKSON, MI 49203
4-0125 R-3 33'
\$899.58

16.5' ALLEY

SHELDON, JUDY, 2009 FRANCIS ST
JACKSON, MI 49203 (116 W MASON ST)
4-0122 R-3 28'
\$763.28

GITTENS, ANTHONY L, 132 E SOUTH ST
JACKSON, MI 49203 (118 W MASON ST)
4-0121 R-3 38'
\$1,035.88

PARTNERSHIP PARK I LTD DIV HOUSING
3900 EDISON LKS PKWY #201
MISHAWAKA, IN 46545 (120 W MASON ST)
4-0120.1 R-3 66'
\$1,799.16

16.5' ALLEY

LEVY, TAMIRA K, 491 VALLEY #6
ORANGE, NJ 07050 (124 W MASON ST)
4-0115 R-3 33'
\$899.58

LEVY, TAMIRA K, 491 VALLEY #6
ORANGE, NJ 07050 (126 W MASON ST)
4-0114 R-3 33'
\$899.58

PEREZ, CARLOS & RACHEL
128 W MASON ST JACKSON, MI 49203
4-0113 R-3 36'
\$981.36

JECS PROPERTIES LLC. 90 AKERSON LAKE DR
JACKSON, MI 49201 (130 W MASON ST)
4-0112 R-3 30'
\$817.80

16.5' ALLEY

WHITE, DAVID & MONICA A, 4427 ALLISON
MICHIGAN CENTER, MI 49254 (132 W MASON ST)
4-0106 R-4 36'
\$981.36

WHITE, DAVID & MONICA A
4427 ALLISON
MICHIGAN CENTER, MI 49254 (511 S JACKSON ST)
4-0105 C-3 96'
\$2,616.96

S JACKSON STREET

W MASON STREET

PARTNERSHIP PARK I LTD DIV HOUSING
3900 EDISON LKS PKWY #201
MISHAWAKA, IN 46545 (602 S MECHANIC ST)
4-0586 R-3 74'
\$1,351.24

H & L QUALITY CONTRACTING INC
88 ACKERSON LAKE DR
JACKSON, MI 49201 (105 W MASON ST)
4-0587 R-3 58'
\$1,581.08

16.5' ALLEY

PARTNERSHIP PARK I LTD DIV HOUSING
3900 EDISON LKS PKWY #201
MISHAWAKA, IN 46545 (111 W MASON ST)
4-0773 R-3 57.75'
\$1,574.26

GITTENS, ANTHONY & LOVE, HARVEY
132 E SOUTH ST JACKSON, MI 49203 (113 W MASON ST)
4-0774 R-3 66'
\$1,799.16

BALL, ANNA L
C/O COMMUNITY ACTION AGENCY
1214 GREENWOOD AVE
JACKSON, MI 49203 (119 W MASON ST)
4-0775.1 R-3 115.5'
\$3,148.53

WONNACOTT, KENNETH J
PO BOX 111 HOMER, MI 49245 (127 W MASON ST)
4-0778 R-3 64.58'
\$1,790.45

WILLIAMS STREET

JACKSON REALTY CORP
2002 SPRING ARBOR RD #A
JACKSON, MI 49203 (131 W MASON ST)
4-0787 R-3 64.68'
\$300.00

RAPPLEYE, WILLIAM G
2002 SPRING ARBOR RD #A
JACKSON, MI 49203 (135 W MASON ST)
4-0786 R-3 48.18'
\$225.00

SPRINGBORN, ERIC S & LAURA J
379 BULLIS RD, GREGORY, MI 48137 (137 W MASON ST)
4-0785 R-3 56'
\$1,526.56

H & L QUALITY CONTRACTING
88 ACKERSON LAKE DR
JACKSON, MI 49201 (141 W MASON ST)
4-0784.1 R-3 56.1'
\$1,529.28

MOLLER, MARIANNE TRUST
1000 CARLTON BLVD
JACKSON, MI 49203 (601 S. JACKSON ST)
4-0784 R-4 59.5'
\$1,621.97

PROJECT LIMITS

	SCALE: 1" = 100'	<h2>ASSESSMENT MAP FOR W MASON STREET FROM JACKSON TO MECHANIC</h2> <p>PAGE 1 OF 1</p>
	DATE: 10/09/2009	
	DRAWN BY: MGB	
	CITY OF JACKSON DEPARTMENT OF ENGINEERING	



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 26, 2010
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Engineer's Report for Wesley Street Paving Jackson to Blackstone

The Department of Engineering requests that City Council establish a public hearing of necessity to be held February 23, 2010, for street paving on Wesley Street from Jackson to Blackstone. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that this section of Wesley was originally constructed in 1922, received an overlay in 1979 and crack seal in 2002. The existing pavement has deteriorated with significant potholing and wide cracks throughout. The existing north side curb, west of Sheriff's Office is overlaid with the curb head broken or missing throughout. The north side curb in front of the Sheriff's Office and courthouse building is overlaid so that only an inch or two of curb head remains. The existing south side curb on the east half of the block is poorly graded which results in exceptionally steep drive approaches, poor drainage, and an ADA non-compliant sidewalk ramp at Jackson Street. The remainder of the south side curb is in good condition. The attached photographs show the current road conditions.

The Department of Engineering proposes full depth asphalt replacement with new curb and gutter on north side of the street and the east half of the south side of the street. Estimated construction costs and funding are as follows:

Local Street Funds (CDBG-ARRA)	\$179,000.00
Street Paving (Assessments)	<u>\$ 24,414.53</u>
Total Project Cost	\$203,414.53

The established individual assessment information has been reviewed by the City Assessor and includes corner lots where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted for this project, the number of annual installment periods will be ten.

TRW:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randal T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II



Photo 1: Facing east from Blackstone



Photo 2: Facing west from in front of Sheriff's Office



Photo 3: Facing west from Jackson Street



Photo 4: Existing curb on north side, west end of block



Photo 5: Existing curb on north side, east end of block

S BLACKSTONE ST

PROJECT LIMITS

11365 AUSTIN, BROOKLYN, MI 49230 WILD, LOIS M TRUST (239 W WESLEY)	4-0231.3 \$1,067.48	R-4 35.5'
11365 AUSTIN, BROOKLYN, MI 49230 WILD, LOIS M TRUST (237 W WESLEY)	4-0231.2 \$50.00	R-4 30.5'
2095 REYNOLDS RD, JACKSON, MI 49201 MORRIS, SHARON L (235 W WESLEY)	4-0231 \$992.31	R-4 33'
PO BOX 83, CLARKLAKE, MI 49234 STAPLEY, VINCENT (233 W WESLEY)	4-0231.1 \$992.31	R-4 33'

16.5' ALLEY

231 W WESLEY, JACKSON, MI 49201 GILLETTE, TERRY	4-0230 \$947.20	R-4 31.5'
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COUNTY OF JACKSON 120 W MICHIGAN JACKSON, MI 49201 (212 W FRANKLIN)	4-0215 \$0.00	R-4 64.5'
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404 S JACKSON, JACKSON MI 49201 A P M REALTY CO LLC (225 W WESLEY)	4-0227 \$1,082.52	R-4 36'
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16.5' ALLEY

COUNTY OF JACKSON 120 W MICHIGAN JACKSON, MI 49201 4-0215 (212 W FRANKLIN)	\$0.00	R-4 264'
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16.5' ALLEY

JACKSON, MI 49203 207 W WESLEY KFD INVESTMENT	4-0210.1 \$2,299.81	R-4 52.15'
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JACKSON, MI 49201 400 S JACKSON ST #1 400 JACKSON ST PROPERTIES LLC	4-0210 \$3,521.38	R-4 79.85'
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WESLEY STREET

R-4 132' \$5,821.20	PC REAL ESTATE LC 3561 APRIL SPRINGS LAS VEGAS, NV 89147 4-0207 (309 S BLACKSTONE)
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16.5' ALLEY

R-4 30' \$1,323.00	4-0200 WILLIAM, DELVIN L, 752 W MORRELL JACKSON, MI 49203 (230 W WESLEY)
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R-4 36' \$1,587.60	4-0199 ALLEN, JEFFERY S, 3991 SARGENT JACKSON, MI 49201 (226 W WESLEY)
--------------------------	---

R-4 30' \$1,323.00	4-0198 JECS PROPERTIES LLC, 90 ACKERSON LAKE DR JACKSON, MI 49201 (226 W WESLEY)
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R-4 36' \$1,587.60	4-0197 HIGGS, RICHARD J & CINDIE L, PO BOX 4264 JACKSON, MI 49204 (224 W WESLEY)
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16.5' ALLEY

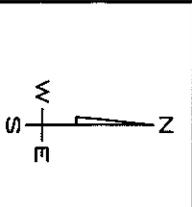
R-4 41.25' \$1,819.12	4-0196 FOUR SEASON PROPERTIES LLC, 8755 GROVE PINCKNEY, MI 48469 (222 W WESLEY)
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C-3 173.25 \$0.00	COUNTY OF JACKSON 120 W MICHIGAN JACKSON, MI 49201 4-0187 (212 W WESLEY)
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C-3 214.5 \$0.00	COUNTY OF JACKSON 120 W MICHIGAN JACKSON, MI 49201 4-0186 (312 S JACKSON)
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S JACKSON ST

PROJECT LIMITS



SCALE:	1" = 100'
DATE:	07/23/2009
DRAWN BY:	MGB
CITY OF JACKSON DEPARTMENT OF ENGINEERING	

ASSESSMENT MAP FOR WESLEY STREET
FROM BLACKSTONE TO JACKSON
PAGE 1 OF 1



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 26, 2010
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Engineer's Report for Mason Street Paving, Mechanic to Francis

The Department of Engineering requests that City Council establish a public hearing of necessity to be held February 23, 2010, for street paving on Mason Street from Mechanic to Francis. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that this section of Mason Street was constructed in 1930, received chip seal in 1963, and crack seal in 2002. The existing pavement has deteriorated with significant cracking throughout with scattered potholes. The existing curb is in poor condition with the curb head broken or missing throughout. The attached photographs show the current street conditions.

The Department of Engineering proposes full depth asphalt and curb replacement. The existing four-inch cast iron watermain, which is old and undersized, will be replaced in conjunction with street construction. The watermain portion of the project is part of the watermain replacement program to improve water quality and pressure in this neighbourhood. Estimated construction costs and funding are as follows:

Local Street Funds (CDBG)	\$ 66,000.00
Street Paving (Assessments)	\$ 14,355.24
Water Funds	<u>\$ 90,000.00</u>
Total Project Cost	\$170,355.24

Water funds will pay to replace one-half of the pavement. The balance of the pavement costs will be paid for using CDBG Local Street Funds and assessed to adjacent property owners.

The established individual assessment information has been reviewed by the City Assessor and includes corner lots where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted for this project, the number of annual installment periods will be seven.

TRW:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randal T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II



Photo 1: Facing west from Francis



Photo 2: Facing east from Mechanic

S FRANCIS STREET

PROJECT LIMITS

HARRIS, ANDREW P 118 E MASON ST JACKSON, MI 49203	5-0136 \$2,125.00	R-3 85'
16.5' BUFFALO ALLEY		
LASALLE BANK NA, TRUSTEE 9601 MCALLISTER, SAN ANTONIO, TX 78216 (116 E MASON ST)	5-0135 \$1,272.76	R-3 47'
16.5' BUFFALO ALLEY		
DETLEFS, GARY 117 E FRANKLIN ST, JACKSON, MI 49201 (114 E MASON ST)	5-0134 \$225.00	R-3 44'
WOOD, DAN & WHITE, TIM 908 S. JACKSON ST JACKSON, MI 49203 (112 E MASON ST)	5-0130 \$1,191.52	R-3 44'
MURGAI, VIKRAM ET AL 50 FRYER CT, SAN RAMON, CA 94583 (108 E MASON ST)	5-0129 \$1,191.52	R-3 44'
16.5' ALLEY		
ANDERSON, MABEL TRST 511 WILDWOOD AVE JACKSON, MI 49201 (513 S. MECHANIC ST.)	5-0122 \$2,394.48	R-3 132'

E MASON STREET

HARRIS, ANDREW P 118 E MASON ST, JACKSON, MI 49203 (600 FRANCIS ST)	5-0202 \$775.00	92.5' C-2
HARRIS, ANDREW P 118 E MASON ST, JACKSON, MI 49203 (E MASON ST)	5-0201 \$400.00	48.5' C-2
16.5' BUFFALO ALLEY		
IB PROPERTY HOLDING LLC C/O BAYVIEW LOAN SERVICING LLC 4425 PONCE DELEON BLVD CORAL GABLES, FL 33146 (115 E MASON ST)	5-0207 \$2,234.10	82.5' R-3
NICE, LOUIS S 107 E. MASON ST JACKSON, MI 49203 (109 E MASON ST)	5-0208 \$450.00	66' R-3
NICE, LOUIS S 107 E MASON ST, JACKSON, MI 49203	5-0209 \$300.00	33' R-3
BEACH, RICHARD PO BOX 6371 JACKSON, MI 49204 (601 S MECHANIC ST)	5-0210 \$1,795.86	99' R-3

S MECHANIC STREET

PROJECT LIMITS

	SCALE: 1" = 100'	<h2>ASSESSMENT MAP FOR E MASON STREET FROM MECHANIC TO FRANCIS</h2> <p>PAGE 1 OF 1</p>
	DATE: 10/09/2009	
	DRAWN BY: MGB	
	CITY OF JACKSON DEPARTMENT OF ENGINEERING	



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 28, 2010
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Engineer's Report for State Street Paving Pearl to Ganson

The Department of Engineering requests that City Council establish a public hearing of necessity to be held March 9, 2010, for street paving on State Street from Pearl Street to Ganson Street. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that State Street, from Burr to Ganson was constructed in 1960, and State Street, from Pearl to Burr was constructed in 1963. State Street, from Pearl to Ganson was chip sealed in 1986. The existing pavement has deteriorated with significant cracking over the entire pavement surface and potholes throughout. The existing curb is in good condition. The attached photographs show the current street conditions.

The Department of Engineering proposes full depth asphalt pavement replacement. Estimated construction costs and funding are as follows:

Local Street Funds (CDBG-ARRA)	\$222,000.00
Street Paving (Assessments)	<u>\$ 68,489.15</u>
Total Project Cost	\$290,489.15

The established individual assessment information has been reviewed by the City Assessor and includes corner lots where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted for this project, the number of annual installment periods will be ten.

TRW:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randal T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II



Photo 1: Facing north from Pearl



Photo 2: Facing north from Detroit



Photo 3: Facing north from Homewild



Photo 4: Facing north from north of Burr



Photo 5: Facing south from Ganson

BURR STREET (MATCH, SEE SHEET 2 OF 2)

CANNON, JAMES D
5067 PAGE AVE
JACKSON, MI 49201
(414 N STATE ST) 7-0227
\$1,611.72 R-4 66'

SECRETARY OF HUD
5312 BOLSA AVE #200
HUNTINGTON BEACH, CA 92649
(408 N STATE ST) 7-0228
\$1,611.72 R-4 66'

WILSON, CHRISTINA M
814 HOMEWILD AVE
JACKSON, MI 49201 R-4 132'

7-0229
\$2,159.52

7-0209 BARTOSZEK, MICHAEL D
415 N STATE ST, JACKSON, MI 49201
\$805.86 R-4 33'

7-0209.01 SAUCEDA, ANGELINA
413 N STATE ST, JACKSON, MI 49201
\$694.01 R-4 28.42'

7-0207 TILFORD, PHILLIP
411 N STATE ST, JACKSON, MI 49201
\$1,054.21 R-4 43.17'

7-0208 TILFORD, PHILLIP G & LINDA M, 411 N STATE ST
JACKSON, MI 49201 (409 N. STATE ST.)
\$200.00 R-4 25.55'

7-0205 KLOACK, CARIE L, 3939 W TERRITORIAL RD
RIVES JUNCTION, MI 49277 (407 N. STATE ST.)
\$805.86 R-4 33'

7-0206 COBB, KIMBERLY A
405 N STATE ST, JACKSON, MI 49201
\$805.86 R-4 33'

SNYDER, WILLIAM R
3927 FAIRVIEW JACKSON, MI 49203
(403 N STATE ST)
\$1,611.72 R-4 66'

HOMEWILD STREET

WRIGHT, RONNIE G
314 N STATE ST
JACKSON, MI 49201 7-0379 R-4 58'
\$1,416.36

TROPIANO, MICHAEL A & CARRIE L
308 N STATE ST
JACKSON, MI 49201 7-0378 R-4 74'
\$1,807.08

REYNOLDS, BENJAMIN & VERONIKA A
6776 BENNETT RD
JACKSON, MI 49201
(814 DETROIT ST) R-4 132'

7-0380
\$2,159.52

E STATE STREET

297' R-4 \$7,252.74

W A FOOTE MEMORIAL HOSPITAL
1 JACKSON SQUARE
STE 107
JACKSON, MI 49201
(900 DETROIT ST)
7-0381

DETROIT STREET

THE SALVATION ARMY
10 W ALGONQUIN RD
DES PLAINES, IL 60016
(212 N STATE ST) 7-0419.2 R-4 88'
\$2,148.96

806 E PEARL ST, JACKSON, MI 49201 7-0419.1 R-4 44'
(208 N STATE ST) \$1,074.48

SALVATION ARMY
806 E PEARL ST
JACKSON, MI 49201 C-4 132'

7-0422
\$3,223.44

297' R-4 \$7,252.74

DJW REAL ESTATE CO LLC
603 LANSING AVE
JACKSON, MI 49202
(906 E PEARL ST)
7-0560

PEARL STREET

PROJECT LIMITS



SCALE: N.T.S.
DATE: 07/21/2009
DRAWN BY: MGB / TRW
CITY OF JACKSON
DEPARTMENT OF
ENGINEERING

**ASSESSMENT MAP FOR STATE STREET
PEARL TO GANSON
PAGE 1 OF 2**

E GANSON STREET

PROJECT LIMITS

COOK, JAMES D & MARGARET E 534 N STATE ST JACKSON, MI 49201	7-0728	R-4	68.5'
			\$1672.77
KING, RICHARD ETAL RAMONA KING 528 N STATE ST JACKSON, MI 49201	7-0727	R-4	63.5'
			\$1,550.67
LAZARUS, MAXINE C/O WINN BROKERAGE & MANAGEMENT 511 WILDWOOD AVE JACKSON, MI 49201 (526 N STATE ST)	7-0726	R-4	66'
			\$1,611.72
BAYLISS, LINDA S TRUST 4899 STYLES RD PLEASANT LAKE, MI 49272 (520 N STATE ST)	7-0725	R-4	66'
			\$1,611.72

FREY STREET

SANTANA, ROSENDO 518 N STATE ST JACKSON, MI 49201	7-0724	R-4	39.29'
			\$959.46
BRISTOW, TODD W & TINA M 6319 PENNY LN JACKSON, MI 49203 (516 N STATE ST)	7-0723	R-4	39.3'
			\$959.70
LONG, CLEEDIS 4424 SEYMOUR RD JACKSON, MI 49201 (508 N STATE ST)	7-0733.1	R-4	132'
			\$3,223.44
LONG, CLEEDIS ETAL AVADINE LONG 4424 SEYMOUR RD JACKSON, MI 49201 (504 N STATE ST)	7-0733	R-4	66'
			\$1,611.72
RANKIN, CHRISTOPHER 1755 MAUNTA LN JACKSON, MI 49201 (820 BURR ST)	7-0734	R-4	66'
			\$1,611.72

E STATE STREET

66' C-2	WEEKS, JANET M 3385 ZION ROAD JACKSON, MI 49201 (907 E GANSON ST)	7-0735.01	\$1,611.72
66' C-2	ANTONY, LEROY J 535 N STATE ST JACKSON, MI 49201	7-0735	\$1,611.72
66' R-4	McKESSY, CHERYL L. ETAL 1582 AMBS SHORE DR JACKSON, MI 49201 (527 N STATE ST)	7-0736	\$1,611.72
66' R-4	BARRON, JOSEPH E, II 1510 BASELINE RD LESLIE, MI 49251 (525 N STATE ST)	7-0737	\$1,611.72
66' R-4	VICARY, CLAYTON PO BOX 334 MICHIGAN CENTER, MI 49254 (523 N STATE ST)	7-0738	\$1,611.72
67.9' R-4	LE MAY, ROBERT D. & LELA M 519 N STATE ST JACKSON, MI 49201	7-0739	\$1,658.11
66' R-4	PEDIGO, WILLIAM B, IV 513 N STATE ST JACKSON, MI 49201	7-0740	\$1,611.72
66' R-4	LAUGHLIN, KATHLEEN S 509 N STATE ST JACKSON, MI 49201	7-0741	\$1,611.72
62.25' R-4	MARQUEZ, FRANCES 505 N STATE ST JACKSON, MI 49201	7-0742	\$1,520.14
62.25' R-4	McGUIRE, ED 503 N STATE ST JACKSON, MI 49201	7-0743	\$1,520.14

BURR STREET (MATCH, SEE SHEET 1 OF 2)



SCALE: N.T.S.
 DATE: 07/21/2009
 DRAWN BY: MGB / TRW
 CITY OF JACKSON
 DEPARTMENT OF
 ENGINEERING

ASSESSMENT MAP FOR STATE STREET
 PEARL TO GANSON
 PAGE 2 OF 2



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 26, 2010
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Engineer's Report for Loomis Street Paving from LeRoy to Argyle

The Department of Engineering requests that City Council establish a public hearing of necessity to be held March 9, 2010, for street paving on Loomis Street from LeRoy to Argyle. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that Loomis Street from Leroy to North was originally constructed in 1949, and from North to Argyle in 1951. Loomis Street, from LeRoy to North, was repaved in 1975 and chip sealed in 1990. Loomis Street, from North to Argyle, was repaved in 1979. The existing pavement has deteriorated with significant cracking and potholes throughout. The existing curb is in fair condition. The attached photographs show the current street conditions.

The Department of Engineering proposes full depth asphalt replacement. The existing six-inch cast iron watermain, which is old and undersized, will be replaced in conjunction with street construction. The watermain portion of this project is part of the watermain replacement program to improve water quality and pressure in the neighbourhood. Estimated construction costs and funding are as follows:

Local Street Funds (CDBG)	\$152,000.00
Street Paving (Assessments)	\$ 74,368.34
Water Funds	<u>\$289,000.00</u>
Total Project Cost	\$515,368.34

In the block between Leroy and North, the new water main will be placed under the pavement by trench construction. Therefore, water funds will pay to replace one-half of the pavement in this segment while the balance of will be paid using CDBG Local Street Funds and assessed to adjacent property owners. In the block between North and Argyle, the new water main will be bored into place in the parkway without disturbing the pavement. Therefore, Water Funds will not contribute to pavement replacement in this section.

The established individual assessment information has been reviewed by the City Assessor and includes corner lots where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted for this project, the number of annual installment periods will be eight.

TRW:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randal T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II



Photo 1: Facing north from north of LeRoy Street



Photo 2: Facing south from North Street



Photo 3: Facing south from midblock between North and Argyle



Photo 4: Facing south from Argyle

NORTH STREET (MATCH, SEE SHEET 2 OF 2)

YATES, KENNETH B HEATHER A YATES 750 LOOMIS ST, JACKSON, MI 49202 8-1593	R-1	42.30'	\$569.78
WORTHINGTON, REX H & PATRICIA E 748 LOOMIS ST, JACKSON, MI 49202 8-1592	R-1	42.31'	\$569.91
KISTKA, MARY & PETER TRUST 2520 DORVIN DR, JACKSON, MI 49201 8-1588 (746 LOOMIS ST.)	R-1	42.31'	\$569.91
MOSKE, DAVID M 742 LOOMIS ST JACKSON, MI 49202 8-1586	R-1	84.61'	\$1,139.69
ALBRECHT, AARON & HEATHER 736 LOOMIS ST, JACKSON, MI 49202 8-1582	R-1	42.31'	\$569.91
WHITNEY, MARY C LE 732 LOOMIS ST JACKSON, MI 49202 8-1581	R-1	63.46'	\$854.80
BEM, MICHAEL G 730 LOOMIS ST, JACKSON, MI 49202 8-1577	R-1	63.46'	\$854.80
McCURDY, ERIN L, ET AL 728 LOOMIS ST, JACKSON, MI 49202 8-1576	R-1	55.21'	\$743.67
CAPLES, JOHN P & ABBEY I 722 LOOMIS ST, JACKSON, MI 49202 8-1573	R-1	47.99'	\$646.42
JOHNSON, SCOTT R & CARY L 718 LOOMIS ST, JACKSON, MI 49202 8-1572	R-1	39.74'	\$535.29
LIENHART, MARY & LIENHART, JEANNETTE M 716 LOOMIS ST, JACKSON, MI 49202 8-1571	R-1	48.46'	\$652.75
ALBERT, PATRICK 712 LOOMIS ST, JACKSON, MI 49202 8-1568	R-1	51'	\$686.97
EAGLE, ROBERT G & RITA C 710 LOOMIS ST, JACKSON, MI 49202 8-1567	R-1	41.25'	\$555.63
BAUM, ROBERT K 7100 MAPLE LANE RD, RIVES JUNCTION, MI 49277 8-1566 (708 LOOMIS ST.)	R-1	38.71'	\$521.42
KEMLER, JERRY O & NANCY J 704 LOOMIS ST, JACKSON, MI 49202 8-1563	R-1	46.96'	\$632.55
LEHMAN, ALMA & EDWARD TRUST 3605 WHEELER RD, BAY CITY, MI 48706 8-1562 (702 LOOMIS ST.)	R-1	63.46'	\$854.80

88.92' R-1	\$1,197.75	HOLZWORTH, JAIME L & JUDITH A 749 LOOMIS ST JACKSON, MI 49202 8-1559
38' R-1	\$511.86	BABCOCK, LORI A 745 LOOMIS ST, JACKSON, MI 49202 8-1558
63.46' R-1	\$854.80	GEYER, HEIDI L 741 LOOMIS ST JACKSON, MI 49202 8-1555
63.46' R-1	\$854.80	DETTLOFF, JIMMY R 739 LOOMIS ST JACKSON, MI 49202 8-1554
55.46' R-1	\$747.04	CORSER, MICHAEL & DENISE 733 LOOMIS ST JACKSON, MI 49202 8-1551
48' R-1	\$646.56	WHALEN, MARCIA 731 LOOMIS ST JACKSON, MI 49202 8-1550
40' R-1	\$538.80	WALDO, DAVID M 727 LOOMIS ST, JACKSON, MI 49202 8-1549
38.67' R-1	\$520.88	REYNOLDS, AUBREY & PHYLLIS 725 LOOMIS ST, JACKSON, MI 49202 8-1546
16.5' ALLEY		
55.21' R-1	\$743.67	ZAMER, KAY L 723 LOOMIS ST JACKSON, MI 49202 8-1545
63.46' R-1	\$854.80	ROBINSON, JEANNETTE R 719 LOOMIS ST JACKSON, MI 49202 8-1541
31.73' R-1	\$427.40	8-1539 BERRY, STEPHANIE M 715 LOOMIS ST, JACKSON, MI 49202
31.73' R-1	\$427.40	8-1540 BURKHART, SCOTT E & MARCIE A, 115 AUSTIN AVE JACKSON, MI 49202 (713 LOOMIS ST.)
63.46' R-1	\$854.80	COMSTOCK, FORREST S 711 LOOMIS ST JACKSON, MI 49202 8-1536
40' R-1	\$538.80	SMITH, JUANITA L 707 LOOMIS ST, JACKSON, MI 49202 8-1535
40' R-1	\$538.80	PATRICK, RICK TRUST PO BOX 747, JACKSON, MI 49204 8-1533 (703 LOOMIS ST)
46.92' R-1	\$632.01	PATRICK, RICK TRUST P O BOX 747, JACKSON, MI 49204 8-1532 (LOOMIS ST)

LERoy STREET

PROJECT LIMITS



SCALE:	N.T.S.
DATE:	09/11/2009
DRAWN BY:	MGB
CITY OF JACKSON DEPARTMENT OF ENGINEERING	

ASSESSMENT MAP FOR LOOMIS STREET FROM LEROY TO ARGYLE PAGE 1 OF 2

ARGYLE STREET

PROJECT LIMITS

<p>HOUTHOOFD, CHRISTOPHER F 850 LOOMIS ST JACKSON, MI 49202 8-1743.7</p>	<p>\$3,943.04 R-1 122'</p>	<p>129' R-1 \$2,794.14</p>	<p>FOUNTAIN, JAMES L III ET AL 851 LOOMIS ST JACKSON, MI 49202 8-1748.3</p>
<p>SMIGIELSKI, FRANCES ESTATE C/O MARIE BALCH, PR 2667 N STURGEON RD MIDLAND, MI 48642 8-1743.7A (842 LOOMIS ST.)</p>	<p>\$2,844.16 R-1 88'</p>	<p>69' R-1 \$2,230.08</p>	<p>BAZYLEWICZ, BERNARD J & ANNA D TRUST 843 LOOMIS ST JACKSON, MI 49202 8-1748.2A</p>
<p>BEST, ANTHONY J & FRED A 840 LOOMIS ST JACKSON, MI 49202 8-1743.1</p>	<p>\$2,585.60 R-1 80'</p>	<p>66' R-1 \$2,133.12</p>	<p>PROEVSKI, STEVEN J 839 LOOMIS ST, JACKSON, MI 49202 8-1748.2B</p>
<p>CLARK, MARY L 830 LOOMIS ST JACKSON, MI 49202 8-1743</p>	<p>\$2,714.88 R-1 84'</p>	<p>88' R-1 \$2,844.16</p>	<p>DRONGOWSKI, ANTOINETTE LIVTRST 833 LOOMIS ST JACKSON, MI 49202 8-1748.2</p>
<p>KORC, JOHN F & DOLORES 826 LOOMIS ST JACKSON, MI 49202 8-1743.6A</p>	<p>\$2,858.38 R-1 88.44'</p>	<p>88' R-1 \$2,844.16</p>	<p>COLLVER, JEFFERY & CYNTHIA 827 LOOMIS ST JACKSON, MI 49202 8-1748.2D</p>
<p>ROJEK, HELEN 818 LOOMIS ST JACKSON, MI 49202 8-1743.4</p>	<p>\$2,858.38 R-1 88.44'</p>	<p>78' R-1 \$2,520.96</p>	<p>GLEATON, JOHN P 823 LOOMIS ST JACKSON, MI 49202 8-1748.2C</p>
<p>MOSKE, MARY E 814 LOOMIS ST JACKSON, MI 49202 8-1743.2</p>	<p>\$2,894.57 R-1 89.56'</p>	<p>10' \$150.00</p>	<p>OWNER UNKNOWN, 8-1747.01</p>
<p>PYCIAK, STANLEY & MARGARET LE 810 LOOMIS ST JACKSON, MI 49202 8-1743.2A</p>	<p>\$2,779.52 R-1 86'</p>	<p>66' R-1 \$2,133.12</p>	<p>GALARDI, FRANK & FRANCES 815 LOOMIS ST JACKSON, MI 49202 8-1747</p>
<p>STAIRS, MARK K 910 E NORTH ST JACKSON, MI 49202 8-1741</p>	<p>\$2,859.12 R-1 132'</p>	<p>99' R-1 \$3,199.68</p>	<p>KOKOCZKA, IRENE 813 LOOMIS ST JACKSON, MI 49202 8-1748.1AA</p>
		<p>165' R-1 \$5,332.80</p>	<p>ASSEMBLIES OF GOD MICHIGAN DISTRICT 31500 W 13 MILE RD, STE 140 FARMINGTON HILLS, MI 48334-2172 8-1744 (1010 E NORTH ST)</p>

NORTH STREET (MATCH, SEE SHEET 1 OF 2)



SCALE:	N.T.S.
DATE:	09/11/2009
DRAWN BY:	MGB
CITY OF JACKSON DEPARTMENT OF ENGINEERING	

ASSESSMENT MAP FOR LOOMIS STREET
FROM LEROY TO ARGYLE
PAGE 2 OF 2



MEMO TO: Honorable Mayor and City Councilmembers

FROM: Daniel P. Greer, 3rd Ward City Councilmember
City Affairs Committee Chairman

DATE: February 3, 2010

SUBJECT: City Affairs Committee Committee Report and Recommendations

The City Affairs Committee met on Tuesday, February 2, 2010, with Councilmember Polaczyk, Councilmember Howe, and myself in attendance along with various City staff. The Committee considered and unanimously recommends the following requests made by Refrigeration Sales, Inc.: the Industrial Development District No. 80 be amended, and the application for an Industrial Facilities Exemption Certificate be approved.

Your consideration and concurrence with the above recommendations would be appreciated.

DPG:JG:skh

CITY AFFAIRS COMMITTEE
UNAPPROVED MINUTES
February 2, 2010
St. Joseph Social Center
6:00 p.m.

Members Present: Chairman Daniel Greer, Councilmember Robert Howe, and Councilmember John Polaczyk.

Members Absent:

Staff Present: City Assessor David Taylor, City Attorney Julius Giglio, and Christopher Lewis.

1. CALL TO ORDER: The City Affairs Committee meeting was called to order at 6:05 p.m. by Chair Daniel Greer.
2. APPROVAL OF THE FEBRUARY 2, 2010, MEETING AGENDA: Moved by Committee Member Polaczyk to amend the agenda to add the election of a Chairman and Vice Chairman of the Committee. The motion was supported by Committee Member Howe to approve the February 2, 2010, meeting agenda as amended. Motion carried.
3. SELECTION OF THE CHAIRMAN AND VICE CHAIRMAN: Committee Member Polaczyk made a motion to nominate Committee Member Dan Greer as Chairman. The motion was supported by Committee Member Howe. The motion carried.

Committee Member John Polaczyk nominated Robert Howe as Vice Chairman. Committee Member Howe respectfully declined the nomination. Committee Member Robert Howe made a motion to nominate Committee Member John Polaczyk as Vice Chairman. Committee Member Greer supported the motion. The motion carried.

4. PUBLIC COMMENT: No comment.
5. APPROVAL OF THE JANUARY 20, 2010, MEETING MINUTES: Moved by Committee Member Polaczyk, and supported by Committee Member Greer to approve the January 20, 2010, meeting minutes as written. Motion carried.
6. DISCUSSION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FILED BY REFRIGERATION SALES: City Assessor Dave Taylor distributed and reviewed the information. A motion was made by Committee Member Howe to recommend to the City Council to amend the Industrial Development District No. 80. The motion was supported by Committee Member Polaczyk. The motion carried.

Committee Member Howe questioned the number of jobs this tax exemption would create. City Assessor Dave Taylor stated that this would create two new jobs. Committee Member requested that the City Assessor verify the number of employees at Refrigeration Sales, Inc.

A motion was made by Committee Member Howe to recommend to the City Council the approval of the Industrial Facilities Exemption Certificate filed by Refrigeration Sales, Inc. The motion was supported by Committee Member Polaczyk. The motion carried.

7. OTHER BUSINESS: No other business.

A motion was made by Committee Member Howe to adjourn the City Affairs Committee meeting. Committee Member Polaczyk supported the motion. The motion carried.

The meeting adjourned at 6:15 p.m.

Respectfully submitted,

Daniel P. Greer
Chairman

JACKSON CITY COUNCIL
RULES & PERSONNEL COMMITTEE
Councilmember Frounfelker, Chair
Councilmembers Breeding and Greer

February 4, 2010

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Councilmember Andrew Frounfelker, Chair

SUBJECT: Recommendation to Council from the February 3, 2010, Rules &
Personnel Committee Meeting

On February 3, 2010, the Rules & Personnel Committee met to consider matters related to the City Manager search and on a vote of 2 to 1 adopted the following motion:

(1) Recommend that the City Council bring Warren Renando in at his earliest convenience for discussion.

I am placing this recommendation on the February 9 agenda for the Council's consideration.

Thank you.

C: Interim City Manager



Office of the Mayor

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4028 — Facsimile: (517) 768-5820

MEMO TO: City Councilmembers
FROM: Karen F. Dunigan, Mayor
DATE: February 3, 2010
SUBJECT: Ella W. Sharp Park Board of Trustees

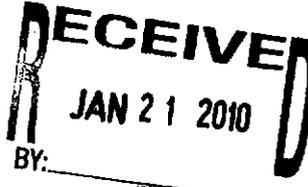
In accordance with City Code, Chapter 19, Ordinance No. 98-7, five (5) members, one (1) of whom is a member of the City Council selected by the City Council and four (4) citizen members appointed by the Mayor and confirmed by City Council. Three-year terms, may be reappointed. Citizen members shall not serve more than three (3) consecutive three-year terms after effective date of the Ordinance without at least a one-year gap in service. Terms shall be staggered with existing board members holding office for remainder of current term and with new appointments made so no more than two members' terms expire in any year.

It is my desire, therefore, to appoint Michelle Woods to the Ella W. Sharp Park Board of Trustees filling a current vacancy, beginning immediately, and ending January 31, 2013.

KFD:skh

APP-CC

CITY OF JACKSON



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

Office of Mayor
Karen F. Dunigan

MICHIGAN

City of Jackson Board/Commission Application

Name: Michelle Woods

Address: 1108 Greenwood Ave Zip: 49203

Home Phone: 517-784-4124 Other Phone: cell 517-206

Occupation: Personal Trainer 1974
fitness professional E-mail Address: Fitdiva410@sbc
Community Involvement/Activity global.net

1st Ward City Council
candidate

Are you a registered voter? yes Ward? 1st

- 1. _____
- 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

Michelle Woods
Signature of Applicant

1/21/10
Date



Office of the Mayor

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4028 — Facsimile: (517) 768-5820

MEMO TO: City Councilmembers
FROM: Karen F. Dunigan, Mayor
DATE: February 3, 2010
SUBJECT: Board of Review

In accordance with City Charter, Sec. 14.5 (MCLA 211.107) Three members, all City residents, appointed by the Mayor subject to Council confirmation. One board member shall be appointed each January for three-year terms.

It is my desire, therefore, to appoint Ken Stapleton to the Board of Review filling a current vacancy, beginning immediately, and ending January 31, 2013.

KFD:skh

APP-CC

CITY OF JACKSON



MICHIGAN

RECEIVED
JAN 28 2010

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

Office of Mayor
Karen F. Dunigan

City of Jackson Board/Commission Application

Name: Ken STAPLETON

Address: 1826 N. Grovesdale Ave Zip: 49203

Home Phone: 517-782-4355 Other Phone: 517-414-8535

Occupation: Retired E-mail Address: KLS1947@gmail.com

Community Involvement/Activity

Are you a registered voter? Yes Ward? 6th

1. _____ 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

K L Stapleton
Signature of Applicant

1/27/2010
Date

Kenneth Lee Stapleton
1826 Grovedale Avenue
Jackson, MI. 49203
517.782.4355 / 517-414-8535
kls1947@gmail.com

Objective: Full or Part-Time Employment

BACKGROUND / QUALIFICATIONS

- Extensive Human Resources & Supervisory experience in a manufacturing environment
- Self starter with excellent communication and negotiation skills
- Personal strengths and skills include relationship building, coaching and counseling, problem resolution and conflict management

EXPERIENCE

Ford Motor Company - Visteon Corporation - Rawsonville Plant 1976 - 2005

- HR Training Coordinator and Special Projects Administrator
- Salaried Employee Assistance Program Representative
- Salaried Personnel Representative/Recruiting
- Labor Relations Representative for Skilled Trades & Manufacturing
- Manufacturing Operations Supervisor

AWARDS/RECOGNITION

- Recipient – 2000 4Q Award for Recognition-Innovation-Support-Excellence (R.I.S.E.) – Technical Skills Program, Rawsonville Plant/Visteon
- Recipient of several Corporate Communication awards as Managing Editor of “The Rawsonville Register”, Plant Newsletter, Ford Motor Company 1995 - 2003

Currently retired



Office of the Mayor

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4028 — Facsimile: (517) 768-5820

MEMO TO: City Councilmembers
FROM: Karen F. Dunigan, Mayor
DATE: February 3, 2010
SUBJECT: Local Officers Compensation Commission

In accordance with Ordinance No. 287 passed on January 2, 1973, (MCLA 117.5(c).) seven members, all registered electors of the City, are appointed to seven-year staggered terms by the Mayor with City Council approval.

It is my desire, therefore, to reappoint Diane Cerqueira, to the Local Officers Compensation Commission for a seven-year term, beginning March 1, 2010, and ending February 28, 2017.

KFD:skh

APP-CC

CITY OF JACKSON

RECEIVED
JAN 13 2010
BY: _____



MICHIGAN

Office of Mayor
Karen F. Dunigan

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

City of Jackson Board/Commission Application

Name: DIANE L. CERQUEIRA

Address: 311 S. BOWEN ST Zip: 49203

Home Phone: 787-0541 Other Phone: _____

Occupation: RETIRED FROM CONSUMERS E-mail Address: dogs.DIANE@YAHOO.COM

Community Involvement/Activity

VOLUNTEER - CASCADES HUMANE SOCIETY

CHAIR OF LOCAL OFFICERS COMPENSATION COMMISSION

Are you a registered voter? YES Ward? 4

1. _____ 2. _____

3. _____

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

It would be an honor to continue serving on this Commission

Feel free to attach any information. (Resume, press clippings)
APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Diane L. Cerqueira
Signature of Applicant

January 13, 2010
Date



Office of the Mayor

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4028 — Facsimile: (517) 768-5820

MEMO TO: City Councilmembers
FROM: Karen F. Dunigan, Mayor
DATE: February 3, 2010
SUBJECT: Jackson Transportation Authority

In accordance with amended JTA Articles of Incorporation adopted on 2/15/99, Article IV (2)(c), the board shall consist of four (4) city of Jackson residents appointed by the Mayor and confirmed by City Council, who cannot be elected officers or employees of the City. Terms shall be for three (3) years and shall expire on March 1.

It is my desire, therefore, to reappoint Robert F. Cole and David Mikelonis to the Jackson Transportation Authority for a three-year term each, beginning March 2, 2010, and ending March 1, 2013.

KFD:skh

APP-CC

CITY OF JACKSON



MICHIGAN

RECEIVED
JAN 13 2010

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

Office of Mayor
Karen F. Dunigan

City of Jackson Board/Commission Application

Name: ROBERT F. COLE

Address: 109 W. WASHINGTON AVE ^{LOFT #16} Zip: 49201

Home Phone: 787-4733 (CELL) Other Phone: _____

Occupation: ARCHITECT E-mail Address: Architronics@Prodigy.net

Community Involvement/Activity

JTA BOARD YMCA BOARD

REG II PLAN'G COM. PARKING ADVISORY COM

Are you a registered voter? YES Ward? 5TH

1. _____ 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

Robert F. Cole
Signature of Applicant

13 JAN 10
Date

CITY OF JACKSON



MICHIGAN

RECEIVED
JAN 29 2010
BY: _____

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

Office of Mayor
Karen F. Dunigan

City of Jackson Board/Commission Application

Name: David Mikelonis

Address: 1899 Glen Drive Zip: 49203

Home Phone: (517) 784-7312 Other Phone: _____

Occupation: retired/self employed part time E-mail Address: mikelonisjax@yahoo.com

Community Involvement/Activity

JTA Board since March 2007

Lumen Christi High School Advisory Board
(past 10 years)

Allegiance Health Hospital Oversight
(past 10 years) Board and
Committee

Notre Dame Club of Jackson Board
(ongoing - long time)

Are you a registered voter? Yes Ward? 6th

1. _____ 2. _____

3. _____

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

Helped steer JTA to a successful renewal of its millage for 5 years
and calm down issues with other govt entities that existed at
beginning of current term in 2007.

Feel free to attach any information. (Resume, press clippings)
APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

David Mikelonis
Signature of Applicant

January 28, 2010
Date

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM

TO: Hon. Mayor and City Council

FROM: Susan G. Murphy, Deputy City Attorney 

cc: Julius A. Giglio, City Attorney
Christopher W. Lewis, Interim City Manager

RE: St. John's Rectory Appeal

DATE: February 3, 2010

St. John's Catholic Church appeals the Historic District Commission's denial of a request to demolish the rectory. This appeal process is governed by Jackson City Code of Ordinances, Chapter 13, Section 13-9.

The following materials are attached for your consideration:

1. Prior proceedings from the Historic District Commission;
2. Draft minutes from the meeting held on January 11, 2010; and
3. Rectory Exhibits from St. John's, including renderings of the proposed rectory.

This matter is scheduled for a public hearing for City Council to consider this information and any additional information or comments from the relevant parties, city staff, or members of the public in determining how to rule on the appeal.

After the public hearing, City Council is requested to do one of the following:

- A. Support the HDC's decision by denying the request to demolish the rectory, or
- B. Reverse the HDC's decision by granting the request to demolish.

If the appeal is denied, St. John's Catholic Church may appeal the City Council decision to the State Historical Preservation Board as provided for in City Code Section 13-9(b)(1).

This matter is on the City Council Agenda for February 9, 2010 for a Public Hearing on St. John's Catholic Church's Appeal of the Historic District Commission's decision denying the Church's request to demolish the St. John's Rectory located at 717 Francis Street.

cc: Jim Schneider, St. John's Catholic Church
Marilyn Guidinger, HDC Chairperson

St John the Evangelist Church
711 North Francis Street
Jackson, MI 49201-1418
517-784-0553 Fax: 517 788-5381

January 16, 2010

RECEIVED
CITY of JACKSON

JAN 19 2010

CLERK'S OFFICE

BY 9:40 am 1/16

Lynn Fessel
City Clerk
City of Jackson
161 West Michigan Avenue
Jackson, MI 49201-1324

Dear Ms Fessel:

This is notice of our intent to appeal the decision of the Jackson Historic District Commission in which they denied our Application for Permission to demolish and replace the rectory building on our property at 717 North Francis Street, at its meeting on January 11, 2010. This notice is in accordance with the Historic Preservation Ordinance for the City of Jackson.

Please advise when this matter can be placed on the agenda of the Jackson City Commission and what additional information you would prefer us to furnish for your preparation for such meeting.

I can be reached at 784-0553, or you may contact my Business Manager, Jim Schneider, at 788-7377.

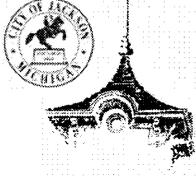
Sincerely,



Fr Jim Shaver, Pastor
St John the Evangelist Church

Historic District Commission

Prior Record

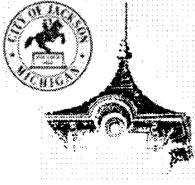


Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Special Meeting Agenda
January 7, 2010 @ Noon
711 Francis Street

Historic District Commissioners will visit the Rectory of St. John Catholic Church a noon on January 7th prior to its regular meeting scheduled for January 11, 2010. The Rectory is proposed for demolition and permission is needed from the Historic District Commission.



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

January 12, 2010

Jim Schneider, Chair
Building & Grounds Committee
St. John Catholic Church
711 N Francis Street
Jackson, Michigan 49201

Subject: **717 N. Francis Street**

Dear Mr. Schneider:

This letter confirms that the Jackson Historic District Commission (HDC) did not grant its permission to demolish the rectory at its meeting on January 11, 2010. The motion denying the request follows:

Comm. Fuerstenau moved, and Comm. Ahronheim seconded, a motion to deny the application for permission.

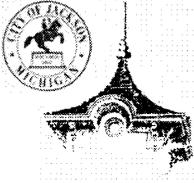
Yeas-5 (Ahronheim, Fuerstenau, Guidinger, Schaub, and Weir); Nays-0; Abstain-1 (Woodard); Absent-0

Please contact me at (517) 768-6711 with any questions.

Sincerely,

Grant E. Bauman, AICP
HDC Staff

cc: Frank Donovan, Chief Building Official
HDC Files



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Staff Report
717 N. Francis Street
January 11, 2010

General Information

Applicant

St. John the Evangelist Church
711 N. Francis Street
Jackson, Michigan 49201

Description of Change

Demolition of the existing rectory (717 N. Francis) is proposed.

Detailed Description

The congregation of the church is seeking permission to demolish the existing rectory and construct a smaller residence for its clergy. The scope of this application for permission is the demolition of the existing building. A separate application for permission must be submitted, along with architectural plans and other documentation, for the construction of a new rectory.

Proposed Loss/Change of Design Details

The existing rectory, built around 1860, will be demolished if this application is approved. Please see the attached pages from a recent report for additional information.

Anticipated Date of Completion

A fall 2010 completion date for the entire project was provided.

Estimated Cost of the Change

Anticipated project costs total \$350,000 (including new construction).



*****INSTRUCTIONS ON REVERSE SIDE*****

**JACKSON HISTORIC DISTRICT COMMISSION
APPLICATION FOR PERMISSION
(FOR CERTIFICATE OF APPROPRIATENESS)**

1. *Application information* Property Address: 717 N. FRANCIS Date: 12/29/09
Applicant Name: St John Church
Mailing Address of Applicant: 711 N. FRANCIS
City: JACKSON State: MI Zip: 49201
Work Phone: 517-795-8155 Home Phone: SAME Email: _____

2. *Property information* Owner (if not the same): _____
Contractor (if any): TBD
Architect (if any): TBD

DESCRIPTION OF CHANGE

3. *Detailed description:* DEMOLISH EXISTING RECTORY AND REPLACE WITH NEW RECTORY OF A DESIGN COMMENSURATE WITH THE HISTORIC DESIGNATION OF THE SITE

4. *What design details will be lost or changed?*
NEW RECTORY WILL BE SMALLER BUT WILL BE COMPATIBLE WITH HISTORIC SITE

5. *Anticipated date of completion.* EARLY 2010

6. *Estimated cost of change.* \$ 350,000

7. *Does this building contain a fire alarm system or a smoke alarm?* If so, what type? _____
Please certify you will install a fire alarm system or smoke alarm for this project before the anticipated date of completion in #5 above: Yes X No _____

FOR CITY USE ONLY

BUILDING INSPECTION	HISTORIC DISTRICT COMMISSION
Date Received: _____	Date Considered: _____
Referred to HDC: _____	Action: _____
Signature: _____	Signature: _____
	Approval of this Application for Permission deems this form a "Certificate of Appropriateness".

*****INSTRUCTIONS ON REVERSE SIDE*****



St John the Evangelist Church
711 N. Francis St.
Jackson, MI 49201-1418
517-784-0553 Fax: 517 788-5381

December 30, 2009

Historic District Commission
City of Jackson
161 West Michigan Avenue
Jackson, MI 49201

Enclosed for your consideration and approval is a Demolition Permit Application and an Application for Permission for St John the Evangelist Catholic Parish. We understand that these permits will be required for our planned demolition and replacement of the existing rectory.

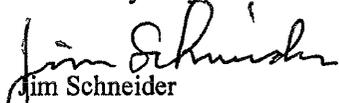
We have been concerned for some time about the condition of the existing rectory and have been investigating options for repair or replacement. Very recently the heating boiler began to leak lending some urgency to making a decision about a plan of action. In fact the resident priests have been relocated to temporary quarters to avoid an emergency move if the boiler completely fails. A heating contractor has advised us not to attempt repairing the boiler, and predicts complete failure soon.

This rectory was built in approximately 1860, with provisions to house at least a half dozen priests on three floors. In recent years only two priests have resided in this structure, with a total area of approximately 7400 square feet. Some alterations have been made over the years and the structure has been maintained in a habitable condition. However, utilities are in a serious state of deterioration and leakage damage has created interior mold and frequent need for repairs. Recently Woodard Associates assisted us in investigating the requirements to refurbish the building to a more comfortable, healthy and safe standard or to replace the building, although that study gave no attention to mold remediation, especially on the unoccupied third story of the building.

In light of the substantial cost to bring the building up to more modern standards compared to the cost of building a new rectory more suited to our current and foreseeable future needs, our Building and Grounds Committee has recommended a course of action to replace the existing building. This will include developing a building design commensurate with the historic designation of the site. In fact a lower profile building that we will propose will create a better view of the south exposure of the Church which is the most prominent structure on the historic site.

We look forward to your favorable consideration of these permit applications.

Yours very truly,


Jim Schneider

Chair, Buildings & Grounds Committee



Demolition Permit Application

City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201
(517) 788-4012
www.cityofjackson.org

Date 12/29 2009

Permit No. _____

Owner St John Church
(Owner of Demolition Site)

Address 717 N. FRANCIS
(Demolition Site)

Between GANSON
(Cross Street)

and QUARRY
(Cross Street)

Permit To Demolish (3) Story HOUSE Number of Units 1
(No.) (House, garage, etc.)

Contractor: T B D
(Telephone Number)

Address: _____
(Contractor's License)

=====
"SECTION 23A OF THE STATE CONSTRUCTION CODES ACT OF 1972, ACT NO. 230 OF PUBLIC ACTS OF 1972, BEING SECTION 125.1523A OF THE MICHIGAN COMPILED LAWS, PROHIBITS A PERSON FROM CONSPIRING TO CIRCUMVENT THE LICENSING REQUIREMENTS OF THIS STATE RELATING TO PERSONS WHO PERFORM WORK ON RESIDENTIAL BUILDING OR A RESIDENTIAL STRUCTURE, VIOLATORS OF SECTION 23A ARE SUBJECT TO CIVIL FINES."

SIGNATURE OF APPLICANT James R. Shaver
* OFFICE USE ONLY *

Area/Volume _____ (Square feet)	Application Fee \$ <u>20.00</u>	Permit Fee \$ _____	TOTAL= \$ _____
Property in Historic District: <input type="checkbox"/> Yes <input type="checkbox"/> No	HDC Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Region II Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No	Approval letter attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
SIGNATURE OF BUILDING OFFICIAL _____			

PERMIT VALID FOR 180 DAYS ONLY

DEMOLITION CHECKLIST

ADDRESS _____ PERMIT NUMBER _____
 ISSUED TO _____ DATE ISSUED _____ FINALED _____
 TYPE BUILDING _____ NUMBER OF UNITS _____
 GAS SERVICE DISCONNECTED _____ SEWER PLUGGED _____
 ELECTRIC SERVICE DISCONNECTED _____ FINAL GRADE _____
 WATER SERVICE DISCONNECTED _____ RE-SEED EXCAVATED AREA _____
 WATER METER REMOVED _____ SKETCH RETURNED _____

Contractor is responsible for confirming all utilities are disconnected before demolition.

SKETCH OF SEWER PLUG LOCATION

ADDRESS: 721 N. FRANCIS ST.
 W.C. NO. _____ DATE INSTALLED _____
 WATER: 12" IN. MAIN _____ FT. OF _____ PROPERTY LINE OF _____
 STOP BOX 93' FT. W OF W PROPERTY LINE OF COOPER
 AND _____ FT. OF _____ PROPERTY LINE OF _____
 SEWER: _____ IN. MAIN _____ FT. OF _____ PROPERTY LINE OF _____
 SERVICE _____ FT. OF _____ PROPERTY LINE OF _____
 DEPTH AT MAIN _____ FT. AT PROPERTY LINE _____ FT.
 CLEAN OUT _____
 REMARKS: NOTE: THIS SERVICE ALSO FEEDS 717 N. FRANCIS

 _____ FOREMAN _____

SIZE WATER SERVICE 1/2" Copper
 SIZE WATER SERVICE _____

E. GANSON

S
 E — () — W
 2

Please indicate location of sewer plug in relation to public sewer line by drawing a diagram which illustrates the distance and direction. Payment for demolition cannot be made to the contractor until this sketch is returned to the Building Inspection Dept.

Purpose of this study

The purpose of this study is to assist the members of St. John Catholic Church in planning for the future housing of its Priests.

Summary

Options

- Remodel the existing Rectory
- Demolish the existing Rectory and construct a new building on the same site

Factors

There are three basic factors to be considered by the members of the St. John Catholic Parish in their planning for the future housing of its Priests.

- Code and historic issues
 - The proximity of the existing church would necessitate a variance in the zoning ordinance to construct a new building in the same site.
 - The designation of the Rectory as a part of a local historic site would require the approval of the Jackson Historic District Commission prior to demolition of the Rectory.
- Operational costs
 - In part because of the very large size of the existing Rectory, and in part because of the energy efficiency of new construction systems, a new Rectory would be substantially less expensive to operate than a remodeled Existing Rectory.

New Construction vs. Remodeling

New Construction	\$2,111 (2007/2008 heating season)
Remodel Existing Rectory	\$3,888 (2007/2008 heating season)
(Assumes 10% energy savings due to remodeling)	
Savings in Utility cost if new Rectory is constructed	\$1,777 or 84%

- Construction Costs
 - Remodeling costs shown for the Existing Rectory are opinions of construction cost as required to upgrade the building to modern standards of comfort and convenience.

New Construction vs. Remodeling

New Construction	\$350,000
Remodel Existing Rectory-Replace Steam Heating system	\$204,000
Remodel Existing Rectory-New Forced Air HVAC	\$184,000
Savings if Rectory is remodeled vs. New Construction	\$126,000 to \$146,000

If the additional cost of constructing a new Rectory is undertaken, some of those costs will be recovered in savings on utilities. At the current utility rates it would take many years (103) for the additional construction costs to be recovered. However, natural gas costs rose 20% between January 2008 and June 2008. At this year's rates those costs would be recovered more quickly (70 years)). All evidence suggests that those costs will continue to rise, although not at that rate, for the foreseeable future, so the length of time to full cost recovery will continue to shorten.

The barrier free accessibility of a proposed new Rectory is an element to be considered. As the median age of the American Catholic Priest is climbing to above 60¹, accessibility becomes less of a convenience and more of a necessity.

There are some elements that cannot be summarized using numbers. Specifically issues of tradition and affection for the existing building. These elements can only be weighed by the Parish members and are not subject to analysis by the Design Professional.

¹ The Priesthood in Peril , John Monczunski, Notre Dame Magazine, Autumn 2002

west of the Community Center (see Fig. 2). There is a connecting passage from the Community Center to the Rectory.



Figure 2

Age and historic designation

The existing Rectory was constructed shortly after the Church was completed in approximately 1860. A masonry structure, the brick was first painted for many years, then, in the late 1980's, vinyl sided. The vinyl siding obscures much of the

identifying detail of the building but the compact non-symmetrical 3 story form with moderately steep hip and cross gabled roof, boxed eaves, dominant chimney and octagonal turret put this building squarely into the definition of Victorian "Queen Anne". (See fig. 3, 4, 5, 6 &7)

The interior of the building has reasonably up-to-date finishes. Much of the original oak woodwork remains and is in good shape, but has been painted. (See fig. 8, 9, 10 & 11)

The Rectory is roughly Forty-three feet by Fifty-four feet, with a foot print in excess of 2530 square feet. The majority of the building is three stories high with a partial unfinished attic space; the building has a gross area of 7386 square feet. There are nine Bedrooms, several with attached sitting area, seven full baths and one half, one modern Kitchen, a Pantry/service area, a full Parlor, formal Dining area and Office/Waiting room. The third floor is unused, except as storage and is closed, with heating turned off. There is a full basement, which is not included in the above gross square feet. The basement is damp and is not usable except as a mechanical space.

Renovation Cost

The following figures are based upon the assumption that the third floor will not be used or occupied. The only work on the third floor will be that required to maintain the safety and weather-tightness of that floor.

The existing shingle roof is beyond its useful life, replacement is essential. The Building Committee has obtained bids to replace the roof (fig. 5, 6, & 7)

Roof replacement \$46,000

The Existing vinyl siding was installed in the late 1980's. The finish on the pre-coated aluminum trim is failing in many locations (fig. 14, 15, 18, 19, 20 & 22) and should be replaced. The siding is loosening in several locations and should be repaired. Joints at windows and other openings should be caulked.

Siding Repair \$5,000

The existing windows are Aluminum clad wood sash with double pane glass (fig. 21 & 25). They were replaced when the siding was installed. Newer windows would be slightly more energy efficient, but the energy savings would be small and replacement is not recommended. Adding storm windows would be much less expensive and would result in at least an equal energy savings.

Add storm windows \$5,000

The existing attic is not insulated, although there is some evidence that the floor between the 2nd and 3rd floor may have had insulation blown between the floor joists. Insulating the attic would be a cost-effective way of lowering energy costs. Access to the attic is through a small access hatch on the 3rd floor.

Insulate attic with at least the equivalent of R-38 insulation \$5,000

The existing electrical system is a patchwork of relatively modern and very old

knob and tube wiring. While there is no evidence of imminent problem with the system, such problems are frequently hidden until they result in hazard to life and property. The masonry walls complicate the installation of new electrical, telephone, data and television cabling (fig 21). Replacement of the electrical system is recommended, as well as upgrading of the telephone and television cable.

Rewire the First and Second floor only,
including telephone and cable \$20,000²

The building has steam heat, provided by a boiler installed in 1961 and re-tubed in the last 5 years. The piping for the boiler has been patched and re-patched. The system is simple, with no possibility of zoning. Little of the piping is insulated. Replacement with a new, high efficiency boiler, zone valves and new insulated piping is recommended. Air conditioning could be achieved using an air handler on each floor and high velocity ductwork.

Replace and upgrade the steam heating and cooling system,
First and Second floor only \$50,000³

An alternate to the replacement of the existing system, would be to replace the system with a forced air system, eliminating the boiler, piping and radiators completely. One furnace would be installed on each floor, with high velocity air circulated to each habitable space. Furnaces might be gas or electric. Either furnace option presents challenges in routing ductwork and installation would result in significant disruption to the existing interior finishes.

Remove boiler system and install new forced air HVAC system,
First and Second floor only \$30,000⁴

The building's plumbing is obsolete, with a history of leakage and evidence of continuing leakage within the walls and ceilings (fig. 26 & 27). The plumbing is buried in the plaster walls and ceilings. Repair/replacement will require considerable disruption and repair of finishes.

Replace the plumbing system, First and Second floor only \$20,000⁵

With the exception of some areas of water damage, the existing finishes in the occupied portions of the Rectory are worn, but not unacceptable. Other than for purposes of aesthetic improvement, they might be retained. However, much of the work noted above, including the electrical upgrade, the mechanical replacement and the plumbing replacement will damage the existing finishes. Substantial plaster repair would be required by this work, and the nature of that repair is likely to damage flooring and wall coverings. It should be expected that a good portion of those finishes would need to be replaced. An allowance of \$10 per square foot as a minimum is recommended.

² Budget-B&H Electric

³ Budget-Grindall & White

⁴ Budget-Ajax Heating & Cooling

⁵ Budget-Grindall & White

Repair existing interior finishes, First and Second floor only \$50,000

The existing appliances are modern and operational. Replacement of the appliances, including the water heater, with energy star rated appliances would result in a reduction in utility costs.

Replacement of appliances \$3000

Operation Costs

The current Gas and Electric costs at the Rectory (based on August 2007-July 2008 year) are as follows:

Average gas-\$329 per month-\$3,948 per year

Average electric-\$31 per month-\$372 per year.

The EPA estimates that a homeowner may save as much as 20% of energy costs by utilizing good design and maintenance practices.

In the Rectory, providing R-38 insulation in the attic, new storm windows and sealing all cracks will reduce energy loss. The solid masonry walls do not readily allow for additional wall insulation. High efficiency appliances and an 'Energy Star' Heating/cooling system as well as using more efficient lighting such as compact florescent fixtures could also save considerable amount of energy. The unused portion of the Rectory, approximately 25%, is already 'mothballed' with heat set to minimum levels and power off. Given that these steps have already been taken, it would be overly optimistic to expect energy savings after renovation to exceed 10%.

A New Rectory Proposed Model

It has been suggested that the current need for Priest housing would be met by the construction of a new, single storey, three or four bedroom home, with two of the bedrooms being suites each having its own sitting areas, full bath and bedroom. The new facility would also need an eat-in kitchen and small, shared Living Room and additional bath and half bath. These needs could be met in a structure of 2000 to 2300 square feet.

The new Rectory would be constructed in accordance with current building codes, including the Energy Efficiency codes, Mechanical, Plumbing and Heating Codes.

Any new construction should meet the 'Energy Star' standards, with minimum R-38 attic insulation, high quality, low-e windows, and the equivalent of R-19 insulation in the walls. A high efficiency Heating and Cooling system and the use of high efficiency appliances are also recommended.

While not required by building code, a new Rectory might be constructed in accordance with the Americans with Disabilities Act (ADA). Thus a new home for the Priests might accommodate those with temporary or permanent motion limitations.

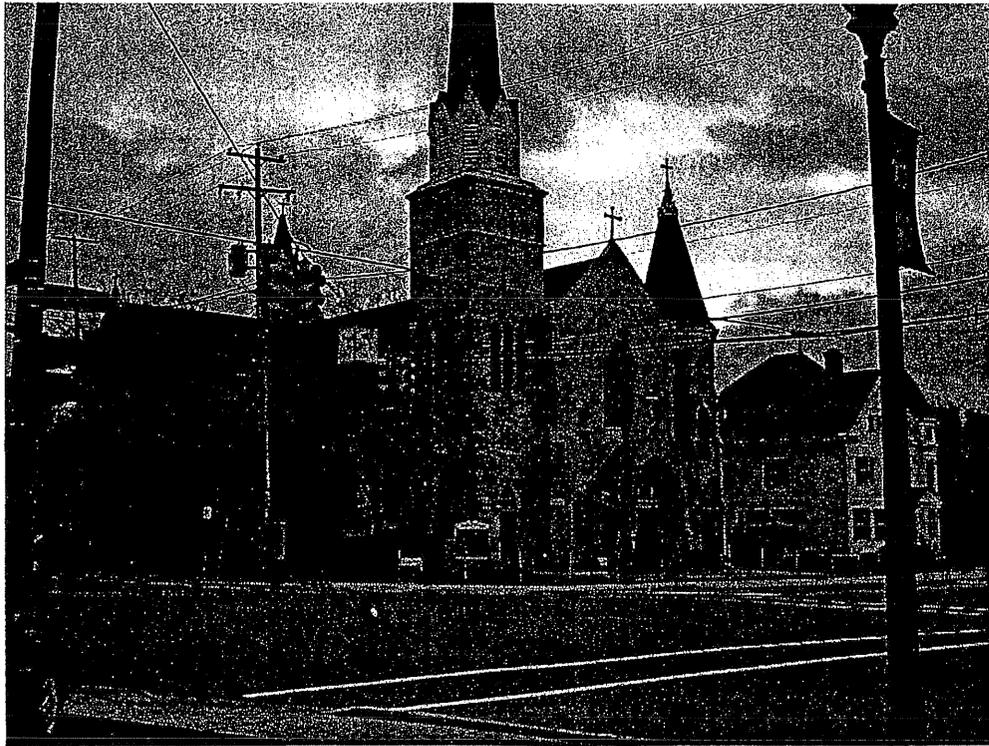


Figure 3-Rectory from the Northwest



Figure 4-Rectory from the West



Figure 5-Roof and tower



Figure 6-Connector to Community Center



Figure 7-Roof and porch



Figure 13-Deck between Rectory and Community Center

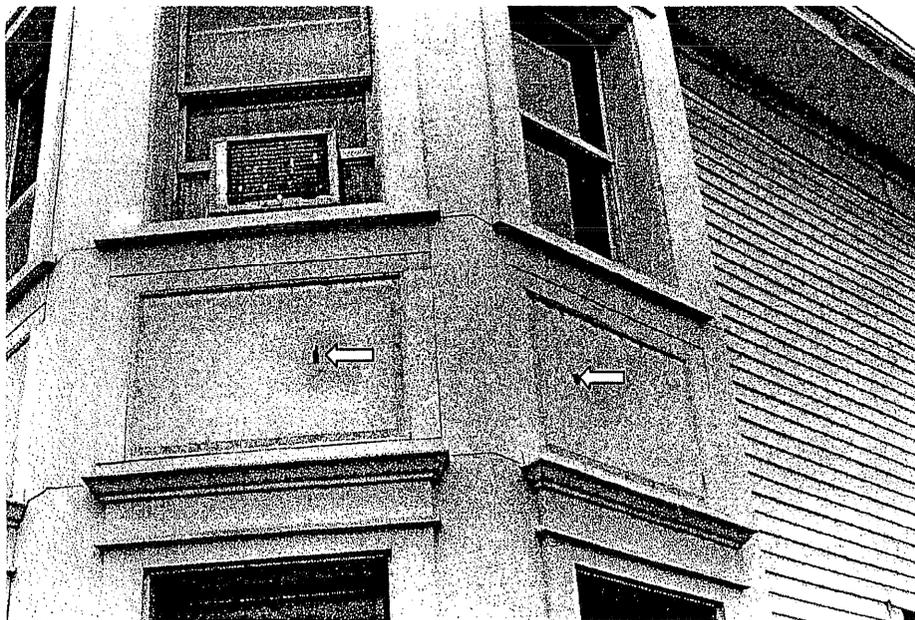


Figure 14-Tower, showing damage to MDO panel



Figure 19-Open joint in siding allows water entry



Figure 20-Damage to MDO panel



Figure 21-Extraordinary effort to provide Information Technology entry into building



Figure 22-Damage to aluminum trim allows water entry

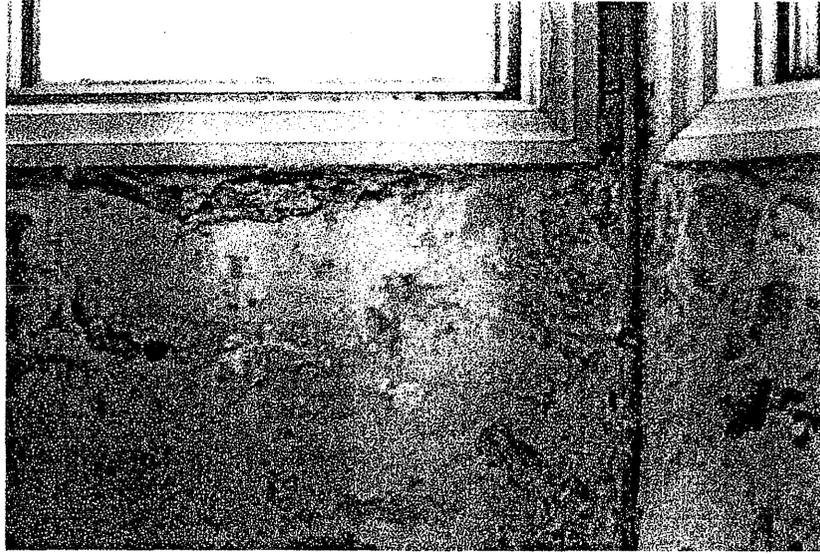


Figure 23-Third floor window. Unsealed joints allow windows to take on water, damaging plaster.



Mold

Figure 24-Third floor window. Unsealed joints in siding at window allows water entry and plaster damage



Figure 25-Finish on existing wood windows damaged by water entry into building. Third floor window

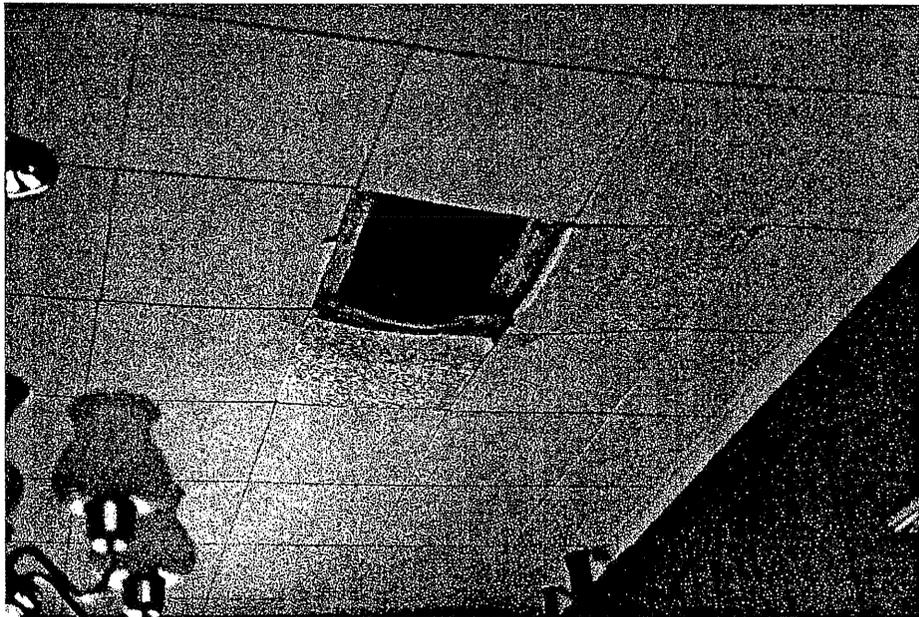


Figure 26-Ceiling damage caused by endemic ongoing plumbing leaks.



Figure 27-Plaster damage in Formal Parlor. Apparently caused by ongoing plumbing leaks



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Special Meeting Minutes
January 7, 2010
10th Floor of City Hall

MEMBERS PRESENT: Charles Ahronheim; Martha Fuerstenau; Marilyn Guidinger, Chair; John Schaub; and Jean Weir

MEMBERS ABSENT: Jeannette Woodard

STAFF PRESENT: Grant Bauman, HDC Secretary, and Frank Donovan, Chief Building Official

GUESTS PRESENT: Larry Brown and Jim Schneider, St. John Catholic Church; and Carol Konieczki, Community Development Director

Historic District Commissioners, staff, and representatives of St. John Catholic Church gathered at the Church's rectory (717 N. Francis Street) to tour the facility at 12:00 noon. The tour was arranged by Jim Brown and Jerry Schneider in order to provide commissioners an opportunity to inspect the rectory prior to considering a request for permission to demolish the structure during its January 11, 2010 meeting. No decisions or actions were taken. The tour concluded at 12:30 p.m.

Grant E. Bauman, AICP
HDC Staff



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Draft Meeting Minutes
January 11, 2010
10th Floor of City Hall

MEMBERS PRESENT: Charles Ahronheim; Martha Fuerstenau; Marilyn Guidinger, Chair; John Schaub; Jean Weir; and Jeannette Woodard

MEMBERS ABSENT: N/A

STAFF PRESENT: Grant Bauman, HDC Secretary, and Frank Donovan, Chief Building Official

GUESTS PRESENT: Peggy Hill, Make it Yours, and Larry Brown, Bob Johnson, and Jim Schneider, St John Catholic Church

Item 1. **Call to Order**

Chairperson Guidinger called the meeting to order at 6:00 pm.

Item 2. **Consideration of HDC Meeting Minutes**

Commissioners reviewed the minutes from previous meetings and corrections were made regarding the names of guests and the title of a staff person.

A. **December 21, 2009 Regular Meeting**

Comm. Woodard moved, and Comm. Schaub seconded, a motion to approve the minutes of the December 21, 2009 regular meeting of the HDC as corrected.

The motion was approved by unanimous voice vote.

B. **January 11, 2010 Special Meeting**

Comm. Woodard moved, and Comm. Schaub seconded, a motion to approve the minutes of the January 11, 2010 special meeting of the HDC as corrected.

The motion was approved by unanimous voice vote.

Item 3. **Public Comments**

There was no public comment.

Item 4. **Applications for Permission**

The following applications for permission were considered by the HDC.

A. **229 S. Mechanic Street (Make it Yours)**

Peggy Hill asked for permission to install a sign on the rear façade of the building for her business, Make it Yours. She confirmed that the sign was illuminated from within. Commissioners questioned why no permit was submitted for the sign on the front of the building. Ms Hill explained that the existing Nomad Bookhouse sign was simply covered over with the name and logo for her business. Mr. Donovan indicated that he will work with the applicant to get the proper authorization for the sign.

*Comm. Schaub moved, and Comm. Weir seconded, a motion to **amend** the application for permission to include the sign on the front of the building.*

The motion was approved by unanimous voice vote.

*Comm. Fuerstenau moved, and Comm. Schaub seconded, a motion to **approve** the application for permission as presented.*

Yeas-6 (Ahronheim, Fuerstenau, Guidinger, Schaub, Weir, and Woodard); Nays-0; Abstain-0; Absent-0

B. 717 Francis Street (St. John Catholic Church Rectory)

On the behalf of St. John Catholic Church, Larry Brown, Bob Johnson, and Jim Schneider asked for permission to demolish the rectory located on the grounds of the church. They pointed out that the demolition of the rectory would open up views to the church and that they did not believe that the building contributed to the historic nature of the church.

Commissioners were concerned with the impact of the demolition of the rectory on the surrounding area and pointed out that the building was structurally sound. They also felt that the replacement of the 1860 structure with a smaller building was not compelling and that the age of the structure is a reason for preservation.

*Comm. Fuerstenau moved, and Comm. Ahronheim seconded, a motion to **deny** the application for permission.*

Yeas-5 (Ahronheim, Fuerstenau, Guidinger, Schaub, and Weir); Nays-0; Abstain-1 (Woodard); Absent-0

Item 5. Election of Officers

Commissioner Woodard announced that the final report was almost finished. The only thing left to do was to take pictures of all of the buildings to be included in the district. Commissioner Schaub agreed to take those pictures. It was the consensus of the commissioners to submit the final report to the State of Michigan by early January.

Comm. Fuerstenau moved, and Comm. Schaub seconded, a motion reappointing Comm. Guidinger as the Chair of the HDC and appointing Comm. Weir as the Vice-Chair.

The motion was approved by unanimous voice vote.

Item 6. Correspondence

Staff provided commissioners with the following correspondence:

A. NAPC "Commission Data Project"

Comm. Ahronheim agreed to fill out the survey which secures a free 6-month membership in the National Alliance of Preservation Commission, which advocates for better support and resources for local preservation.

B. MHPN Conference: "Celebrating Sustainable Communities"

Commissioners were made aware of the annual conference of the Michigan Historic Preservation Network which will be held in Ann Arbor and Ypsilanti May 13-15, 2010.

Item 7. Other Business

A. HDC Webpage

Comm. Fuerstenau pointed out the need to update the HDC webpage on the City's website. She will check into the procedure for updating the webpage.

B. Proposed Mechanic Street Historic District

Comm. Woodard announced that the report for the proposed Mechanic Street Historic District was submitted to the State of Michigan.

Item 9. Adjournment

The meeting was adjourned at 7:00 pm

Grant E. Bauman, AICP
HDC Staff

ORDINANCE NO. 88-_____

AN ORDINANCE TO AMEND SECTION 5.267 OF CHAPTER 42, TITLE V OF THE CODE OF THE CITY OF JACKSON, TO ADD CERTAIN BUILDINGS TO THE JACKSON HISTORIC DISTRICT.

THE CITY OF JACKSON ORDAINS:

Section 1. That Section 5.267 of Chapter 42, Title V of the Code of the City of Jackson be, and the same hereby is, amended to add subsections (13) through (21) thereof to read as follows:

Sec. 5.267. The Jackson Historic District.

The Jackson Historic District is hereby created pursuant to Act 169 of 1970 as last amended, State of Michigan (MCLA 399.201 et seq.; MSA 5.3407 [1] et seq.), and shall consist of the following areas, sites, landmarks, buildings, structures, works of art and objects:

...

- (13) Soldiers and Sailors Monument at Wildwood and Michigan Avenues. Land commencing at a point on the north line of West Michigan Avenue, 118.25 feet east of the southeast corner of Lot 17, Block 1, Assessor's Wildwood Plat, thence northerly 109.47 feet to southerly line of Wildwood Avenue, thence southeasterly to northerly line of Michigan Avenue, thence west to beginning. Southeast 1/4 of southwest 1/4, Section 34, T2S, R1W.
- (14) Ella Sharp Museum House. Being a part of the East 1/2 of the North West 1/4 of Section 16, T3S, R1W, City of Jackson, Jackson County, Michigan. More particularly described as: Beginning at a point distant, on the West North-South 1/16 Line, S 88°59'00" E - 1322.67' and N 00°08'14" E - 1361.04' from the W 1/4 Post of said Section; Thence: N 00°08'14" E, along said 1/16 Line, 119.82'; N 90°00'00" E - 206.19'; S 00°08'14" W - parallel with said 1/16 Line 121.79'; N 89°27'05" W - 206.19' parallel with the southerly wall of the Ella Sharp Museum House to the point of beginning. Containing 0.572 acres more or less.
- (15) St. Paul's Church. Lot 1 and 2, Block 3 south, R1E, also commencing at intersection of east line of Jackson Street with south line of Washington Street, thence east 8 rods, thence south 8 rods, thence west 8 rods to east line of Jackson Street, thence north 8 rods to beginning. Block 3 south, R1E, also commonly known as 309 South Jackson Street.
- (16) The Republican Birthplace at Franklin and Second Streets. The south 38.31 feet of the east 83.13 feet of Lot 17, Block 12 of Livermore Woods, Eaton's Addition to the City of Jackson.

- (17) Old Prison (Armory) at North and Cooper Streets. Commencing at a point on the east line of Section 34; 660 feet north of the 1/4 post on the east line of said section, thence west 15 chains to the center of the Gran River, thence north 13-1/3 chains to a stake, thence east 15 chains to a stake, thence south 13-1/3 chains to place of beginning. Also a strip of land bounded on the south by Prison Street, west by Broad Street, north by the south line of Michigan State Prison Land, on east by Cooper Street. Being 82-1/2 feet north and south by 551-1/2 feet east and west, east 1/2 of northeast 1/4, Section 34, T2S, R1W.
- (18) St. John's Catholic Church. A piece of land commencing at intersection of east line of Cooper Street with north line of Leroy Street, thence east to Murphy's Addition, thence north 841.48 feet, thence west to east line of Cooper Street, thence south on east line of Cooper Street 841.48 feet to place of beginning, except that portion used for street purposes, southwest 1/4 of northwest 1/4, Section 37, T2S, R1W, also commonly known as 711 Cooper Street.
- (19) Commercial Exchange Building. Lot 1 to 10 inclusive, and north 5.6 feet of Lot 11. Also a parcel of land commencing at southeast corner of Lot 10, thence east to west line of Ann Street, thence south 7.35 feet, thence west 59.15 feet, thence north 1.75 feet, thence west to east line of Lot 11, thence north to beginning. Being part of Lot 12, Block 18 east, addition No. 4, also commonly known as 2301 East Michigan.
- (20) 1401 Greenwood. Lot 1 and north 22 feet of Lot 2, Block 2, Division 2, amended platt of Division ;1, 2, 3 of Summitville Addition.
- (21) 231 East High Street. T3S, R1W, 18-287, page 119.

Section 2. This ordinance shall take effect thirty (30) days from the date of final adoption.

* * * * *

Name

St. Johns' Catholic Church

Location

711 Cooper Street

Requesting Party

Historic District Commission

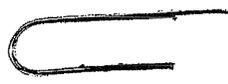
Registration Status

State

Property

Church is a stone faced structure at southeast corner of Ganson and Cooper Streets. St. John's is one of the oldest Catholic Churches in the area. The stone structure is unusually well-preserved.

Significance

- (1) Parish over 100 years in Jackson.
 - (2) Stone facing designed by Claire Allen.
 - (3) Building is maintained in excellent condition.
 - (4) One of original stained glass windows is still present.
 - (5) See attached inventory forms.
- 

16. Interrelationship of Building and Surroundings

17. Other Notable Features of Building and Site

18. Threats to Building a. none known b. zoning c. roads d. developers
e. deterioration f. other _____

SIGNIFICANCE (Indicate sources of information for all statements)

19. Architectural Significance

Date of Construction _____ Architect Claire Allen
Builders, suppliers, etc. _____

Notes on original plan and specifications:

20. Historical Significance: *Parish is one of oldest in Jackson being over 100 years in Jackson.*

Church exterior was designed by local architect, Claire Allen, whose work is highly regarded. This building is example of variety and quality of Allen's work. This site is exceptionally well preserved.

21. Sources (for primary and secondary sources, give complete facts of publication: author, title, place of publication, date):

*Note: Site is State Registered.
Additional file data is available in Lansing.*

22. Please indicate here if the historic site is income or revenue producing:

YES NO

Prepared by J R Schaub Date _____

Address _____ Telephone _____

Organization _____



County Jackson

MICHIGAN HISTORY DIVISION
Michigan Department of State

Theme(s) Soc: Rel; EH

INVENTORY FORM

X STATE REGISTER SITES
(Michigan Historical Commission Meeting)

NATIONAL REGISTER NOMINATION REPORT
(State Historic Preservation Review Board Meeting)

Name of Site (Common) St. John Church

(Historic) _____

Address: Street and Number 717 Cooper Street

City/Town Jackson Zip 49201

Significant Dates (construction, cornerstone event, etc.) 1857, 1934

Significance/Description

St. John, the oldest Catholic Church in Jackson, was constructed in 1857 as a Gothic brick edifice. Somewhat enlarged during Father Buyse's Pastorship which began in 1871, the church was covered with limestone during the Depression as a locally sponsored project. Jackson's only Catholic Church until 1901, St. John served a parish, at first primarily Irish, which gradually added Poles, Italians, Blacks, and Mexican-Americans to its membership.

Present Owner Diocese of Lansing

Address: Street and Number Chancery, 300 W. Ottawa Street

City/Town Lansing Zip 48933

Present Use private: church

State Register: To Be Local Site No. 587 To Be State Site No. _____

Date Listed _____ Marker _____

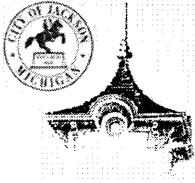
National Register Level of Significance: Local _____ State _____ National _____

Date Nominated _____ Date Sent _____ Date Listed _____

Date of: Commission Meeting 4/4/78 Review Board Meeting _____

Prepared by John Kern Date 3/31/78

Source(s) information provided by Father Ruddy



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Meeting Minutes
December 21, 2009
10th Floor of City Hall

MEMBERS PRESENT: Martha Fuerstenau; Marilyn Guidinger, Chair; John Schaub; and Jeannette Woodard

MEMBERS ABSENT: Charles Ahronheim; Karessa Weir, Vice-Chair; and Jean Weir

STAFF PRESENT: Grant Bauman, HDC Secretary

GUESTS PRESENT: Mayor Karen Dunigan and Larry Brown and Jim Schneider, St. John Catholic Church

Item 1. **Call to Order**

Chairperson Guidinger called the meeting to order at 6:00 pm and Karen Dunigan, the newly elected mayor, introduced herself to the Commissioners.

Item 2. **Consideration of Minutes of the November 16, 2009 HDC Meeting**

Commissioners reviewed the minutes from the previous meeting.

Comm. Schaub moved, and Comm. Woodard seconded, a motion to approve the minutes of the November 16, 2009 regular meeting of the HDC with one correction.

The motion was approved by unanimous voice vote.

Item 3. **Public Comments**

There was no public comment.

Item 4. **Future Application for Permission — 711 N. Francis Street**

Jim Brown and Jerry Schneider, St. John Catholic Church, informed the committee of their proposal to demolish the rectory and build new living quarters for the parish priest. They were considering significant repairs to the rectory, which would bring it up to code, when the boiler began to leak. Unfortunately, the boiler cannot be repaired, prompting the potential request to demolish the building. Pertinent pages from a recent feasibility study were provided as documentation. Staff provided a synopsis of the approval process for the demolition, noting that construction of a new rectory would be considered a separate application. Comm. Schaub noted that he would like a site visit organized and the other commissioners concurred. A site visit was then scheduled for Thursday, January 7, 2010, at noon, allowing the HDC to consider a formal request at its regular meeting scheduled for January 11, 2009. Commissioners will review the feasibility study prior to the site visit.

Item 5. Application for Permission — 327 Washington Avenue

Erin Wetzel asked for permission to install a sign for her business, Core Arts Pilates. Commissioners noted that the sign was large and dominated views to the front porch of the building. It was suggested that moving the sign closer to the house and decreasing its height will solve the problem.

*Comm. Woodard moved, and Comm. Fuerstenau seconded, a motion to **approve** the installation of the sign provided that it be set back 20 ft from the sidewalk and lowered to a height of 3-ft 6-inches.*

Yeas-4 (Fuerstenau, Guidinger, Schaub, and Woodard); Nays-0; Abstain-0; Absent-3 (Ahronheim, J. Weir, and K. Weir)

Item 6. Mechanic Street Historic District

Commissioner Woodard announced that the final report was almost finished. The only thing left to do was to take pictures of all of the buildings to be included in the district. Commissioner Schaub agreed to take those pictures. It was the consensus of the commissioners to submit the final report to the State of Michigan by early January.

Comm. Fuerstenau moved, and Comm. Woodard seconded, a motion approving the submission of the final report to the State in early January.

The motion was approved by unanimous voice vote.

Item 7. 2010 Meeting Schedule

Staff submitted the following 2010 HDC meeting dates to commissioners for approval:

- | | | |
|--------------|-------------|----------------|
| ■ January 11 | ■ May 17 | ■ September 20 |
| ■ February 8 | ■ June 21 | ■ October 18 |
| ■ March 15 | ■ July 19 | ■ November 15 |
| ■ April 19 | ■ August 16 | ■ December 20 |

Comm. Fuerstenau moved, and Comm. Woodard seconded, a motion approving the meeting dates.

The motion was approved by unanimous voice vote.

Item 8. Window Rehabilitation Workshop

Staff informed commissioners of an opportunity for contractors to learn how to fix rather than replace wooden windows in historic districts. The HDC directed staff to inform Dawn Flynn of the Community Action Agency of the opportunity.

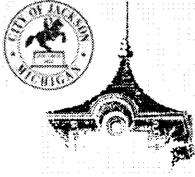
Item 9. Adjournment

The meeting was adjourned at 7:00 pm

Grant E. Bauman, AICP
HDC Staff

Historic District Commission

Draft Minutes



Jackson Historic District Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

Draft Meeting Minutes
January 11, 2010
10th Floor of City Hall

MEMBERS PRESENT: Charles Ahronheim; Martha Fuerstenau; Marilyn Guidinger, Chair; John Schaub; Jean Weir; and Jeannette Woodard

MEMBERS ABSENT: N/A

STAFF PRESENT: Grant Bauman, HDC Secretary, and Frank Donovan, Chief Building Official

GUESTS PRESENT: Peggy Hill, Make it Yours, and Larry Brown, Bob Johnson, and Jim Schneider, St John Catholic Church

Item 1. **Call to Order**

Chairperson Guidinger called the meeting to order at 6:00 pm.

Item 2. **Consideration of HDC Meeting Minutes**

Commissioners reviewed the minutes from previous meetings and corrections were made regarding the names of guests and the title of a staff person.

A. **December 21, 2009 Regular Meeting**

Comm. Woodard moved, and Comm. Schaub seconded, a motion to approve the minutes of the December 21, 2009 regular meeting of the HDC as corrected.

The motion was approved by unanimous voice vote.

B. **January 11, 2010 Special Meeting**

Comm. Woodard moved, and Comm. Schaub seconded, a motion to approve the minutes of the January 11, 2010 special meeting of the HDC as corrected.

The motion was approved by unanimous voice vote.

Item 3. **Public Comments**

There was no public comment.

Item 4. **Applications for Permission**

The following applications for permission were considered by the HDC.

A. **229 S. Mechanic Street (Make it Yours)**

Peggy Hill asked for permission to install a sign on the rear façade of the building for her business, Make it Yours. She confirmed that the sign was illuminated from within. Commissioners questioned why no permit was submitted for the sign on the front of the building. Ms Hill explained that the existing Nomad Bookhouse sign was simply covered over

with the name and logo for her business. Mr. Donovan indicated that he will work with the applicant to get the proper authorization for the sign.

*Comm. Schaub moved, and Comm. Weir seconded, a motion to **amend** the application for permission to include the sign on the front of the building.*

The motion was approved by unanimous voice vote.

*Comm. Fuerstenau moved, and Comm. Schaub seconded, a motion to **approve** the application for permission as presented.*

Yeas-6 (Ahronheim, Fuerstenau, Guidinger, Schaub, Weir, and Woodard); Nays-0; Abstain-0; Absent-0

B. 717 Francis Street (St. John Catholic Church Rectory)

On the behalf of St. John Catholic Church, Larry Brown, Bob Johnson, and Jim Schneider asked for permission to demolish the rectory located on the grounds of the church. The information provided confirms that the building is an 1860 Victorian era building.

The church representatives stressed the poor condition of the boiler and plumbing leaks that have caused damage inside the rectory. They pointed out that the demolition of the rectory would open up views to the church, and that they did not believe that the building contributed to the historic nature of the church. They also shared their concerns that the building is too large for their current purposes since they have fewer priests and that many of the former social events that occurred in the rectory are now housed in the parish center. They indicate that a smaller rectory would serve their current needs. Information provided also revealed that the cost to demolish and rebuild the rectory were in excess of the cost to repair it.

Commissioners noted the age and design of the rectory as compelling reasons to preserve the building in its historical state especially in light of the lesser cost to repair the building. It was also noted that the building is mostly original, in good structural condition, has historical age, has a historical use, and location. The commissioners noted that replacing the 1860 structure with a smaller building was not compelling, and its removal would impact the overall historic nature of the entire site.

*Comm. Fuerstenau moved, and Comm. Ahronheim seconded, a motion to **deny** the application for permission.*

Yeas-5 (Ahronheim, Fuerstenau, Guidinger, Schaub, and Weir); Nays-0; Abstain-1 (Woodard); Absent-0

Item 5. Election of Officers

Commissioner Woodard announced that the final report was almost finished. The only thing left to do was to take pictures of all of the buildings to be included in the district. Commissioner Schaub agreed to take those pictures. It was the consensus of the commissioners to submit the final report to the State of Michigan by early January.

Comm. Fuerstenau moved, and Comm. Schaub seconded, a motion reappointing Comm. Guidinger as the Chair of the HDC and appointing Comm. Weir as the Vice-Chair.

The motion was approved by unanimous voice vote.

Item 6. Correspondence

Staff provided commissioners with the following correspondence:

A. NAPC “Commission Data Project”

Comm. Ahronheim agreed to fill out the survey which secures a free 6-month membership in the National Alliance of Preservation Commission, which advocates for better support and resources for local preservation.

B. MHPN Conference: “Celebrating Sustainable Communities”

Commissioners were made aware of the annual conference of the Michigan Historic Preservation Network which will be held in Ann Arbor and Ypsilanti May 13-15, 2010.

Item 7. Other Business

A. HDC Webpage

Comm. Fuerstenau pointed out the need to update the HDC webpage on the City’s web-site. She will check into the procedure for updating the webpage.

B. Proposed Mechanic Street Historic District

Comm. Woodard announced that the report for the proposed Mechanic Street Historic District was submitted to the State of Michigan.

Item 9. Adjournment

The meeting was adjourned at 7:00 pm

Grant E. Bauman, AICP
HDC Staff

ST JOHN the EVANGELIST CHURCH

RECTORY EXHIBITS

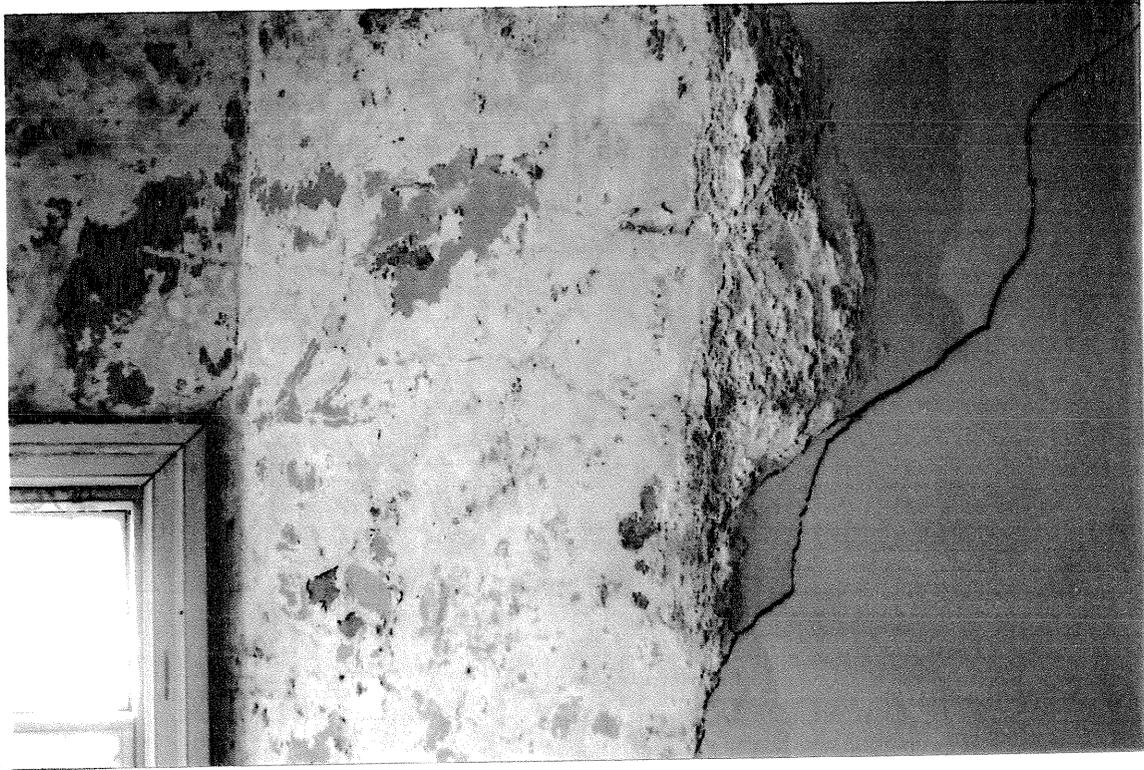
February 2, 2010



ST JOHN RECTORY AND CHURCH



3rd FLOOR - TYPICAL PLASTER
DETERIORATION FROM AGE



3rd FLOOR MOLD DUE TO LEAKY
WINDOWS AND LEAKY EXTERIOR
JOINTS

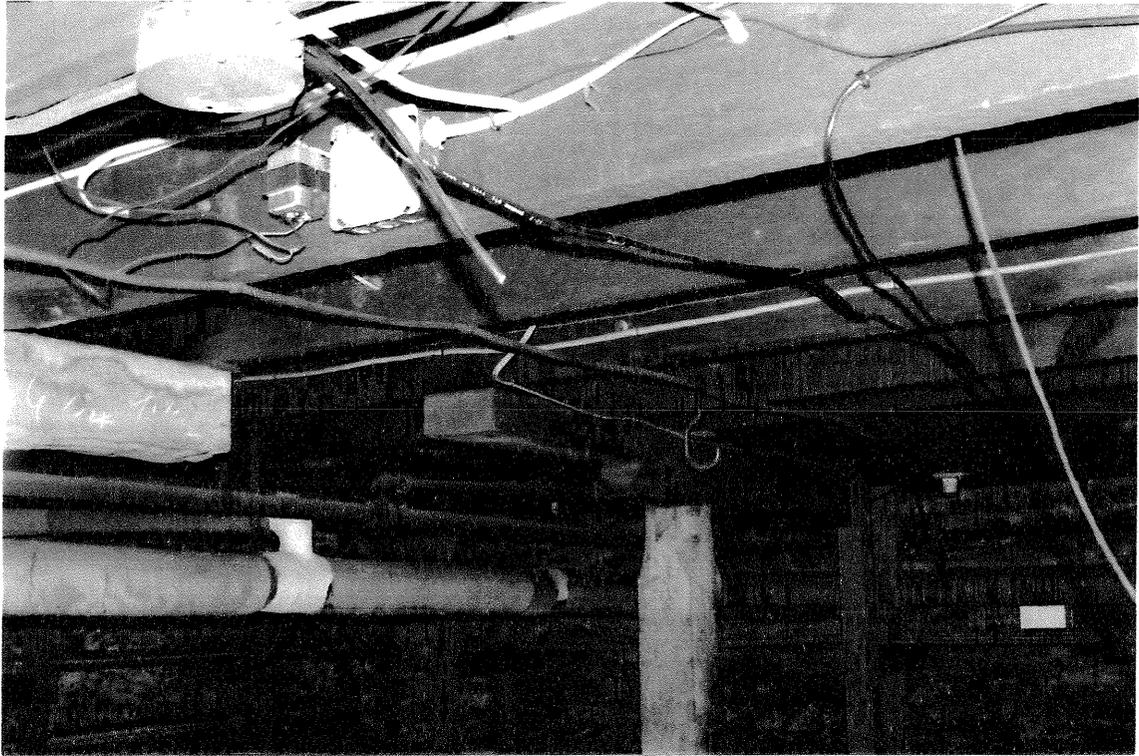




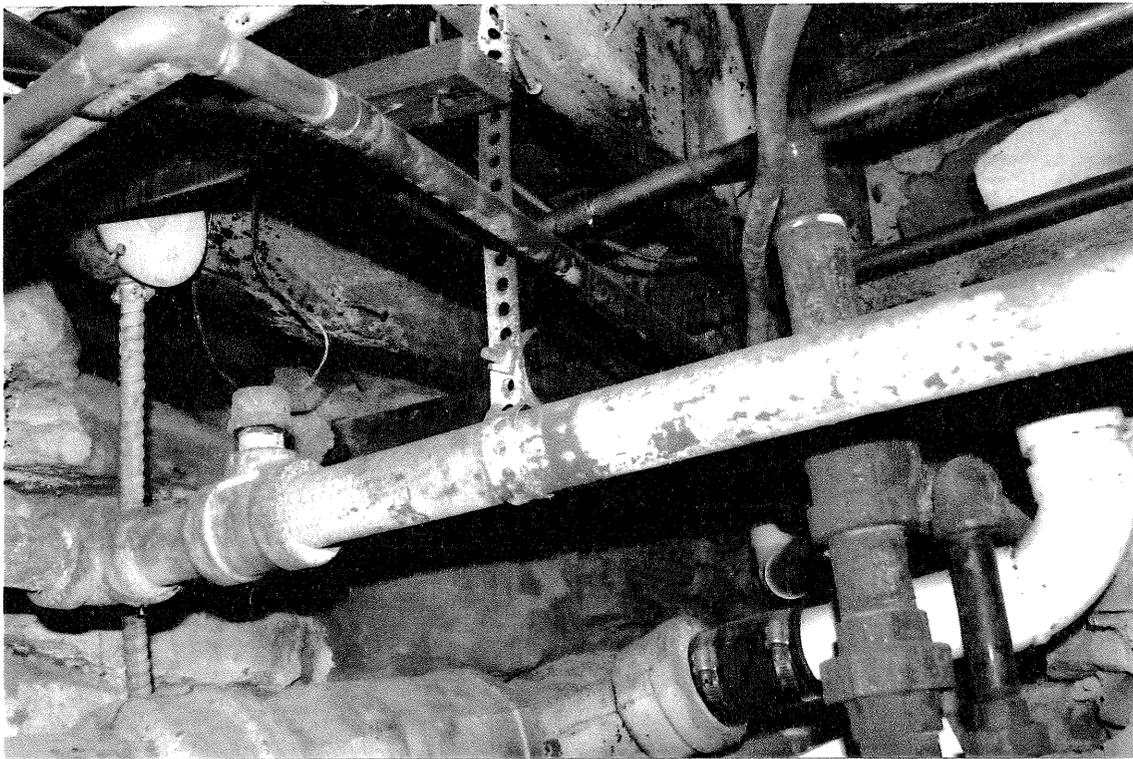
MAIN FLOOR TYPICAL DAMAGE FROM
PLUMBING AND HEATING SYSTEM
LEAKS

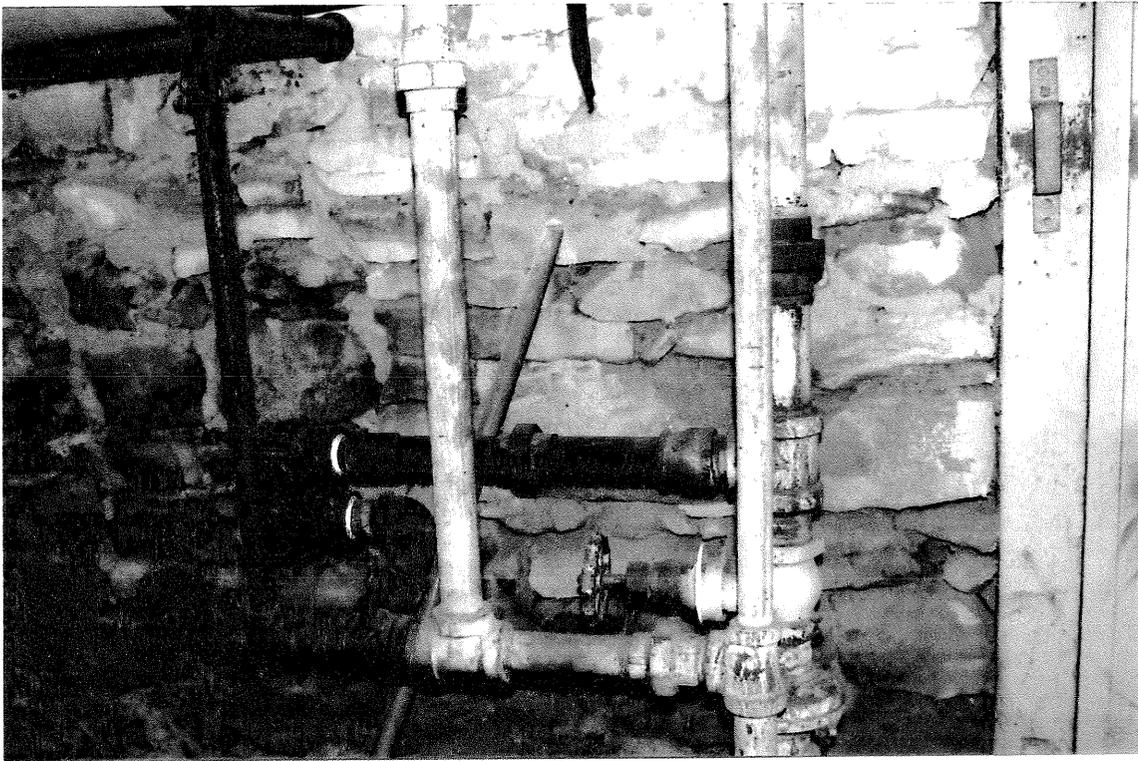


MAIN FLOOR - ONGOING AND OFTEN
REPAIRED DAMAGE FROM LEAKS
AROUND THE CHIMNEY

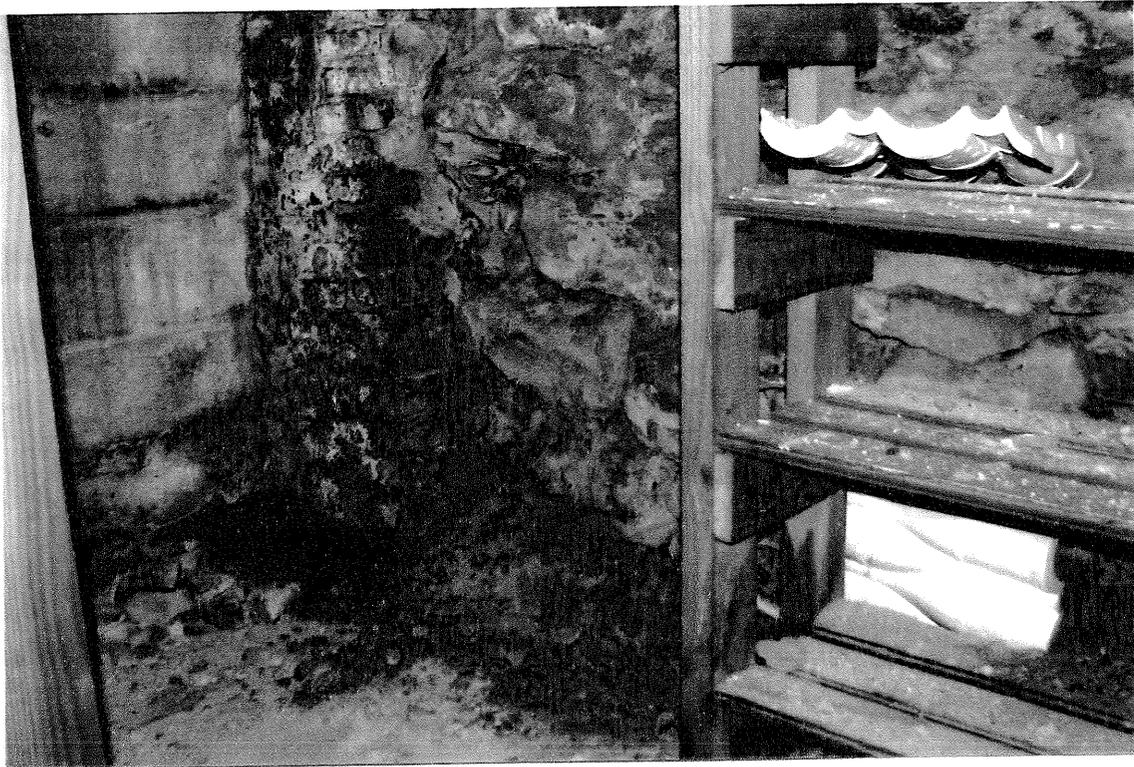


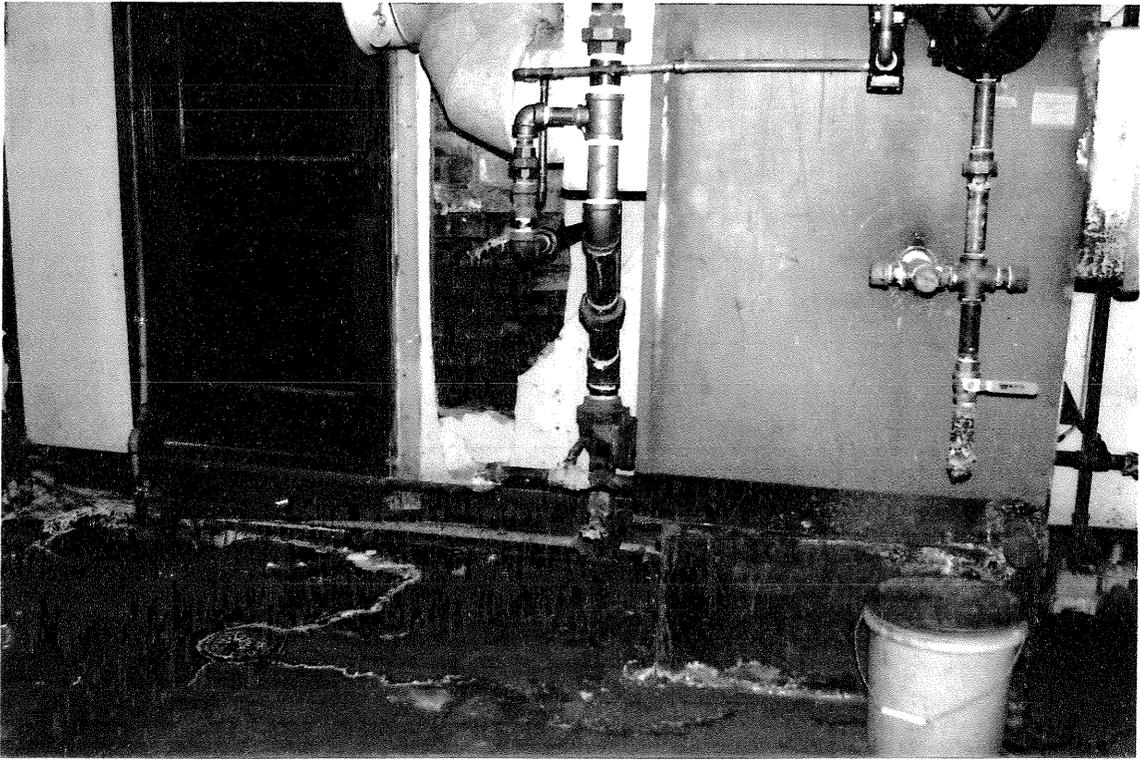
**BASEMENT - PLUMBING AND
ELECTRICAL**





BASEMENT FOUNDATION WALLS

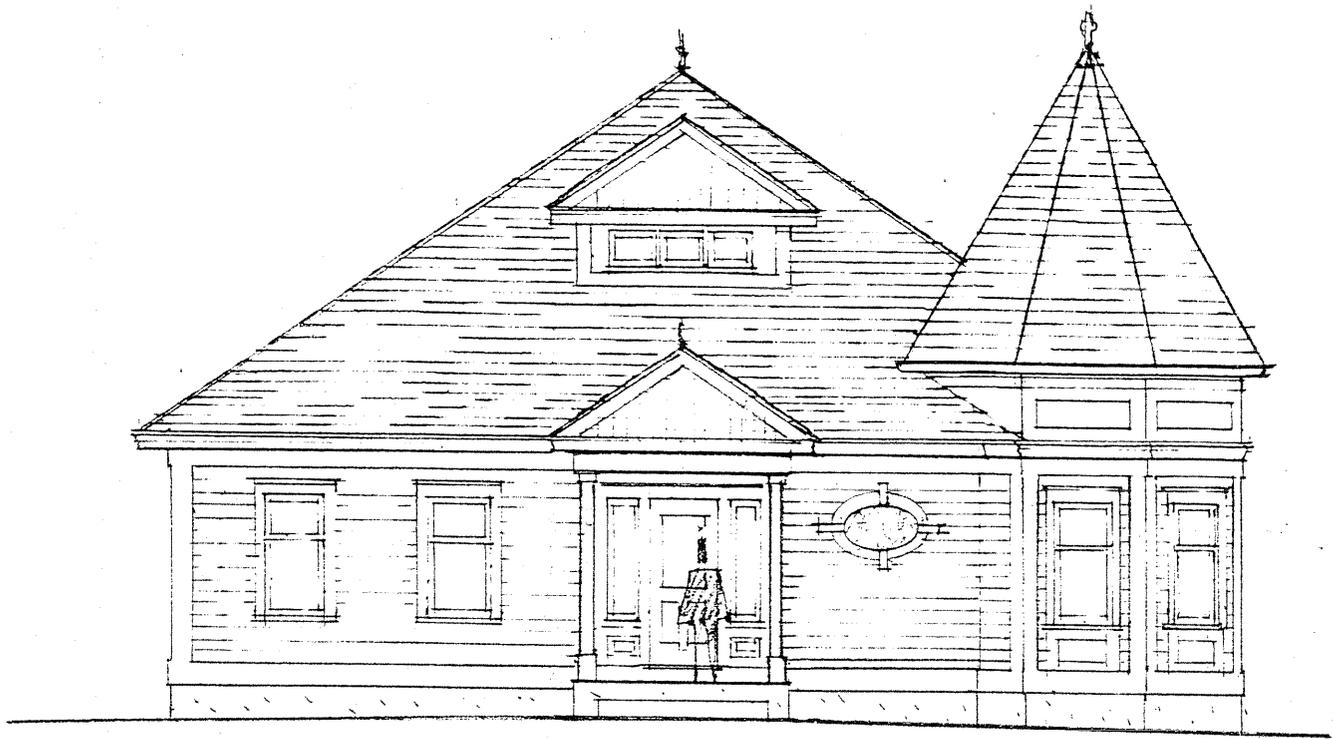




HEATING BOILER LEAKAGE



CHIMNEY BASE - SPALLING OF BRICK
FROM LEAKAGE AROUND CHIMNEY



WEST ELEVATION

$\frac{1}{8}'' = 1'-0''$

ST. JOHN CATHOLIC CHURCH

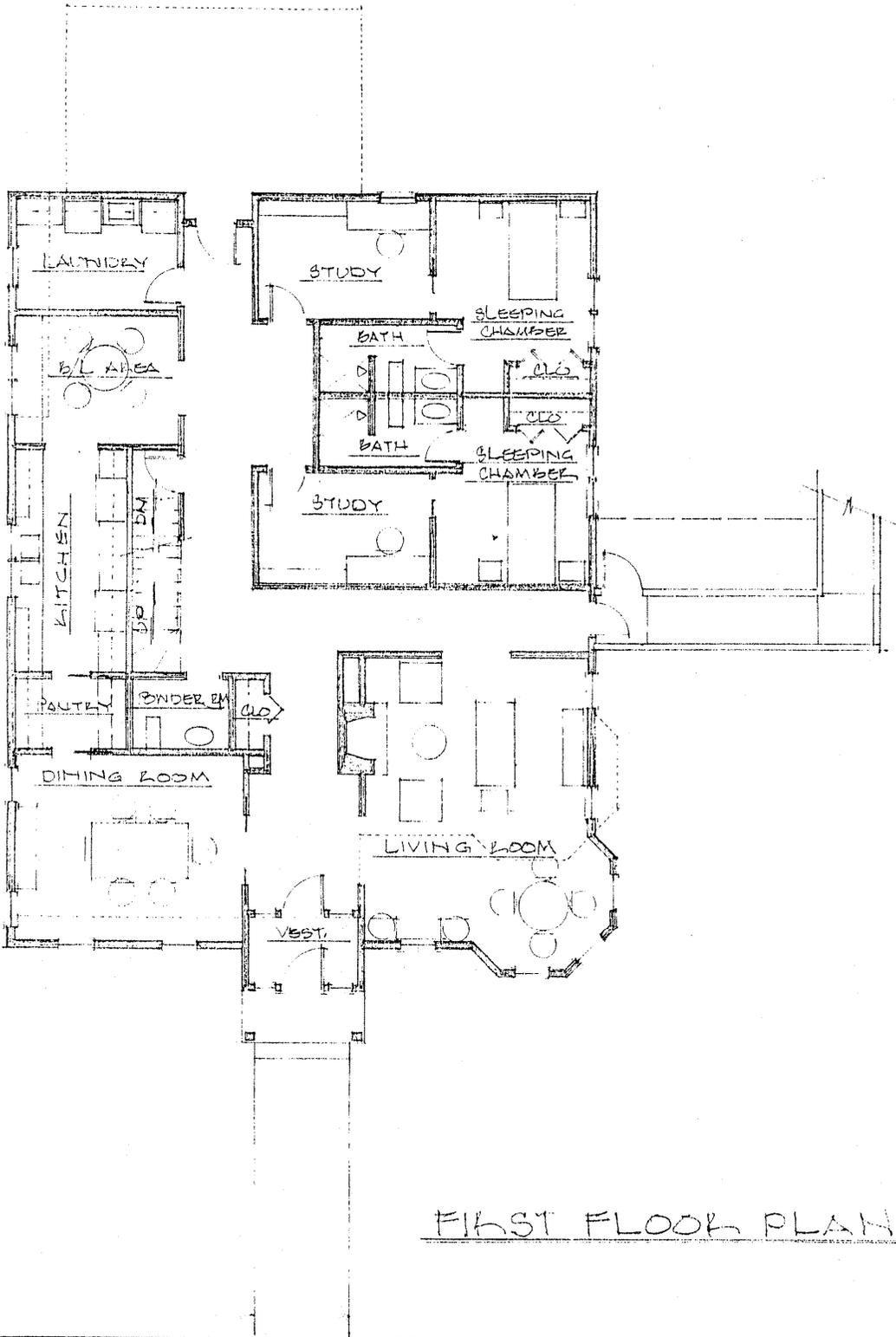
PROPOSED RECTORY

ARCHITONICS

380-1

26 JAN 10

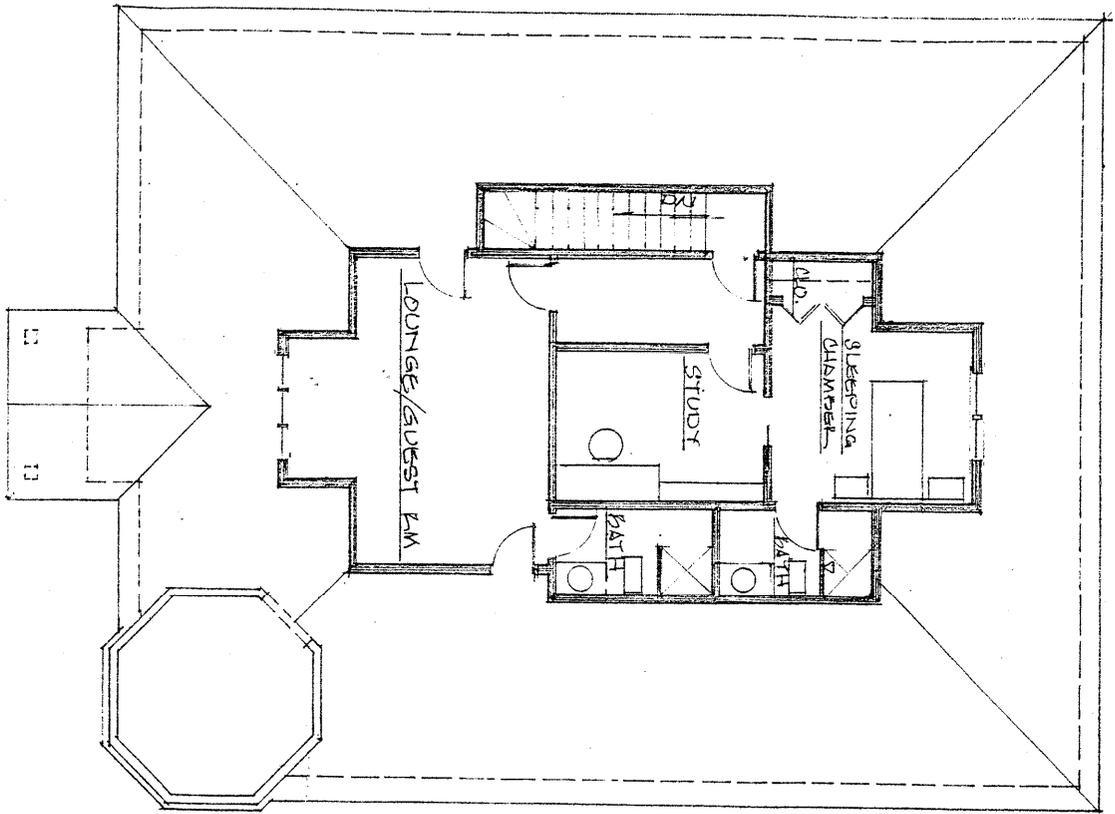
REV. 28 JAN 10



FIRST FLOOR PLAN NORTH

ST. JOHN CATHOLIC CHURCH
 PROPOSED RECTORY

ARCHITONICS 886-1 26 JAN 10



SECOND FLOOR PLAN

NORTH

1/8" = 1'-0"

ST. JOHN RECTORY 880-1 1 FEB 10

ARCHITONICS

THE FOLLOWING ITEMS THAT ARE PART OF THE EXISTING RECTORY BUILDING SHOULD BE SALVAGED FOR INCORPORATION IN THE PROPOSED RECTORY:

1. TURRET ROOF STRUCTURE W/ FINIAL
2. ROOF FINIALS
3. STAIN GLASS SASH, TRIM & CASING
4. CERTAIN DOORS, HARDWARE & CASING
5. WAINSCOT, BASE & CHAIR RAIL
6. STAIR RAILING

R. COLE



City Clerk

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4025 — Facsimile: (517) 788-4651

January 28, 2010

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Angela Arnold, Deputy City Clerk 

SUBJECT: Public Hearing on the request filed by Refrigeration Sales, Inc., to amend Industrial Development District No. 80

Attached please find a resolution amending Industrial Development District No. 80. Also included are a map of the proposed amended district, and a letter of request by Refrigeration Sales, Inc.

Please place this resolution on the February 9th agenda for City Council to consider after the public hearing is held.

Thank you.

Attachments

C: Christopher Lewis, Interim City Manager
David Taylor, City Assessor
Barry Hicks, Community Development EDPM

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Act No. 198 of the State of Michigan Public Acts of 1974, as amended, was enacted for the purpose of stimulating economic development in the State by providing tax benefits through the establishment of Plant Rehabilitation Districts and Industrial Development Districts; and

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

WHEREAS, Refrigeration Sales, Inc., of 910 Myrtle Street, Jackson, Michigan, more fully described below, has petitioned the City of Jackson to amend Industrial Development District No. 80; and

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

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

WHEREAS, on February 9, 2010, a public hearing was held at which all residents and taxpayers of the City of Jackson were afforded an opportunity to be heard thereon on the Industrial Development District amendment; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson hereby amends and so designates Industrial Development District No. 80, consisting of the following lands within the City of Jackson:

LOTS 4, 18, 20 & 21 & THE NORTH 46.5 FT OF LOT 23 BLK 1 NORTH STAR ADDITION ALSO A PIECE OF LAND LYING W OF THE EXISTING GRAND RIVER & DESCRIBED AS BEG AT A PT ON THE E LN OF MYRTLE ST EXT 594 FT N OF THE N LN OF NORTH ST TH N 132 FT ALG MYRTLE ST EXT TH E 222.75 FT TH S 132 FT TH W 222.75 FT TO THE POB NW ¼ NE ¼ SEC 34 T2S R1W ALSO BEG AT A PT ON THE E LN OF MYRTLE ST 396 FT N OF THE N LN OF NORTH ST TH N ALG THE E LN OF MYRTLE ST 198 FT TH E 222.75 FT TH S 198 FT TH W 222.75 FT TO POB NW ¼ NE ¼ SEC 34 T2S R1W

* * * * *

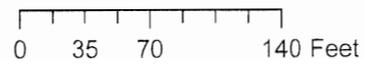
State of Michigan)
County of Jackson) ss
City of Jackson)

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 February 9, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2010.

Lynn Fessel, City Clerk

Industrial Development District #80



Angela Arnold

From: Dave Taylor
Sent: Friday, January 08, 2010 4:56 PM
To: Angela Arnold
Subject: Legal Description for IDD # 80

Good Afternoon Angela,

Below is the corrected Legal Description for IDD #80

LOTS 4, 18, 20 & 21 & THE NORTH 46.5 FT OF LOT 23 BLK 1 NORTH STAR ADDITION ALSO
A PIECE OF LAND LYING W OF THE EXISTING GRAND RIVER & DESCRIBED AS BEG AT A PT ON THE E LN OF
MYRTLE ST EXT 594 FT N OF THE N LN OF NORTH ST TH N 132 FT ALG MYRTLE ST EXT TH E 222.75 FT TH S
132 FT TH W 222.75 FT TO THE POB NW 1/4 NE 1/4 SEC 34 T2S R1W
ALSO BEG AT A PT ON THE E LN OF MYRTLE ST 396 FT N OF THE N LN OF NORTH ST TH N ALG THE E LN OF
MYRTLE ST 198 FT TH E 222.75 FT TH S 198 FT TH W 222.75 FT TO POB NW 1/4 NE 1/4 SEC 34 T2S R1W

David Taylor
City Assessor
Jackson Michigan



RECEIVED

CITY of JACKSON

JAN 03 2010

CLERK'S OFFICE

BY _____

943 Myrtle Street
P.O.Box 928
Jackson Michigan
49204 - 0928
Tel 517-784-8579
Fax 517-784-7373

January 4, 2010

City Clerk
161 West Michigan Ave.
Jackson, MI. 49201

In regards to our recent IFT application received on December 29, 2009, it has been brought to our attention that Lot # 4 located at 911 George Street is not currently located in district 80. This letter is a request to have district 80 amended to include lot # 4.

Thank You for your cooperation in this matter.

Rusty Lyke
President
Refrigeration Sales Inc.

C: Assessor, Atty, HRC



City Clerk

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4025 — Facsimile: (517) 788-4651

January 28, 2010

TO: Honorable Mayor and City Councilmembers
FR: Angela Arnold, Deputy City Clerk *Angela*
RE: Public Hearing and Resolution on the Application filed by Refrigeration Sales, Inc., located at 910 Myrtle Street, for an Industrial Facilities Exemption Certificate

Attached please find a resolution, along with supporting documentation on the application filed by Refrigeration Sales, Inc., for an Industrial Facilities Exemption Certificate for their facility located at 910 Myrtle Street. If the Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Please place the attached resolution on the February 9th agenda for the City Council to consider after the public hearing is held.

Thank you.

Attachments

C: Christopher Lewis, Interim City Manager
David Taylor, City Assessor
Barry Hicks, Comm. Dev. EDPM

RESOLUTION

BY THE CITY COUNCIL:

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

WHEREAS, the Jackson City Council, acting under the authority of said Act, did on June 6, 1995, create by resolution Industrial Development District No. 80, made up of property located at 910 & 943 Myrtle Street, Jackson, Michigan, and amended on February 9, 2010, to include Lot #4, as particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, Refrigeration Sales, Inc. filed on December 28, 2009, an application for an Industrial Facilities Exemption Certificate for a facility located within said district for 12 years; and

WHEREAS, the applicant has complied with the applicable requirements contained in Section 5 and 9 of the Act; and

WHEREAS, the applicant and the City have executed a letter of agreement regarding Act 334 of 1993 and an affidavit in accordance with State Tax Commission Bulletin No. 3; and

WHEREAS, notice of receipt of the application has been given in writing to the Assessor of the City of Jackson and to the legislative body of each taxing unit which levies ad valorem property taxes in the City of Jackson; and

WHEREAS, a public hearing on said application was held on February 9, 2010; and

WHEREAS, the Jackson City Council has determined that the granting of an Industrial Facilities Exemption Certificate, considered with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, shall not have the effect of substantially impeding the operation of the local government unit or impairing the financial soundness of the taxing unit which levies an ad valorem property tax in the City of Jackson;

NOW, THEREFORE, BE IT RESOLVED that the Jackson City Council hereby approves this application for 12 years after project completion and directs the City Clerk to so certify and to forward a copy to the State Tax Commission for consideration by that body.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on February 9, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2010.

Lynn Fessel, City Clerk

Application for Industrial Facilities Tax Exemption Certificate

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

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Deputy Angela Aunold</i>	Date received by Local Unit <i>12/28/09</i>
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Refrigeration Sales, Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 332900	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 910 Myrtle St., Jackson, MI 49202		1d. City/Township/Village (indicate which) Jackson (City)	1e. County Jackson
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Jackson	3b. School Code 38170
		4. Amount of years requested for exemption (1-12 Years) 12	

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

7/14/09- Hardinge RL15GS250 CNC Turning Center = \$117,937.00.
11/5/09- Hardinge Model SV200/66 CNC Turning Center = \$81,375.00.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	\$199,312.00
6c. Total Project Costs * Round Costs to Nearest Dollar	Personal Property Costs \$199,312.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements	_____	_____	<input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	7/14/09	12/1/09	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

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

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

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

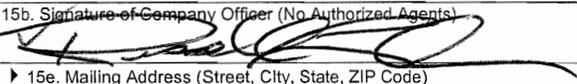
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) **6/6/95**
12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

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

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

13a. Preparer Name Robert D. McCowen, CPA	13b. Telephone Number (517) 529-9869	13c. Fax Number (517) 529-9873	13d. E-mail Address rdm8400@sbcglobal.net
14a. Name of Contact Person Russell V. Lyke, II	14b. Telephone Number (517) 784-8579	14c. Fax Number (517) 784-7373	14d. E-mail Address rlyke@refsales.com
▶ 15a. Name of Company Officer (No Authorized Agents) Russell V. Lyke, II			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (517) 784-7373	15d. Date 12-28-09
▶ 15e. Mailing Address (Street, City, State, ZIP Code) P.O. Box 928, Jackson, MI 49204		15f. Telephone Number (517) 784-8579	15g. E-mail Address rlyke@refsales.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

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

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

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

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

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

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



Equipment Lease Agreement Number.
L0915802

201 East Huntington Drive, Suite 201 Tel: (800) 553-9208
 Monrovia, CA 91016 Fax: (800) 564-1849

LESSEE: Refrigeration Sales, Inc.

Address: 943 Myrtle St., Jackson, MI 49202

Phone: (517) 784-8579 **Supplier:** Production Tool Supply Co.

Equipment: **Equipment Cost:** \$117,937.00
 SEE EXHIBIT "A" ATTACHED HERETO FOR COMPLETE **Taxes:** \$0.00
 EQUIPMENT DESCRIPTION.
Total Cost to Lessor: \$117,937.00

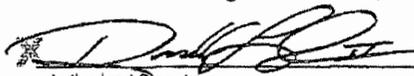
Monthly Payment Amount	Total Number of Payments	Lease Term (Months)	Advance Payments	Purchase Option
\$2,248.00	60	60	2 = \$4,496.00	\$1.00
Plus Applicable Taxes	Plus Any Interim Payment		Plus Applicable Taxes	Plus Applicable Taxes

- This Lease has been written in "plain English". When the words "you" and "your" are used in this Lease it means you, the customer, which is the Lessee indicated above. When the words "our", "us", and "we" are used in this Lease it means the Lessor, Intech Funding Corp., 201 East Huntington Drive, Suite 201, Monrovia, CA 91016.
- You, the Lessee, agree to lease the equipment described above collectively "Equipment" per the terms and conditions shown on the front and back of this Lease Agreement "Lease" together with all Riders, Schedules, Exhibits, and Guaranties.
- The Lease term shall be for 60 months (plus the amount of any extension set forth below) and shall commence on the date you execute the Delivery and Acceptance Certificate (the "Lease Commencement Date"). You, the Lessee agree to pay as rental for the use of the Equipment the Monthly Payment Amount specified above with 2 payments due on the Lease Commencement Date. Subsequent payments are due on the 15th of each month ("Payment Date"). If the Lease Commencement Date is not a Payment Date, the Lease Term shall be extended by the number of days between the Lease Commencement Date and the Payment Date which first occurs after the Lease Commencement Date, and your first monthly rental payment will be 1/30th of the Monthly Payment Amount multiplied by the number of days elapsed from the Lease Commencement Date to the day immediately preceding the Payment Date which first occurs after the Lease Commencement Date. The remaining 58 monthly payments shall be due on the Payment Date of each succeeding month for the remaining term of the Lease.
- Supply Contract, Delivery. If you have entered into any purchase or supply contract ("Supply Contract") with any Supplier, you assign to us your rights under such Supply Contract, but none of your obligations (other than the obligation to pay for the Equipment if it is accepted by you and you timely deliver to us such documents and assurances as we request). If you have not entered into a Supply Contract, you authorize us to enter into a Supply Contract on your behalf. You will arrange for the delivery of the Equipment to you at your expense.
- Credit Information. You authorize us or our assignee to investigate all credit bureau reports, trade, bank, loan, lease and other references, statements or other information accompanying this Lease, and to make other inquiries that we deem necessary and to update our information without further notice so long as your obligations under this Lease are outstanding.
- Prior to Commencement. Payments are calculated using a Lease Rate Factor. The Lease Rate Factor is calculated, in part, using an interest rate based on the weekly Intech wholesale cost of funds. The Lease Rate Factor and Rental Payment are fixed for 60 days from 7/8/2009 and constitute the minimum Lease Rate Factor. You agree that after this 60 day period until the Lease Commencement Date, the Lease Rate Factor and Rental Payment will be adjusted to account for any increase in the aforementioned weekly Intech wholesale cost of funds. The Lease Rate Factor and Rental Payment amount will be fixed for the full term of the Lease on the Lease Commencement Date. In addition, you agree to sign any documentation deemed necessary by us to document any such adjustment to the Lease Rate Factor and Rental Payment. We shall have the exclusive option to terminate this Lease without cause or penalty on our part if within 60 days from 7/8/2009, the Equipment has not been delivered to you, or you have not accepted the Equipment. Exercising this option does not constitute our exclusive remedy in the event of any default by you. If for any reason the Lease fails to commence you may be required to pay us an additional amount as loss or damages for our reservation of funds.
- By signing this Lease (a) you, the Lessee, acknowledge that you have read and understand the terms and conditions on the front and back of this Lease; (b) you warrant that the person signing this Lease is a corporate officer, partner or proprietor having full authority to sign the Lease; (c) you agree that you cannot terminate or cancel the Lease except as provided in Section 11 herein, you have an unconditional obligation to make all payments due under this Lease, and you cannot withhold, set off or reduce such payments for any reason; (d) you acknowledge receipt of a copy of said Lease, and (e) you will use the Equipment only for business purposes.

LESSOR Intech Funding Corp

LESSEE Refrigeration Sales, Inc.

By: _____

 7/14/2009
 Authorized Signature Date

Title: _____

Russell Lyke, II, President
 Name and Title

Accepted on: _____
 Commencement Date

 Authorized Signature Date
 Name and Title



Production Tool Supply
CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

PTS JACKSON 11
3509 WAYLAND DRIVE
JACKSON, MI 49202-1233
PHONE: 800-992-0092

**Reprint

FAX: 517-787-3767

Date	7/13/09
Quote No.	9710396
Customer No.	708604/001
Expiration	8/12/09

QUOTATION

SHIP TO
REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO. / DESCRIPTION	QUANTITY	UM	UNIT PRICE	DISCOUNT	EXTENDED AMT
1	RL15GS250 HARDINGE PERFORMANCE CNC TURNING CENTER INCLUDING HARDINGE/FANUC i GX SERIES CONTROL STANDARD FEATURES INCLUDES: CAST IRON SLANT BED WITH LINEAR GUIDEWAYS & BALLSCREWS * A2-8 SPINDLE NOSE WITH A 3.07" THRU HOLE INCLUDING A 10.00 JAW CHK * 14.015" TURNING DIAMETER-22.00" TURNING LENGTH 3500 RPM MAXIUMN TURNING SPEED * 25 HP SPINDLE DRIVE MOTOR-230 VOLT ONLY WITH 446 FT-LBS TORQUE 292 RPM * 1181 ipm RAPIDS INCLUDING A 12 STATION VDI-40 TURRET WEIGHT 11,773 LBS	1	EA	80005.000		80005.00
2	RL22NS BL0514032 1-1/4 ID INTERNAL COOLANT BBH	1	EA	214.000		214.00
3	RL21NS BARFEED INSTALLATION BY LNS.	1	EA	2200.000		2200.00
4	RL22NS BL0214025 1.0 OD RH SHORT	3	EA	200.000		600.00

AMOUNT	
TAX	%
FREIGHT/INSURANCE	
TOTAL AMOUNT	

*** Continued ***



Production Tool Supply

CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

PTS JACKSON 11
3509 WAYLAND DRIVE
JACKSON, MI 49202-1233
PHONE: 800-992-0092

**Reprint

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Date	7/13/09
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REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO. / DESCRIPTION	QUANTITY	U/M	UNIT PRICE	DISCOUNT	EXTENDED AMT
5	TOOLHOLDER RL22NS 78150000000000 A2-8 TO 3J COLLET ADAPTATION CHUCK	1	EA	1330.000		1330.00
6	RL22NS LINK UP FOR ADAPTATION CHUCK	1	EA	235.000		235.00
7	RL21NS LNS QUICK LOAD S3 BARFEED ANCHORING HARDWARE, 2 PUSHERS WITH BUSHING ASSEMBLY, CUSTOM ELECTRICAL CABLE PKG	1	EA	20150.000		20150.00
8	RL22NS CROSS MILL DRILL UNIT SHORT DEMO TOOLING	1	EA	750.000		750.00
9	RL22NS FACE/END MILL DRILL UNIT DEMO TOOLING	1	EA	750.000		750.00
10	RL22NS BL0534032 ER32 COLLET CHUCK	3	EA	370.000		1110.00
11	RL22NS BL0514025 1" ID INTERNAL COOLANT BBH	2	EA	204.000		408.00
12	RL15NS BLA000291600CK ARM TYPE PARTS CATCHER WITH CONVEYOR	1	EA	3995.000		3995.00



AMOUNT
TAX %
FREIGHT/INSURANCE
TOTAL AMOUNT

*** Continued ***

QUOTATION VALID FOR 30 DAYS UNLESS OTHERWISE NOTED. ORDERS FOR SPECIAL TOOLS ARE NOT SUBJECT TO CANCELLATION. DEPOSITS MAY BE REQUIRED ON THESE ORDERS AT THE TIME OF PLACEMENT. THIS QUOTE MAY BE SUBJECT TO OUTBOUND FREIGHT (DELIVERY) CHARGES.



Production Tool Supply
CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

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SHIP TO
REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO. / DESCRIPTION	QUANTITY	U/M	UNIT PRICE	DISCOUNT	EXTENDED AMT
13	RL15NS BLA000207001C CHIP CONVEYOR STANDARD HINGE TYPE	1	EA	4195.000		4195.00
14	RL15NS BL000001202AK BARFEED INTERFACE	1	EA	995.000		995.00

REPLY TO: HEATHER HARTLEY

AMOUNT	116937.00
TAX	%
FREIGHT/INSURANCE	
Inbound Freight	1000.00
TOTAL AMOUNT US Dollars	117937.00

LYKE	RUSTY
------	-------



Equipment Lease Agreement Number:
L0915980

201 East Huntington Drive, Suite 201 Tel: (800) 553-9208
Monrovia, CA 91016 Fax: (800) 564-1849

LESSEE: Refrigeration Sales, Inc.

Address: 943 Myrtle St., Jackson, MI 49202

Phone: (517) 784-8579

Supplier: Production Tool Supply Co.

Equipment:

1-Hardinge Model SV 200/66 Turning Center with Arm Type Parts Catcher w/Conveyor, Tri-Color Light Tower, Barfeed Interface, Chip Conveyor Interface, Chip Conveyor Hinge Type, S3 Quickload LNS Barfeed, A2-6 to 3 J Adaptation Chuck w/Linkup, #5 Morse Taper Tailstock and all Std. Equip. S/N. _____ Total amount financed is \$65,100.00. 1 @ \$16,275.00 covers capital reduction.

Equipment Cost: \$81,375.00

Taxes: \$0.00

Total Cost to Lessor: \$81,375.00

Monthly Payment Amount	Total Number of Payments	Lease Term (Months)	Advance Payments	Purchase Option
1 @ \$16,275.00 60 @ \$1,287.00	61	61	1 = \$16,275.00 <i>Donny</i>	\$1.00
Plus Applicable Taxes	Plus Any Interim Payment		Plus Applicable Taxes	Plus Applicable Taxes

- This Lease has been written in "plain English". When the words "you" and "your" are used in this Lease it means you, the customer, which is the Lessee indicated above. When the words "our", "us", and "we" are used in this Lease it means the Lessor, Intech Funding Corp., 201 East Huntington Drive, Suite 201, Monrovia, CA 91016.
- You, the Lessee, agree to lease the equipment described above collectively "Equipment" per the terms and conditions shown on the front and back of this Lease Agreement "Lease" together with all Riders, Schedules, Exhibits, and Guaranties.
- The Lease term shall be for 61 months (plus the amount of any extension set forth below) and shall commence on the date you execute the Delivery and Acceptance Certificate (the "Lease Commencement Date"). You, the Lessee agree to pay as rental for the use of the Equipment the Monthly Payment Amount specified above with 1 payments due on the Lease Commencement Date. Subsequent payments are due on the 15th of each month ("Payment Date"). If the Lease Commencement Date is not a Payment Date, the Lease Term shall be extended by the number of days between the Lease Commencement Date and the Payment Date which first occurs after the Lease Commencement Date, and your first monthly rental payment will be 1/30th of the Monthly Payment Amount multiplied by the number of days elapsed from the Lease Commencement Date to the day immediately preceding the Payment Date which first occurs after the Lease Commencement Date. The remaining 60 monthly payments shall be due on the Payment Date of each succeeding month for the remaining term of the Lease.
- Supply Contract, Delivery. If you have entered into any purchase or supply contract ("Supply Contract") with any Supplier, you assign to us your rights under such Supply Contract, but none of your obligations (other than the obligation to pay for the Equipment if it is accepted by you and you timely deliver to us such documents and assurances as we request). If you have not entered into a Supply Contract, you authorize us to enter into a Supply Contract on your behalf. You will arrange for the delivery of the Equipment to you at your expense.
- Credit Information. You authorize us or our assignee to investigate all credit bureau reports, trade, bank, loan, lease and other references, statements or other information accompanying this Lease, and to make other inquiries that we deem necessary and to update our information without further notice so long as your obligations under this Lease are outstanding.
- Prior to Commencement. Payments are calculated using a Lease Rate Factor. The Lease Rate Factor is calculated, in part, using an interest rate based on the weekly Intech wholesale cost of funds. The Lease Rate Factor and Rental Payment are fixed for 60 days from 11/3/2009 and constitute the minimum Lease Rate Factor. You agree that after this 60 day period until the Lease Commencement Date, the Lease Rate Factor and Rental Payment will be adjusted to account for any increase in the aforementioned weekly Intech wholesale cost of funds. The Lease Rate Factor and Rental Payment amount will be fixed for the full term of the Lease on the Lease Commencement Date. In addition, you agree to sign any documentation deemed necessary by us to document any such adjustment to the Lease Rate Factor and Rental Payment. We shall have the exclusive option to terminate this Lease without cause or penalty on our part if within 60 days from 11/3/2009, the Equipment has not been delivered to you, or you have not accepted the Equipment. Exercising this option does not constitute our exclusive remedy in the event of any default by you. If for any reason the Lease fails to commence you may be required to pay us an additional amount as loss or damages for our reservation of funds.
- By signing this Lease (a) you, the Lessee, acknowledge that you have read and understand the terms and conditions on the front and back of this Lease; (b) you warrant that the person signing this Lease is a corporate officer, partner or proprietor having full authority to sign the Lease; (c) you agree that you cannot terminate or cancel the Lease except as provided in Section 11 herein, you have an unconditional obligation to make all payments due under this Lease, and you cannot withhold, set off or reduce such payments for any reason; (d) you acknowledge receipt of a copy of said Lease, and (e) you will use the Equipment only for business purposes.

LESSOR Intech Funding Corp

LESSEE Refrigeration Sales, Inc.

By: _____

Russell V. Lyke
Authorized Signature Date 11/5/2009

Title: _____

Russell V. Lyke, II, President
Name and Title

Accepted on: _____

Authorized Signature Date

Commencement Date

Print Name and Title



Production Tool Supply
CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

PTS JACKSON 11
3509 WAYLAND DRIVE
JACKSON, MI 49202-1233
PHONE: 800-992-0092

**Reprint

Date	11/04/09
Quote No.	9945135
Customer No.	708604/001
Expiration	12/04/09

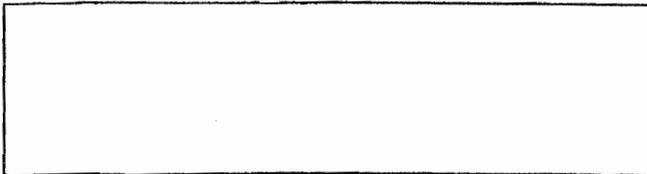
QUOTATION

SHIP TO
REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO./DESCRIPTION	QUANTITY	U/M	UNIT PRICE	DISCOUNT	EXTENDED AMT.
1	RL22NS SV200/66 TURNING CENTER WITH ALL STANDARD FEATURES INCLUDING #5 MT TAILSTOCK SN# BLEA8A0003 DEMO MACHINE # SV200661467 ***** ACCEPTANCE OF PRODUCT SHALL CONSTITUTE AGREEMENT TO HARDINGE TERMS OF SALE FOUND AT: WWW.HARDINGE.COM/TERMS *****	1	EA	44100.000		44100.00
3	RL22NS ARM TYPE PARTS CATCHER WITH CONVEYOR ***** ACCEPTANCE OF PRODUCT SHALL CONSTITUTE AGREEMENT TO HARDINGE TERMS OF SALE FOUND AT: WWW.HARDINGE.COM/TERMS *****	1	EA	3995.000		3995.00
5	RL22NS BARFEED INTERFACE ***** ACCEPTANCE OF PRODUCT SHALL	1	EA	995.000		995.00

AMOUNT	
TAX	%
FREIGHT/INSURANCE	
TOTAL AMOUNT	



*** Continued ***

QUOTATION VALID FOR 30 DAYS UNLESS OTHERWISE NOTED. ORDERS FOR SPECIAL TOOLS ARE NOT SUBJECT TO CANCELLATION. DEPOSITS MAY BE REQUIRED ON THESE ORDERS AT THE TIME OF PLACEMENT. THIS QUOTE MAY BE SUBJECT TO OUTBOUND FREIGHT (DELIVERY) CHARGES.

TERMS OF SALE: Orders are accepted on the basis of terms and conditions in effect at the time the order is received and approved by the "Seller" at "Seller's" Main Offices. Acceptance of any products delivered hereunder by "Seller", or any of its Affiliates or Assignees, shall constitute Buyer's agreement to said terms and conditions as set forth at www.ptstools.com (Terms of Sale). No conditions stated by Buyer in its offer or acceptance shall be binding on "Seller" if in conflict with, inconsistent with, or in addition to "Seller" terms and conditions. Availability of credit is conditioned upon a determination by "Seller" each time an order is received.

Handwritten signature/initials



Production Tool Supply
CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

**Reprint

PTS JACKSON 11
3509 WAYLAND DRIVE
JACKSON, MI 49202-1233
PHONE: 800-992-0092

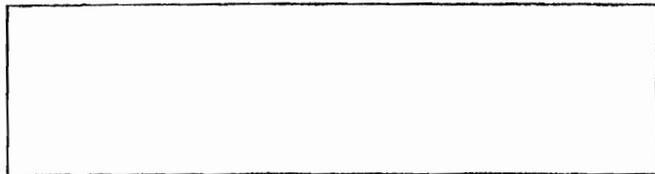
Date	11/04/09
Quote No.	9945135
Customer No.	708604/001
Expiration	12/04/09

QUOTATION

SHIP TO
REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO./DESCRIPTION	QUANTITY	U/M	UNIT PRICE	DISCOUNT	EXTENDED AMT.
	CONSTITUTE AGREEMENT TO HARDINGE TERMS OF SALE FOUND AT: WWW.HARDINGE.COM/TERMS *****					
6	RL22NS CHIP CONVEYOR INTERFACE ***** ACCEPTANCE OF PRODUCT SHALL CONSTITUTE AGREEMENT TO HARDINGE TERMS OF SALE FOUND AT: WWW.HARDINGE.COM/TERMS *****	1	EA	340.000		340.00
7	RL22NS CHIP CONVEYOR STANDARD HINGE TYPE ***** ACCEPTANCE OF PRODUCT SHALL CONSTITUTE AGREEMENT TO HARDINGE TERMS OF SALE FOUND AT: WWW.HARDINGE.COM/TERMS *****	1	EA	4195.000		4195.00
8	RL21NS BARFEED INSTALLATION	1	EA	2400.000		2400.00
9	RL21NS S3 QUICKLOAD LNS BARFEED	1	EA	21350.000		21350.00



AMOUNT	
TAX	%
FREIGHT/INSURANCE	
TOTAL AMOUNT	

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TERMS OF SALE: Orders are accepted on the basis of terms and conditions in effect at the time the order is received and approved by the "Seller" at "Seller's" Main Offices. Acceptance of any products delivered hereunder by "Seller", or any of its Affiliates or Assignees, shall constitute Buyer's agreement to said terms and conditions as set forth at www.ptstools.com (Terms of Sale). No conditions stated by Buyer in its offer or acceptance shall be binding on "Seller" if in conflict with, inconsistent with, or in addition to "Seller" terms and conditions. Availability of credit is conditioned upon a determination by "Seller" each time an order is received.



Production Tool Supply

CUTTING TOOLS - SHOP SUPPLIES - MACHINERY

PTS JACKSON 11
3509 WAYLAND DRIVE
JACKSON, MI 49202-1233
PHONE: 800-992-0092

**Reprint

Date	11/04/09
Quota No.	9945135
Customer No.	708604/001
Expiration	12/04/09

QUOTATION

SHIP TO
REFRIGERATION SALES INC 943 MYRTLE ST JACKSON, MI 49202 3360

CUSTOMER
REFRIGERATION SALES INC P O BOX 928 JACKSON, MI 49204 0928

LINE	CATALOG NO./DESCRIPTION	QUANTITY	U/M	UNIT PRICE	DISCOUNT	EXTENDED AMT.
10	RL21NS 021-013-063 LNS V-Channel Extention	1	EA	545.000		545.00
11	HH54NS R231094 Draw Tube	1	EA	231.600		231.60

REPLY TO: HEATHER HARTLEY

AMOUNT	78151.60
TAX	%
FREIGHT/INSURANCE	
Inbound Freight	2500.00
TOTAL AMOUNT US Dollars	80651.60

NORTON	LEE
--------	-----

QUOTATION VALID FOR 30 DAYS UNLESS OTHERWISE NOTED. ORDERS FOR SPECIAL TOOLS ARE NOT SUBJECT TO CANCELLATION. DEPOSITS MAY BE REQUIRED ON THESE ORDERS AT THE TIME OF PLACEMENT. THIS QUOTE MAY BE SUBJECT TO OUTBOUND FREIGHT (DELIVERY) CHARGES.

TERMS OF SALE: Orders are accepted on the basis of terms and conditions in effect at the time the order is received and approved by the "Seller" at "Seller's" Main Offices. Acceptance of any products delivered hereunder by "Seller", or any of its Affiliates or Assignees, shall constitute Buyer's agreement to said terms and conditions as set forth at www.ptstools.com (Terms of Sale). No conditions stated by Buyer in its offer or acceptance shall be binding on "Seller" if in conflict with, inconsistent with, or in addition to "Seller" terms and conditions. Availability of credit is conditioned upon a determination by "Seller" each time an order is received.

INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this 7 day of June, 2010, by and between the CITY OF JACKSON, a Michigan municipal corporation, with office at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and **REFRIGERATION SALES, INC.**, a Michigan corporation, with offices located at **910 MYRTLE STREET**, City of Jackson, Jackson County, Michigan (hereinafter "Applicant").

WHEREAS, the City has received an application from Applicant for the issuance of an Act 198 Tax Exemption Certificate for its **EQUIPMENT** (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on **JUNE 6, 1995**; and

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

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

1. The Applicant, as a result of said improvements, shall use its best efforts to create not less than 2 new full time equivalent jobs and relocate and retain not less than 2 full time equivalent existing jobs from its current location within two years after the completion of its Project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signed in the presence of:

CITY OF JACKSON

By _____

Its: Mayor _____

Rene Robert

Rene Robert

APPLICANT

By *[Signature]* _____

Its: President _____

TAX ABATEMENT AFFIDAVIT

STATE OF MICHIGAN)
) SS:
COUNTY OF JACKSON)

NOW COMES ANGELA ARNOLD, Deputy City Clerk of the City of Jackson, Michigan, and **REFRIGERATION SALES, INC.**, the applicant for an Industrial Facilities Exemption Certificate, and by way of affidavit says as follows:

1. That she is the Deputy City Clerk in and for the City of Jackson, Michigan.
2. That as part of her duties, she is in charge of the Industrial Facilities Tax process at its inception for both district creation and for the final local approval involved in the issuance of a certificate by the State Tax Commission.
3. That by virtue of the above, she receives any and all fees charged for processing the tax abatement requests.
4. That a fee of \$157.00 was charged to the applicant for personal property.

Dated: 12/29/09

Angela Arnold
Angela Arnold

Subscribed and sworn to before me, this 29th day of December 2009.

Carmen A. Ryan
Notary Public, Jackson County, Michigan

My Commission Expires: 9/12/2011

REFRIGERATION SALES, INC.
Company Name

Dated: 1/4/10

By: [Signature]
Applicant

Subscribed and sworn to before me, this 4th day of JANUARY ~~2009~~ 2010

[Signature]
Notary Public, Jackson County, Michigan

My Commission Expires: 1-10-2014

Applicant Name
REFRIGERATION SALES, INC.

Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

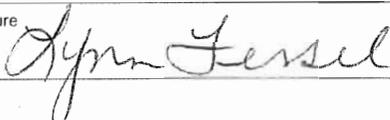
Real Property	Personal Property \$199,312.00	Total \$199,312.00
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	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

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

LOCAL UNIT CERTIFICATION

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

Signature 	Name and Title of Local Governmental Unit Official <p style="text-align: center;">Lynn Fessel, City Clerk</p>
---	--

**FISCAL STATEMENT FOR TAX ABATEMENT REQUEST
SUMMARY INFORMATION**

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

	One Year After Construction is Done	After 5 Years	After 15 Years
Revenue			
1. Revenue from proposed property (from page 2, line 1).....	1325	771	276
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....			
Cost			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

FISCAL STATEMENT FOR TAX ABATEMENT REQUEST - DETAIL

File this form with your application for a tax abatement, unless you have already filed it. Your application cannot be processed without this information.

You must complete all sections of this form. Attach additional pages whenever you need more space. Carry all results to page 1 of this form.

Estimated Average Annual Revenue

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

One Year After Construction is Done	After 5 Years	After 15 Years
1325	771	276

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

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



City Clerk

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4025 — Facsimile: (517) 788-4651

January 28, 2010

TO: Honorable Mayor and City Councilmembers

FROM: Angela Arnold, Deputy City Clerk 

**RE: Public Hearing and Resolution Regarding the Necessity of Street Paving
on W. Argyle Street from N. Wisner Street to N. West Avenue**

Attached please find a resolution determining the necessity of street paving as described above. Notification of the public hearing has been placed in the Jackson Citizen Patriot and letters have been mailed to property owners notifying them of the public hearing, estimate of the proposed project and funding sources, along with an estimate of individual property assessments, which can be paid in ten (10) annual installments.

Please place this resolution on the February 9th agenda for the Council to consider after the public hearing is held.

Thank you.

Attachment

C: Christopher Lewis, Interim City Manager
Jon Dowling, Director of Engineering/DPW
David Taylor, City Assessor

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street paving on W. Argyle Street from N. Wisner Street to N. West Avenue the following estimated costs, to wit:

Street Paving (MDOT/FHWA-ARRA Funds)	\$ 317,965.35
Street Paving (Assessments)	<u>\$ 54,060.00</u>
Total Project Cost	\$ 372,025.35

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 9th day of February, 2010 at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street paving is a necessary public improvement and directs staff to proceed with the street paving, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

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 9th day of February, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 10th day of February, 2010.

Lynn Fessel, City Clerk



Department of Community Development

161 W. Michigan Avenue • Jackson, MI 49201-1303•
Facsimile (517) 768-5832

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Financial Services
(517) 788-4058

Rehabilitation Services & Information
(517) 788-4070

DATE: February 4, 2010
TO: Christopher W. Lewis, City Manager
FROM: Carol Konieczki, Community Development Director
SUBJECT: **Request of Authorization and Support to submit a FY 2011 Federal Appropriations grant request for funding to assist with the demolition of 212 W. Michigan Ave.**

On February 4, 2004, the City of Jackson acquired the property located at 212 W. Michigan Avenue from Parnall Properties, LLC for \$300,000. The City has maintained the property at a minimum level since 2005 and mothballed the building in 2007.

The structure is in a deteriorated state and continues to decline in value due to the lack of funds for maintenance. There has been no viable party interested in the redevelopment of the structure.

The primary value of the property is based in the actual land it sits upon. Therefore, the Community Development Director is in the process of drafting the language for the grant application to submit to Senator Mark Schauer's office on February 16, 2010. The completed application will be available in the Community Development office for your review after that date.

Action requested is consideration of the resolution of support and authorization of the Mayor and Interim City Manager to submit an application for fiscal year 2011 federal appropriations funding to assist with the demolition of the 212 W. Michigan Avenue Building, and authorization of the Mayor to executive application documents.



**RESOLUTION
CITY OF JACKSON, MICHIGAN**

**RESOLUTION OF SUPPORT AND AUTHORIZATION TO SUBMIT AN APPLICATION FOR
FISCAL YEAR 2011 FEDERAL APPROPRIATIONS FUNDING TO ASSIST WITH THE
DEMOLITION OF THE 212 W. MICHIGAN AVE. BUILDING**

WHEREAS, on February 16, 2010, the City of Jackson will submit an application for financial assistance in the amount of \$1,500,000 for the purpose of demolition of the structure located at 212 W. Michigan, and

WHEREAS, the 183,557 square foot brick and granite structure has been determined to be blighted and unusable for redevelopment, and

WHEREAS, the City will provide additional funding through other programs to assist with the cost of the demolition, and

WHEREAS, funds will be administered through the Community Development Department providing the oversight, reporting and management experience required with the administration of federal grants,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the Mayor and Interim City Manager to submit the application to Senator Mark Schauer for \$1,500,000 of Federal Fiscal Year 2011 Appropriations Funding.

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 9th day of February, 2010.

IN WITNESS WHEREOF, I have
hereto affixed my signature and the Seal of the
City of Jackson, Michigan, on this 9th day of
February , 2010.

Lynn Fessel City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the Center for Family Health has purchased property within the city limits of Jackson, 505 N. Jackson St.; and

WHEREAS, the Center for Family Health is scheduled to begin construction of a 12.5 million dollar medical facility in late April, 2010; and

WHEREAS, diversification of the economic base of the Jackson community is a matter of high priority to the City Jackson; and

WHEREAS, the availability of resources for economic development to the Jackson community are important in encouraging economic diversity; and

WHEREAS, job retention and job growth activities are important to the Jackson community, and need to be nurtured and expanded to provide additional economic development opportunities; and

WHEREAS, the Center for Family Health is the primary provider of health care for the uninsured and under-insured citizens of Jackson County in the downtown area; and

WHEREAS, the construction of this facility within the Jackson community would allow further diversification of the economic base of the community,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the City Council of the City of Jackson hereby lends its full support to:

- (1) The construction of the Center for Family Health's new facility located at 505 N. Jackson St., Jackson, MI 49201

* * * *



City Clerk

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4025 — Facsimile: (517) 788-4651

January 28, 2010

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela*
RE: Final Adoption of Ordinance No. 2010.03

Attached is Ordinance No. 2010.03, which amends Chapter 25, adding Section 25-31 that will authorize issuing citations to district court, impounding of vehicles, or immobilizing of vehicles where the owner of the vehicle has six (6) or more unanswered parking tickets. This Ordinance was approved by City Council on January 26, 2010.

Please place this item on the Council's February 9th agenda for final adoption.

Attachment

C: Christopher Lewis, Interim City Manager
Bob Dietz, Parking Manager
Julius Giglio, City Attorney
Susan Murphy, Deputy City Attorney

ORDINANCE 2010 - _____

An Ordinance amending Chapter 25, Code of Ordinances, City of Jackson, Michigan to add Section 25-31 that will authorize issuing citations to district court, impounding of vehicles, or immobilizing of vehicles where the owner of the vehicle has six or more unanswered parking tickets.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

State law authorizes the City to regulate the impounding and immobilizing of vehicles whose owner has six or more unanswered parking tickets. State law also allows for the City to issue citations to the district court for similar violators. The City's Parking Plan provides for these methods but should be set forth in the City Ordinance as the methods for recovering the fines and costs for unanswered parking tickets.

Section 2. That Chapter 25, of the Code of Ordinances, City of Jackson, Michigan be added to read as follows:

25-31. Multiple Parking Violations

a. Issuance of citation

The City Clerk or Designee, through the City Attorney's office, may take district court action, under the Michigan Motor Vehicle Code, being MCL 257.321a (7)(b), or any amendment thereof, to bring a person who has six (6) or more unanswered parking tickets before the Jackson County District Court to enforce the payment of the parking ticket fines. The decision to proceed with a district court action does not limit the City's ability to use other methods to obtain payment of parking ticket fines.

b. Impoundment or Immobilization

The City Clerk or Designee may impound or immobilize any vehicle of an owner who has failed to answer 6 or more parking tickets consistent with the authority in MCL 257.606, or any amendment thereof. The vehicle may remain impounded or immobilized until the owner has paid the fines for all unanswered parking tickets or addressed the issues with the Jackson County District Court. Any vehicle which remains immobilized for more than 3 days may be towed and stored at the owner's expense.

If the owner seeks to recover the vehicle while the parking tickets are being addressed by the Jackson County District Court, the owner must post a cash deposit in the total amount of the fines for the unanswered parking tickets plus any costs for the impounding/immobilizing or \$500, whichever is less. Upon the posting of the cash deposit, the vehicle must be released pending the conclusion of the district court action.

Impounding or immobilizing a vehicle does not limit the City's ability to use other methods to obtain payment of parking ticket fines.

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



City Clerk

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4025 — Facsimile: (517) 788-4651

January 29, 2010

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela Arnold*
RE: Final Adoption of Ordinance No. 2010.04

Attached is Ordinance No. 2010.04, which amends Chapter 28, adding regulations governing Wireless Telecommunication Facilities. This Ordinance was approved by City Council on January 26, 2010.

Please place this item on the Council's February 9th agenda for final adoption.

Attachment

C: Christopher Lewis, Interim City Manager
Julius Giglio, City Attorney
Susan Murphy, Deputy City Attorney
Grant Bauman, R2PC

ORDINANCE 2010 - _____

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, adding regulations governing Wireless Telecommunication Facilities.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That the following definitions be added to Chapter 28, Section 28-5, of the Code of Ordinances, City of Jackson, Michigan:

Wireless Telecommunication Facility means the following equipment:

- (1) *Wireless Telecommunication Antenna* means an antenna and associated equipment mounted to a building or other structure for the purpose of broadcasting wireless telecommunication transmissions.
- (2) *Wireless Telecommunication Tower* means a separate structure fastened to an independent foundation, not mounted to a building or structure, for the sole purpose of mounting wireless telecommunication antennas, excluding non-commercial radio and television antennas.

Multiple-Family Residential Complex means a multiple-family residential building or buildings with six or more dwellings, which triggers the need for site plan review before the City Planning Commission.

Section 2. That the following section be added to Chapter 28 of the Code of Ordinances, City of Jackson, Michigan:

Sec. 28-134.1. Wireless Telecommunication Facilities

Wireless telecommunication facilities must conform with and are subject to the following:

- (a) Purpose. The purpose of these regulations is to regulate the placement, construction, and modification of wireless telecommunication antennas and wireless telecommunication towers in order to protect the health, safety, and welfare of the public and to promote the development of the competitive wireless telecommunication marketplace in Jackson. The specific purposes are as follows:
 - (1) To regulate the location of wireless telecommunication antennas and wireless telecommunication towers in the City;
 - (2) To strongly encourage the location of wireless telecommunication towers in nonresidential areas given the significantly high level of city lots having an area of less than a quarter of an acre;
 - (3) To protect residential areas, land uses, and property values, from any potential adverse impact of wireless telecommunication antennas and wireless telecommunication towers;
 - (4) To minimize any adverse visual impact of wireless telecommunication antennas and wireless telecommunication towers through careful design, siting, landscaping, and innovative camouflaging techniques;
 - (5) To promote and encourage shared use/co-location of wireless telecommunication antennas as a primary option rather than construction of additional wireless telecommunication towers;

- (6) To avoid potential damage to property caused by wireless telecommunication antennas and wireless telecommunication towers by ensuring such structures are carefully designed, constructed, modified, maintained, and removed when no longer used or determined to be structurally unsound; and
- (7) To ensure that wireless telecommunication antennas and wireless telecommunication towers are compatible with surrounding land uses.

(b) Wireless telecommunication towers

- (1) Limitation on new support structures. It is the City's policy to minimize the proliferation of new wireless telecommunication towers in favor of the co-location of wireless telecommunication antennas on existing buildings and structures. Accordingly telecommunication tower applicants must do the following:
 - a. Show evidence of a lease with a telecommunication provider at the time of application.
 - b. Demonstrate that co-location on an existing structure is not adequate or is not reasonably feasible.
- (2) Monopole design required. All wireless telecommunication towers, unless otherwise provided, must have a monopole, unipole or similar non-lattice, single vertical structure design and must be further designed to accommodate at least four (4) wireless telecommunication antennas. The applicant must submit an affidavit sealed by a design engineer registered in the State of Michigan attesting that the support structure can support the number of wireless telecommunication antennas specified by the design. The site plan for any new wireless telecommunication tower must expressly state that the tower must be erected and available for co-location, and must also show the proposed location of the applicant's and co-locators' equipment shelters and related facilities.
- (3) Maximum height. Wireless telecommunication towers must not exceed 160 feet in height, as measured from the average grade at the base of the tower to the top of the wireless telecommunication antenna. The height of a tower may be extended by ten (10) feet for each additional co-located antenna beyond the minimum of four (4). In no case may the height be increased to a height greater than 195 feet or exceed any applicable height limitation established by county, state, or federal regulations.
- (4) One wireless telecommunication tower per lot. Only one (1) wireless telecommunication tower may be located on a single lot.
- (5) Location on lot. If located on the same lot as another permitted use, a wireless telecommunication tower may not be located in a front yard, except that the Zoning Board of Appeals may approve a tower utilizing camouflage or stealth design for location in a front yard if it determines that location will better facilitate a satisfactory and harmonious relationship with existing and prospective development of contiguous land and the adjacent neighborhood.
- (6) Setbacks. Wireless telecommunication towers must meet one of the following setback requirements from the lot line:
 - a. Telecommunication towers must be set back a distance not less than one-half of its height or 65 feet, whichever is greater. However, when wireless telecommunication facilities are located on premises which abut a lot that is

residentially zoned, the minimum setback from the lot line abutting the residentially zoned lot must be equal to the height of the tower.

- b. Telecommunication towers must be set back a distance not less than the collapse area of the tower as specified by the manufacturer and verified in an affidavit sealed by a design engineer registered in the State of Michigan.

All telecommunication tower setbacks must be measured from the base of the tower to the residential lot line.

- (7) Maintenance and removal. Wireless telecommunication towers must be installed and maintained in accordance with manufacturers' specifications and the building code. Upon discontinuance or cessation of use of more than 180 days, the facility must be removed by the owner. Accordingly, telecommunication tower applicants are required to file a removal affidavit with the registrar of deeds stating that towers will be removed if their use is ceased or discontinued for more than 180 days.
- (8) Signs. No sign may be attached to or displayed on a wireless telecommunication tower unless required by county, state, or federal law or regulation. No signals or lights or other means of illumination may be permitted on a facility unless required by county, state, or federal law or regulation. The tower must have a neutral color intended to blend with the surroundings.
- (9) Equipment shelters. If the wireless telecommunication facility is located on a site which is already improved with other buildings and/or structures, and an equipment shelter is proposed, the equipment shelter must be constructed with exterior facade materials compatible with those buildings and/or structures.
- (10) Landscaping and Fencing. The wireless telecommunication tower and the applicant's and co-locators' equipment shelters and related facilities must be screened by a 6-ft high opaque fence constructed of materials compatible with the surrounding area. One (1) thirty-six-inch-high evergreen shrub must also be planted every ten (10) lineal feet along the outside perimeter of the fence.

(c) Co-location of wireless telecommunication antennas

- (1) Existing buildings and structures. Wireless telecommunication antennas may be installed on existing buildings or structures provided such antennas do not exceed the height of the building unless otherwise authorized by the Zoning Board of Appeals.
- (2) Exemption from setbacks. Any wireless telecommunication antenna mounted on an existing building or structure which does not increase the height of the building or structure is exempt from the setback requirements of subsection (b) 6.

(d) Wireless telecommunication facilities in residential districts

Wireless telecommunication facilities located in residential districts require site plan review by the planning commission and must meet one of the following additional requirements:

- (1) Existing multiple-family residential complex or non-residential building or structure. The wireless telecommunication antenna must be mounted directly onto an existing multiple-family residential complex or non-residential building in a manner that does not increase the height of the building. The facility must

consist of a material or color which is compatible with the exterior facade of the building.

- (2) New wireless telecommunication tower on public property. The wireless telecommunication tower must be located on public property. Any tower located on public property must utilize camouflaged or stealth designed poles or existing environmental features as screening. All such facilities located on public property must meet the setback requirements of subsection (b) 6.

- (e) Written decisions are required

Any decision denying a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

Section 3. That the following be added to the listing of buildings, structures and uses requiring review by the planning commission to Chapter 28, Section 28-152 (1), of the Code of Ordinances, City of Jackson, Michigan:

- g. Wireless telecommunication facilities located in residential districts (see Sec. 28-134.1 for additional regulations).

Section 4. This Ordinance takes effect thirty (30) days from the date of adoption.



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

DATE: January 26, 2010
TO: Christopher Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
SUBJECT: Request to Approve Materials Testing Contract Extension

On February 24, 2009, City Council approved the contract with CTI and Associates, Inc. of Wixom, Michigan for material testing services during the 2009 construction season. The Department of Engineering requests to extend the Materials Testing Contract for the 2010 construction season for \$ 81,000. This will be the first renewal to a three-year renewable contract. CTI and Associates provided the attached letter indicating their willingness to provide material testing services for a second year in accordance with the previously established unit prices and contract terms and conditions.

The Department has construction projects scheduled for 2010 with an estimated cost of \$ 2.7 million. We also plan to obtain soil borings for projects scheduled for 2011 construction. Based on these estimates, the Department is requesting a one year renewal for the Material Testing Contract with CTI and Associates with the City's standard service agreement for \$ 81,000. The cost for this work will be charged to various project accounts in Major Streets, Local Streets, Sewer Fund and Water Fund.

The Department recommends the extension of the Materials Testing Contract with CTI & Associates for the 2010 construction season. With your concurrence, I request that this extension be submitted to City Council for their approval and their authorization for the Mayor and City Clerk to sign the contract extension documents. If you have any questions, please contact me.

TRW:sms

c: Randall T. McMunn, P.E., Assistant City Engineer
Lynn Fessel, City Clerk
Troy R. White, P.E., Civil Engineer II



January 20, 2010

Mr. Jon H. Dowling, P.E., City Engineer
City of Jackson
161 W. Michigan Avenue
Jackson, Michigan 49201

**RE: Renewal of Professional Service Agreement
2009 Materials Testing Services**

Dear Mr. Dowling:

It was a pleasure to provide Construction Materials Testing services for the City of Jackson in 2009. We look forward to the opportunity for continuing these services for the upcoming 2010 construction season.

Please consider this letter our willingness to renew the contract for 2010 based on the same unit rate structure established for the 2009 Professional Service Agreement between CTI and Associates, Inc. (CTI) and the City of Jackson.

We are pleased to submit this request for your consideration of a contract extension and we look forward to providing continued service to the City of Jackson.

If you have any questions, comments or concerns, please contact our office at your convenience.

Sincerely,

CTI and Associates, Inc.

Kevin D. Manuel, P.E.
*Director - Geotechnical and
Materials Testing Services*

Received

JAN 25 2010

**Engineering
City of Jackson**



Community Development

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

February 2, 2010

TO: Christopher W. Lewis, Interim City Manager

FROM: **Carol L. Konieczki, Community Development Director**

RE: Request for waiver of Community Development Block Grant (CDBG) emergency hazard loan requirement for 776 Tomlinson

The homeowner of 776 Tomlinson, Ms. Brenda Coppernoll, has contacted Community Development Staff to perform an emergency hazard project at her home. The property has hazardous electrical conditions. The total cost of the project is \$2,386.00.

One of the requirements to receive a CDBG emergency hazard loan is that all property taxes due must be current. Ms. Coppernoll currently has an overdue balance for summer 2009 taxes in the amount of \$208.66 and plans to pay the balance due as quickly as possible. Ms. Coppernoll's daughter, acting as her power of attorney, has requested a waiver of this requirement (attached) in order to complete the urgent repairs immediately.

Staff's recommendation and requested action of City Council is to approve Ms. Coppernoll's request to waive the requirement that her property taxes to be current in order to immediately complete the necessary, urgent electrical repairs to her home. Please place this item on the February 9, 2010 City Council Agenda for consideration.

Cc: Heather Soat, Financial Analyst
Kim VanEvery, Rehabilitation Loan Specialist

CLK:hls

S:\Heather Soat\City Council\2009-2010\2010-02-09_776 Tomlinson waiver request.doc

ATTN: Kim VANEVERY

1-22-10

Re: Brenda Coppernoll
776 Tomlinson
Jackson, MI 49203

Dear Ms. Van Every:

I am writing this letter in regards to my mother Brenda Coppernoll. We are asking that you waive the requirement for her taxes to be paid prior to the up dating of her hazardous electrical conditions. We are ask this because there house hold has recently went from a two income household to just my mother whom is having a vcry hard time managing things on her own. I have recently stepped in to help her manager her affairs as he Power of Attorney to help her get her finances under control because she is no longer capable of keeping track of them. We appreciate your understanding in this matter and assure you we are working on get he taxes paid as quickly as possible.

If you have any further questions please feel free to contact me at 517-581-2555.

Sincerely,

Candy King



Community Development

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

February 2, 2010

TO: Christopher Lewis, Interim City Manager
FROM: **Carol L. Konieczki, Community Development Director**
RE: Request for Community Development Block Grant (CDBG) Code Enforcement Funding

Please accept the attached Interdepartmental Funding Application Form to request fiscal year 2010/2011 CDBG funding to assist the City Attorney's Office. This application was received after the December 1, 2009 deadline and was not previously included in the CDBG Proposal Book.

It has been noted the Deputy City Attorney has spent approximately 60% of her time on CDBG-eligible activities in recent years. Due to current general fund budget constraints, the City Attorney's Office has requested the funding in order to continue providing legal services to code enforcement activities. The 2010/11 Community Development Code Enforcement budget request does not include services from the City Attorney's Office, and will not be able to accommodate this additional request unless the budget is amended.

Please place this item on the February 9, 2010 City Council Agenda for consideration.

Cc: Julius A. Giglio, City Attorney
Heather Soat, Financial Analyst
Michelle Pultz, Project Coordinator

CLK:hls

S:\Heather Soat\City Council\2009-2010\2010-02-09_Request for CDBG funding.doc

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney
Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM
February 3, 2010

TO: Carol Konieczki, Community Development Director

FROM: Julius A. Giglio, City Attorney 

RE: Request for Community Development Block Grant
Code Enforcement Funding

Attached please find the completed Interdepartmental Funding Application Form for fiscal year 2010-2011 regarding the City Attorney's Office request for funding through Community Development Block Grant Code Enforcement. As you are aware, the City Attorney's office is facing potential layoffs and staff reductions as a result of the economic climate. Over the past years, sixty percent of our Deputy City Attorney's time has been spent on code enforcement areas. We have never requested funding from the CDBG previously; however, if we wish to continue with our code enforcement activities, we need to obtain funding from sources other than the City's general fund. It is my understanding this application is a late submittal. However, we did not realize we were eligible for CDBG funding, nor that our current budget situation would be in such dire straits.

I respectfully request that this application be submitted to the Jackson City Council for consideration of our funding request. If you desire anything further in this regard, please do not hesitate to contact me. Thank you for your courtesy and cooperation in this matter.

JG/cr
Enc.

cc: Christopher Lewis, Interim City Manager, w/enc.
Heather Soat, Financial Analyst, w/enc.

Section II – Program Description

Program Location (be as specific as possible):

City Hall, 161 West Michigan Avenue, Jackson MI 49201

Area(s) Served - Please refer to the CDBG and/or Census Tract maps attached to the Funding Application Instructions and indicate appropriate block group or census tract numbers.

CDBG Eligible

Will any people living outside the City of Jackson be directly served under this project?

Yes* No

If Yes, what other funds will be used to serve these people?

Program Purpose – State the purpose of the program and specifically explain how your program meets the National Objective selected on page one.

Review of rehabilitation loan documents and code enforcement activities, both address the elimination of blight and improve the housing stock in the CDBG eligible areas.

Program Justification – Who are the targeted clients? What are their needs?

Low income home owners who upgrade their housing through the rehabilitation loan program, and low income tenants who live in substandard housing as a result of lack of code compliance by landlord.

Is this a public service program which is currently funded or has previously been funded by the City's CDBG program? Yes No

If **yes**, provide year(s) received and amount granted:

If prior funding will not be expended by the end of the current program year, explain why:

If **no**,

a) Briefly describe any other similar programs in the City of Jackson and demonstrate there is a gap in services provided. How did you determine this need exists?

b) Explain how CDBG funding will enable you to provide new or expanded services (be qualitative).

[Empty response box]

c) Was the proposed service/project provided previously by your agency? If so, how was it funded?

Yes, through City general fund

Program Operation – Explain simply and clearly how your program works. Concentrate on practical details – what, where, when, who, and how – rather than program philosophy or purpose. Describe the steps by which a client progresses through the program. Include how clients access the program, how much time they spend with staff on different activities, and how your collaboration with other agencies helps them.

Staff is available for consultation with code enforcement inspectors regarding issues in the field. Inspectors call regarding search warrant issues, garbage cleanup issues, and legal issues surrounding the Community Development Department’s actions in the field.

Staff reviews code enforcement files for submission to the Administrative Hearings Bureau (AHB) to authorize issuance of actions. Prior to creation of AHB, these cases were prosecuted in District Court. Code enforcement includes housing code and building code complaints. During this time period, staff is also involved with service of process of notices concerning violations and requests for more information concerning the investigations (especially as to building code offenses). Staff has also contacted property owners before issuance to see if the violations can be remedied without going to the AHB.

Staff handles issued files through the AHB stages, as staff similarly handled matters in District Court. We often speak with owners in between hearings and manage ongoing service of process issues. This includes locating relevant legal counsel for the bank-owners. Staff generates appropriate forms, responds to e-mails, and routinely has appointments with owners outside of AHB hearings.

Staff handles review of all mortgages and financing of rehabilitation and lead-based loans. This includes researching legal title of ownership and opining on the legality of some lending – for example: lending where applicant has a reversed mortgage.

Evidence – Please explain how your clients will provide evidence and verification of their eligibility and income.

Eligibility is determined by Community Development Department.

Staffing – List the key positions in the program and indicate their roles, specific responsibilities, and qualifications. Positions should be consistently titled here, on the agency organizational chart, and in the salary table of the budget.

Deputy City Attorney, code enforcement, through Administrative Hearings Bureau; review of rehabilitation loan documents.

Timetable – Identify the key implementing steps and target dates for the use of the CDBG funds.

Action	Target Date for Completion
Anticipate 300 code enforcement cases and 50 rehabilitation loan review projects	

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Client Demographics – Please complete the following tables to the best of your ability. Show number of clients (not percentages) in each category. Current income limits are on the Detailed Application Instructions Page.

Number of Persons or Households Served, by Income Group

Check whether counting:

Persons or **Households**

Year	Extremely Low Income level < 30% of median	Very Low Income level < 50% of median	Low Income level < 80% of median	At or Above Income level at or above 80% of median	Total
2008 Actual					
2009 Estimate					
2010 Target			350		

Special Needs Beneficiaries (if applicable)

Category	Number
Elderly (over 60)	
Disabled (not elderly)	
Homeless	
People with HIV/AIDS	

Program Outcomes – How will you identify and measure the changes and impacts brought about by your program? It is important to identify outcomes, indicators and measurement tools that can be reasonably measured and carried out by your program. One outcome is enough, but you may specify more if you wish.

Outcome (Expected change in client's conditions, skills, behavior, etc.)	Indicator (How will you know an outcome has been achieved? Include a target number and percentage)	Measurement Tool (Survey, interviews, tests, assessments, document review, etc.)
Compliance with housing ordinances	Case disposition by Administrative Hearings Bureau or District Court	Number of code enforcement cases handled
Completion of rehabilitation loans	How many rehabilitation loan projects completed	Number of loans closed

Section III - Performance Measurements

A. Goals. The proposed activity meets which of the following goals (select only one):

Create Suitable Living Environment

Activities designed to benefit communities, families, or individuals by addressing issues in their living environment (such as poor quality infrastructure) or social issues such as crime prevention, literacy, or elderly health services.

Provide Decent Affordable Housing

Housing programs where the purpose of the program is to meet individual, family, or community needs and not programs where housing is an element of a larger effort, since such programs would be more appropriately reported under suitable living environment.

Create Economic Opportunities

Activities related to economic development, commercial revitalization, and job creation.

B. Objectives. Select the most appropriate objective for the proposed activity (select only one):

Availability/Accessibility

Activities that make services, infrastructure, public facilities, housing, or shelters available or accessible to low- and moderate-income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low- and moderate-income people where they live.

Affordability

Activities that provide affordability in a variety of ways in the lives of low- and moderate-income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or daycare

Sustainability

Activities aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low- and moderate-income, by removing or eliminating slums or blighted areas through multiple activities, or services that sustain communities or neighborhoods.

C. Performance Measurement Outcome Statement. Outcomes are the changes you expect to occur in clients' lives and/or the community as a result of the proposed activity. A complete statement includes output (quantified) + outcome (from categories above) + activity (description) + objective.

Examples: 7 households have affordable housing through a down payment assistance program for the purpose of creating decent affordable housing.

54 homeless females will be provided temporary housing through an emergency shelter program for the purpose of creating a suitable living environment.

Response:

We will prosecute violations of ordinances either through the Administrative Hearings Bureau or District Court. We will also review and approve all rehabilitation loan program documents.

Section IV – Budget for Proposed Activity Only

Program Operating Budget – Please provide the Project Budget for which you are requesting CDBG funds. The table below **MUST** be used. Please refer to the example contained in the Funding Application Instructions.

Budget Category	CDBG Funds Only	Other Funds	Total (CDBG + Other)
Personnel			
Salaries and Wages (see Staff Costs * below for breakdown)	63,000.00	40,000.00	103,000.00
Fringe Benefits			
Subtotal Personnel			
Contractual Services			
Subtotal Contractual Services			
Supplies/Materials			
Subtotal Supplies/Materials			
Administrative/Overhead Expenses			
Subtotal Administrative/Overhead Expenses			
Other Expenses			
Subtotal Other Expenses			
Total Project Cost	63,000.00	40,000.00	103,000.00

***CDBG Staff Costs** – If the application includes CDBG funding for salaries or fringe benefits, please complete this table:

Position Title	Total Annual Salary	% of Salary to be Paid with Grant Funds	CDBG Salary Request
Deputy City Attorney	\$103,000.00*	60%	\$63,000.00
Total:	*Includes fringes		

Fee Schedule. Does your agency have a fee schedule for this particular service?

N/A

Contingency Plan – What is your organization’s contingency plan if your agency does not receive the requested CDBG funding, or receives less than the amount requested?

May have to eliminate position.

Coordination of Services – Provide a plan for coordinating services with other agencies.

N/A

Have you applied for funding from other sources for this project? Yes No

If No, why not?

N/A

If Yes, to whom have you applied? For approved funds, please provide a copy of the commitment letter. For pending funds, please provide the name and telephone number of a contact person at that funding source:

	Approved	Pending	Denied
Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact Person:	Telephone No.:		
Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact Person:	Telephone No.:		
Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact Person:	Telephone No.:		

****Attach Commitment Letters from Other Funding Sources****

Application Checklist

You must provide a copy of the following sections in the order listed:

- Application and all pertaining information** - complete and sign the application.
- Additional information** – if you feel the questions or information required by the application are not sufficient to describe your project completely, feel free to submit additional information.



Community Development

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

February 2, 2010

TO: Christopher W. Lewis, City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: Preliminary Allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program Funds for Fiscal Year 2010-2011

On December 15, 2009, City Council adopted a Timetable for the 2010-2011 CDBG and HOME programs. The Timetable included the February 9, 2010 City Council meeting for Council to make its preliminary allocation decisions for CDBG and HOME Program funds for fiscal year 2010-2011. An alternate date of February 23, 2010 was also instituted should Council want to table the preliminary allocations until then; however, in order to meet the balance of deadlines to receive the grant funds on time, preliminary allocations must be made by February 24. Staff anticipates receiving \$1,466,364 in CDBG grant funds plus program income, and \$329,378 in HOME grant funds for use in program year 2010-2011. As always, these amounts are subject to change once HUD announces its formula allocations, which were not released last year until April 2009.

Attached is a matrix of each eligible application received (including the late submission by Community Development for Jobs Creation Initiative funding, which City Council voted to receive at its January 26, 2010 meeting), the amount each agency is requesting, and the funding recommendations made by City Administrative staff. City Administrative staff met on January 28, 2010; their written summary of funding recommendations is also attached.

Program year 2010-2011 marks the first of five years for the City's upcoming Consolidated Plan, which is currently under development. To give Council a snapshot of funding allocations it made during the previous five years, a Historical Overview of 2005-2009 CDBG/HOME Allocations is attached. The information presented relates only for the amounts originally allocated by City Council and does not take into consideration additional funding provided through budget amendments and reallocations made periodically.

Please keep in mind if Council makes a substantial change (10% or more of entitlement grant amount) during the final allocation process on April 27, 2010, all steps taken so far will have to be repeated, including public hearings and the 30-day comment period for the Annual Action Plan (currently scheduled to take place between March 19 and April 20, 2010). This would create a significant delay in submitting the Annual Action Plan to HUD and for the City to receive its funding.

Requested action is for City Council to make preliminary funding allocations for the anticipated CDBG and HOME grants. Please place this item on the February 9, 2010 City Council agenda for consideration.

cc: Heather L. Soat, Financial Analyst
Michelle L. Pultz, CD Project Coordinator



Department of Community Development

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

To: Christopher W. Lewis, Interim City Manager
DATE: February 2, 2010
FROM: Carol L. Konieczki, Community Development Director
SUBJECT: City Administration Recommendations for CDBG/HOME Allocations

Thank you for meeting with Community Development staff and the City Clerk on January 28, 2010 to formulate recommendations to the City Council for CDBG and HOME allocations for fiscal year 2010-2011. The continuing economic struggles in the City made this year's recommendation decisions especially arduous. During our meeting, we reviewed each funding request using an Application Rating System; however, when it came right down to it, difficult decisions had to be made in order to attain goals set forth by City Council in April 2008. It is possible the City will receive a slightly larger entitlement grant than what is anticipated; however, our recommendations were based on the estimated amount based on historical allocations.

It is with deep regret to those agencies that also desperately need funding support that we arrived at the following decisions:

CDBG

Public Services – cannot exceed \$219,955

AWARE, Inc.	\$22,189
The AWARE shelter has been fortunate to receive several grants this year to assist domestic violence and sexual assault survivors; however, none of it is available for staffing.	
Center for Family Health	20,000
Continue providing funding for the emergency adult dental care program as it is valuable to the community; however, based on concerns during the past two annual monitoring visits, a reduced amount is recommended to be allocated.	
Family Service & Children's Health	10,000
Administrative staff felt it was important to continue to fund this very valuable, proven program. Not enough grant funds to provide the full amount requested.	
Jackson Affordable Housing Corp. (JAHC) – Homeownership Counseling	9,200
JAHC continues to meet performance and outcome goals with this program, which fills a need in the community.	



King Center Summer Youth Program	\$40,000
The continuation of this very successful program was deemed vital to the development of the City's low- to moderate-income youth.	
Partnership Park Downtown Neighborhood Association	5,000
The continued expansion and growth of this after school program demonstrates the success and need of youths in the Partnership Park Neighborhood.	
The Salvation Army	50,000
Requests for assistance from low- and moderate-income residents has increased significantly due to the current economy.	
United Way of Jackson County	10,000
The need to continue supporting this vital information and referral service has been demonstrated through increased calls for assistance.	
<i>Subtotal Public Service Recommendation (11.4%):</i>	
	\$166,389
 Administration and Planning – cannot exceed \$293,723	
Community Development Department	\$249,700
Staffing and operation costs to administer the CDBG grant. An allocation less than requested would require cuts in staffing/services.	
<i>Subtotal Administration and Planning Recommendation (17%):</i>	
	\$249,700
 Other Projects	
Community Development Department	
Code Enforcement	\$565,275
Staffing and operation costs to perform blight ordinance enforcement, housing maintenance code enforcement, and specification writing and oversight of the rehabilitation program. An allocation less than requested would require cuts in staffing and services.	
Residential Rehabilitation	200,000
Includes funding for emergency hazard loans, which cannot be paid for from HOME program funding.	
Jobs Creation Initiative	50,000
Provide funding for loans to create or retain jobs by a for-profit business investing in new construction, rehabilitation or expansion of its business.	
Engineering	225,000
Funding for street reconstruction with water main upgrades on Forest (bend to Edgewood) and Homewild (Ellery to Edgewood).	
John George Home	10,000
Provide a safe, ADA compliant bathroom for the elderly residents, alleviating the current conditions causing numerous falls each week.	
<i>Subtotal Other Projects Recommendation:</i>	
	<u>\$1,050,275</u>
 Total CDBG Recommendations Based on Estimated Funding:	
	<u>\$1,466,364</u>



Community Development has slashed funding requests for Administration/Planning, Rehab and Code Enforcement to absolute bare minimums. Administration/Planning and Code Enforcement fund current staff and operating costs. Building Inspection is funded from the General Fund.

HOME

Community Housing Development Organization (CHDO) – must be at least 15% (\$49,407)

Jackson Affordable Housing Corp.	\$70,000
Acquisition of single family home, rehabilitation and resale to low- to moderate-income family.	

CHDO Operating Expenses (optional) – cannot exceed 5% (\$16,469)

Jackson Affordable Housing Corp.	14,000
Staffing and operational costs to perform CHDO activities.	

Subtotal CHDO Recommendation: \$84,000

Administration and Planning – cannot exceed 10% (\$32,938)

Community Development Department	\$26,900
Staffing and operational costs to administer the HOME grant.	

Jackson Affordable Housing Corp.	6,000
Staffing and operational costs to administer Down Payment Assistance Program.	

Subtotal Administration Recommendation: \$32,900

Other Projects

Community Development Department Rehabilitation Assistance Program	\$172,478
Provide funding for rehabilitation loans to qualified homeowners to bring residences up to local code.	

Jackson Affordable Housing Corp. Down Payment Assistance Program	40,000
Payment of costs associated with home buying, such as down payment assistance, closing costs, etc.	

Subtotal Other Projects Recommendation: \$212,478

Total CDBG Recommendations Based on Estimated Funding: \$329,378

While Residential Rehabilitation was reduced on the CDBG side, it was increased utilizing HOME Program funds, allowing for allocation of more CDBG funds towards projects that cannot be paid for with the HOME grant.

Keeping in mind City Administration recommendations are based on amounts estimated to be received, and the possibility of the City receiving slightly larger grants than expected, we



encourage City Council to consider the following recommendations should the City receive additional funding:

CDBG Public Service – cannot exceed 15% of total CDBG grant

AWARE, Inc. – City Administration arrived at an allocation of nearly one-half of the requested amount. AWARE has received several grants to provide very specific program delivery to domestic violence and sexual assault survivors, but no additional money for staffing to deliver the programs. AWARE's original request of \$45,584 amounts to only 36.7% of total estimated project cost. Consider a larger allocation if funding allows.

Family Service and Children's Aid – The FAST program is very well run and a proven success, and Family Service & Children's Aid has demonstrated excellent performance during monitoring visits. However, as with the other allocations, and especially staying within the 15% public service cap, consideration was given to provide an allocation smaller than requested to reserve funds for other projects. This activity should also be considered for a larger allocation if funds allow.

The Salvation Army – Due to the current economy, more residents are requesting assistance to keep their utilities on. With this program, participants may receive assistance only once during a 12-month timeframe. Should additional funds become available and the City stays within the 15% public service cap, additional funding is recommended.

United Way of Jackson County – Also caused by the City's economic crisis, Central Michigan 2-1-1 is receiving a significant increase in calls, many times from persons who have never had to rely on assistance from non-profits and other agencies addressing basic needs. If available, an increase to the allocation recommended by City Administration staff would be appropriate.

CDBG Other Projects

DPW Curb Ramps – Unspent funds from 2008-2009 and 2009-2010 remain; curb ramps will be installed as part of several local street reconstruction activities planned in 2010. City Administration recommends no funding for the 2010-2011 program year unless additional grant funds are received.

Forestry – Ash Tree Removal/Replacement – City Administration staff felt other projects would fulfill more essential services at this time than would additional tree removal/replacement. However, should additional grant funds become available, Council should consider an allocation to continue this neighborhood beautification project.

No Funding Recommended

For various reasons, City Administration staff recommended no funding for several projects. While all would serve a needed service or activity to City residents, with limited funding and a continued focus on fixing local streets, based on City Council's April 15, 2008 goal setting session, not all can receive an allocation.



Allegiance Health Emergency Room – While transportation would meet a basic need, City Administration staff felt Allegiance Health would have other funding sources available to continue this service.

American Red Cross – City Administration staff felt providing funding to assist City residents with disaster relief (usually after a fire) is extremely vital; however, in order to allocate enough funding to Engineering for local streets, we decided against funding this activity. The American Red Cross has proved itself in program delivery and required recordkeeping during monitoring visits.

Center for Women Pregnancy Counseling Services – City Administration staff felt this was a good program for pregnant women and infants, but does not recommend funding at this time.

Elnora V. Moorman Community Help Center – City Administration staff appreciates the services this new agency wants to provide to City residents, however, they are duplicative in nature to services already being provided by experienced non-profits.

Fair Housing Center of Southeastern Michigan – The Analysis of Impediments to Fair Housing Choice recommends providing annual funding for fair housing activities to the Fair Housing Center of Southeastern Michigan. City Administrative staff identified unspent CDBG funds from prior years that can be reallocated for this purpose.

Jackson Affordable Housing Corp. – Foreclosure Prevention – No funding was recommended for the 2010-2011 program year as approximately \$20,000 remains unspent from program years 2008-2009 and 2009-2010.

Jackson School of the Arts – While it is undeniable this project would provide wonderful experiences to the City's youth, there were not enough funds available to consider an allocation that would provide a benefit to the activity.

LifeSpan . . . A Community Service – While this agency provided documentation of its aging vehicle fleet, City Administration staff felt the risk due to depreciation or loss through an accident or mechanical failure was too great to risk funding at this time.

Community Action Agency – CAA requested \$297,000 (90% of the anticipated annual allocation) to assist in funding a project to create 18 rental units on Greenwood Avenue. There were several considerations taken when reviewing this application:

- The City has historically encouraged projects designed to promote homeownership over creation of additional rental units;
- When completed, the project would likely remain owned by CAA - being a non-profit, they are exempt from paying property taxes;
- HOME regulations require a long-term affordability period of 20 years with significant administrative oversight and recordkeeping on the part of both parties;
- HOME regulations require a minimum of 15% of the total grant be set-aside for CHDO activities;



- HOME funds cannot be used as non-federal match in obtaining additional funding, as planned by CAA.

Renovations Your Way – The applicant has no other source of funding for this project and lacks the knowledge and experience required to remain in compliance (see CAA requirements above). The application also showed a need for additional, in-depth planning. HOME regulations require the City to conduct oversight of rental projects by analyzing the projects for financial stability, management capacity, and other long-term viability issues to identify financial/management issues before they affect the project's ability to remain a viable component of the City's housing stock. The application, as received, did not meet this requirement.

Greater Jackson Habitat for Humanity – While Greater Jackson Habitat for Humanity has been a recipient of both CDBG and HOME funds in the past, it is under new direction and staffing. A recent monitoring visit revealed several issues that need correction, including accurate reporting for HUD. Community Development staff is working with Habitat staff to get these issues corrected, but until Habitat demonstrates it is capable of program delivery, no additional funding is recommended at this time. Habitat has a small amount of unspent HOME funds from 2008-2009 remaining to use.

As always, the amount of requests far exceeded the amount of funds which will be available through CDBG and HOME grants. City Administrative staff considered each application carefully based on past performance and meeting the immediate needs of City of Jackson's residents or City Council's goals.

cc: Heather Soat, Financial Analyst
Michelle L. Pultz, Community Development Project Coordinator
Lynn Fessel, City Clerk



2010-2011 Community Development Block Grant Funding Proposal Recommendations

Applicants	Funding Request	City Admin.	Prelim. Allocation 2/9/10 City Council	Final Allocation 4/27/10 City Council
Public Services				
1 Allegiance Health Emergency Room - Cab Transportation Assistance	\$20,340	0		
2 American Red Cross	5,500	0		
3 AWARE, Inc.	45,584	22,189		
4 Center for Family Health - Emergency Adult Dental Care	50,000	20,000		
5 Center for Women Pregnancy Counseling Services	10,000	0		
6 Elnora V Moorman Community Help Center	168,000	0		
7 Fair Housing Center of Southeastern Michigan	20,000	0		
8 Family Service & Children's Aid - FAST Program	30,000	10,000		
9 Jackson Affordable Housing Corp - Foreclosure Prevention	15,000	0		
10 Jackson Affordable Housing Corp - Homeownership Counseling	9,200	9,200		
11 Jackson School of the Arts	22,398	0		
12 King Center Summer Youth Program	40,000	40,000		
13 LifeSpan - Wheelchair Vans	60,000	0		
14 Partnership Park Downtown Neighborhood Assoc.	10,000	5,000		
15 The Salvation Army - Utility Shutoff Prevention	75,000	50,000		
16 United Way - Central Michigan 2-1-1	24,500	10,000		
Public Services Subtotal	\$605,522	\$166,389		
Public Services canNOT exceed \$219,955				
<i>Estimated allocation \$1,366,364 + \$100,000 program income = \$1,466,364</i>				
Administration and Planning				
17 Community Development	\$249,700	\$249,700		
Administration and Planning Subtotal	\$249,700	\$249,700		

Applicants	Funding Request	City Admin.	Prelim. Allocation 2/9/10 City Council	Final Allocation 4/27/10 City Council
Other Projects				
18 Community Development - Code Enforcement	\$565,275	565,275		
19 Community Development - Residential Rehab	200,000	200,000		
20 Community Development - Jobs Creation Initiative**	50,000	50,000		
21 DPW - Curb Ramps	100,000	0		
22 Engineering - Street Paving/Reconstruction	778,000	225,000		
23 Forestry - Ash Tree Removal/Replacement	20,000	0		
24 John George Home - Handicap Bathroom Renovation	10,000	10,000		
Other Projects Subtotal	\$1,723,275	\$1,050,275		

** Application received 1/8/2010

Ineligible Application

25 Jessica's Daycare - Construct new daycare facility with 3-bedroom apartment on 2nd floor (new housing construction not eligible CDBG activity; not a non-profit organization)	165,000	0	0	0
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Total Requested / Recommended	\$2,578,497	\$1,466,364		
Total Funding Available	\$1,466,364	\$1,466,364		
	(estimate)	(estimate)		

2010-2011 HOME Allocation Table

Applicants	Funding Request	City Admin	City Council Recommendation 2/9/10	Final City Council Recommendation 4/27/10
Community Development - Rehabilitation Assistance (RAP)	\$75,000	\$172,478		
Community Development - Administration ¹	26,900	26,900		
Jackson Affordable Housing Corp - Downpayment Assistance	40,000	40,000		
Jackson Affordable Housing Corp - Administration ¹	6,000	6,000		
Jackson Affordable Housing Corp. - Acquisition/Rehab/Resale ²	70,000	70,000		
CHDO Operating Expenses ³	14,000	14,000		
Community Action Agency - Greenwood Housing Development (new construction)	270,000	0		
Community Action Agency - Administration ¹	27,000	0		
Renovations Your Way - app 1	92,175	0		
Renovations Your Way - app 2	92,175	0		
Habitat for Humanity	82,500			
Total Requests:	\$795,750			
Total Budget:	\$329,378	\$329,378		
	(estimate)	(estimate)		

Restrictions

¹Admin - no more than 10% (\$32,938)

²CHDO Set-aside (mandatory) at least 15% (\$49,407)

³CHDO Operating Expenses (optional) - no more than 5% (\$16,469)

Historical Overview of 2005-2009 CDBG/HOME Allocations

(does not include budget amendments made thereafter)

Applicants	2005-2006 Allocation	2006-2007 Allocation	2007-2008 Allocation	2008-2009 Allocation	2009-2010 Allocation	Totals
Public Services						
1 American Red Cross	\$0	\$10,000	\$3,000	\$2,000	\$0	15,000
2 Big Brothers Big Sisters of Jackson County	0	7,939	2,500	2,000	0	12,439
3 Center for Family Health (added by City Council vote to receive late application on 1/20/09)	18,014	25,000	25,000	25,000	15,000	93,014
4 Center for Women	0	0	0	0	0	0
5 CAA (Fair Housing)	41,027	37,000	0	0	0	78,027
6 Community Action Agency (Foreclosure Prevention)	0	0	0	0	0	0
7 Community Development (Neighborhood Resource Center)	15,000	5,000	15,000	12,000	0	47,000
8 Family Service & Children's Aid	8,000	10,000	2,500	5,000	10,000	25,500
9 Flo Critt (both programs)	4,788	4,788	10,188	5,500	0	25,264
10 Helping All People Excel (HAPE)	0	0	0	0	0	0
11 Human Relations Commission (Youth Council)	0	0	5,000	1,000	0	6,000
12 Jackson Affordable Housing (Foreclosure Prevention)	10,000	14,500	27,700	27,273	12,500	79,473
13 Jackson Affordable Housing (Homeownership Program)	5,000	5,000	1,500	3,000	6,000	14,500
14 Jackson School of the Arts	0	0	0	1,500	0	1,500
15 Legal Services of South Central Michigan	0	2,500	1,500	0	0	4,000
16 Parks & Recreation (King Center Summer Youth Program)	18,000	30,000	25,000	35,000	40,000	108,000
17 Partnership Park Downtown Neighborhood Assoc.	5,500	10,000	5,000	5,000	5,000	25,500
18 The Salvation Army	0	58,102	60,000	63,000	52,000	181,102
19 United Way of Jackson County	7,000	12,500	5,000	10,000	12,000	34,500
	132,329	232,329	188,888	197,273	152,500	750,819
Administration and Planning						
20 Community Development	\$342,170	\$0	\$344,100	\$248,600	\$216,425	934,870
Other Projects						
21 BRINCS	\$0	\$0	\$0	\$0	\$0	0
22 Aware	\$0	\$4,000	\$0	\$0	\$0	4,000
23 Community Development (Code Enforcement)	548,350	100,000	484,500	500,000	450,000	1,632,850
24 Community Development (Residential Rehabilitation)	395,000	70,000	418,451	275,230	200,000	1,158,681
25 Comm Dev - Jobs Creation	0	30,000	0	34,000	0	64,000
26 CAA - sidewalks	3,000	0	0	0	0	3,000
27 DDA	0	60,000	15,000	18,000	0	93,000
28 Department of Engineering (Monroe Street Sidewalk)	0	0	0	0	30,000	0

Applicants	2005-2006 Allocation	2006-2007 Allocation	2007-2008 Allocation	2008-2009 Allocation	2009-2010 Allocation	Totals
29 Department of Engineering (Street Paving/Reconstruction)	200,000	774,491	0	0	302,801	974,491
30 Department of Public Services (Handicap Ramps)	0	0	0	40,000	67,523	40,000
31 Enterprise Group	10,000	40,000	7,500	0	0	57,500
32 Grace Haven	0	0	0	18,000	0	18,000
33 Habitat for Humanity	15,000	47,500	0	0	0	62,500
34 Michigan Theatre	0	0	0	4,000	0	4,000
35 Parks & Rec - various park projects	65,000	135,000	40,000	35,000	0	275,000
36 Word of Light Empowerment Ctr	0	58,780	0	0	0	58,780
37 Jackson Friendly Home	0	0	0	30,000	0	30,000
38 John George Home	0	0	50,000	50,000	50,000	100,000
39 Parks & Recreation (Forestry)	0	0	0	25,000	25,000	25,000
	1,236,350	1,319,771	1,015,451	1,029,230	1,125,324	4,600,802
Total Grant:	1,710,849	1,552,100	1,548,439	1,475,103	1,494,249	6,286,491

HOME

26 Rehabilitation Assistance (RAP)	\$233,120	\$92,469	\$119,409	\$113,048	\$260,975	\$819,021
27 Administration (CD)	22,000	34,219	33,800	32,000	35,000	\$157,019
28 Downpayment Assistance	30,000	40,000	40,000	40,000	0	\$150,000
29 Administration (JAHC)	3,000	6,000	6,000	6,000	0	\$21,000
30 Jackson Affordable Housing - Acquisition/Rehab/ Resale	35,000	37,500	77,500	60,000	55,000	\$265,000
31 CHDO Operating Expenses	10,000	12,000	12,000	12,000	15,000	\$61,000
32 Habitat for Humanity	10,000	0	50,000	66,500	0	\$126,500
	\$343,120	\$222,188	\$338,709	\$329,548	\$365,975	\$1,599,540



Department of Community Development

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

To: Christopher W. Lewis, Interim City Manager
DATE: February 2, 2010
FROM: Carol Konieczki, Community Development Director
SUBJECT: Building Inspection Division Fee Adjustment Request - 2010

Attached is an analysis of Building Inspection permit fees and ordinance related activities. The review of the Building Inspection activities indicate significant loss of revenue for services rendered.

Requested action by Council is to place this on the February 9, 2010 City Council Agenda and referral to the City Finance Committee for review and recommendation.

cc: Phil Hones





Department of Community Development

161 W. Michigan Avenue • Jackson, MI 49201-1303 •
Facsimile (517) 768-5832

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

Date: February 2, 2010
To: Carol Konieczki
From: Frank Donovan
Subject: Building Inspection Division Fee Adjustment Request-2010

The Building Inspection Division budget is estimated to be \$487,528.00 this year and will generate \$355,280.00 in projected revenue from construction permits and ordinance related service fees, and receive \$132,248.00 in revenue from the General Fund (see table 3). Given the current financial health of the City and recent wage concession negotiations, it is imperative that the department balance the budget and eliminate or minimize the Contribution from the General Fund.

Last year the Building Inspection Division staff processed approximately 1850 construction permits (bldg/elec/plmb/mech), and spent about 5,660 hours investigating ordinance related complaints and issuing citations. No fees were charged for the majority of the ordinance related services that were provided, and the net result was a loss of approximately \$187,130.00 in revenue (see table 1). If the department had been charging the fees recommended in this proposal last year, construction permit revenue would have increased by \$94,099.00 (see table 2), ordinance related revenue by \$83,905.00 (see table 1), and significantly minimized or eliminated the General Fund contribution.

Construction permits and inspections, and ordinances related services, are “user fees” and the full cost should be paid by the individuals receiving those services. Property owners who construct new buildings or improve existing buildings are the sole beneficiary from those improvements and should bear the full responsibility for all permit and inspection fees. Property owners with dismantled vehicles or garbage in their yards are solely responsible for the blight and decay they create, and should be fully responsible for the cost of ordinance enforcement actions related to their respective property. When the Building Inspection Division budget is supplemented by a contribution from the General Fund, the cost of services provided to individual property owners for ordinance enforcement, as well as construction related activities, is spread among all the remaining tax payers of the City.

In order to balance the budget and eliminate or minimize the contribution from the General Fund, current building permit and ordinance related services require increased fees, and new fees must be assessed for services we are not currently charging fees for. Please note that the last time our ordinance or construction permit fees were adjusted was in 1991 and 2007 respectively, and those adjustments did not balance the budget or eliminate the Contribution from the General Fund; therefore I am respectfully submitting the following recommendation for your consideration.

RECOMMENDED FEE ADJUSTMENTS

ORDINANCE RELATED SERVICES *(See table 1 for details)*

Increase the following ordinance related service fees:

DPW garbage clean-up reimbursement fee from \$35.00 to \$50.00

Building Code Board of Appeals (BCBA) application fee from \$25.00 to \$40.00

BCBA decision and order to uphold a notice and order fee of \$225.00 to include a \$45.00 fee for every follow-up inspection required by section 17-27(n).

BCBA decision and order to either continue or dismiss a notice and order of \$175.00 to include a \$45.00 fee for every follow-up inspection required by section 17-27(n)

Proposed new ordinance related service fees:

\$175.00 for posting any dangerous building or structure with a condemned notice and order (new)

\$75.00 for posting any dangerous building or structure as open and accessible or unfit, (new)

\$20.00 monthly monitoring inspection fee for condemned, hazardous, or vacated properties (new)

\$55.00 zoning ordinance citation fee (new)

\$20.00 inoperable vehicle citation fee (new)

\$20.00 tree and shrub citation fee (new)

\$20.00 garbage citation fee (new)

CONSTRUCTION PERMIT FEES *(See table 2 for details)*

Increase the following construction permit fees:

Application fee on all building type permits from \$30.00 to \$90.00

Application fee on electrical, mechanical, & plumbing permits from \$55.00 to \$90.00

Special, safety, failed, and additional inspection fees on electrical, plumbing, & mechanical permits from \$50.00 to \$55.00

Request to extend a permit fee on electrical, mechanical, & plumbing permits from \$15.00 to \$50.00

Residential shed or garage demolition permit fee from \$35.00 to \$100.00

Residential house demolition fee from \$95.00 to \$150.00

Roofing permit fee from \$100.00 to \$150.00

Siding permit fee from \$100.00 to \$150.00

Deck permit fee from \$100.00 to \$160.00

Fence permit fee from \$30.00 to \$75.00

Increase remodel/renovation permit fee from 30% of new construction permit fee to 50% of new construction permit fee

Proposed new permit related fees:

Add a separate fee for plumbing, mechanical, and electrical plan review. The fee shall be 25% of the building plan review fee for each discipline requiring review (new)

Add a \$50.00 request to extend a permit fee to all building type permits (new)

Add a \$55.00 final inspection fee to all permits (new, this fee was removed in 2007)

Add a \$55.00 disapproved/additional inspection fee to all building type permits (new)

Add a \$110.00 investigation fee for working without a permit to all permits (new)

Create a rehabilitation permit with a fee of \$175.00 (new)

Create a Change of Use/Occupancy permit with a fee of \$175.00 (new)

Create a Temporary Certificate of Occupancy permit with a fee of \$175.00 (new)

Create a \$255.00 special inspection for any inspection required by chapter 16, Licenses, Permits, And Miscellaneous Business Regulations (new)

Total estimated increase in ordinance related service fees (table 1)	\$83,905.00
Total estimated increase in permit related fees (table 2)	\$94,099.00
TOTAL ESTIMATED INCREASE IN REVENUE	\$178,004.00

TABLE 1

ORDINANCE RELATED SERVICE RECOMMENDATIONS

<u>Non-Revenue Generating Services</u>	<u>Number of Inspections</u>	<u>Inspector Hrs per occurrence</u>	<u>Administrative Time per occurrence</u>	<u>Lost Revenue</u>	<u>Proposed Revenue</u>	<u>Proposed Fee</u>
MEETING						
Administrative meetings (City Council, BCBA, PC, ZBA/SBA, HDC)	74	2	1.5	\$12,042	\$0	\$0
Pre-construction meetings	10	3	0.25	\$1,689	\$0	\$0
COMPLAINT INVESTIGATIONS						
Animal, Garbage & Vehicle complaints	593	0.5	0.5	\$26,910	\$0	\$0
Work without permit complaints	39	0.5	1.5	\$3,236	\$4,290	\$110
Tenant complaints	12	1	0.5	\$864	\$0	\$0
Zoning complaints	35	1	0.5	\$2,519	\$0	\$0
CITATIONS ISSUED						
Animal, Garbage & Vehicle citations	1310	0.5	0.5	\$59,448	\$26,200	\$20
Tree & Shrub citations	99	0.5	0.5	\$4,493	\$1,980	\$20
Zoning citations	10	0.5	0.5	\$454	\$550	\$55
AHB						
AHB Cases (Housing Insp.)	5	N/A	N/A	\$3,165	\$0	\$0
AHB Cases (Code Enforcement)	8	N/A	N/A	\$330	\$0	\$0
AHB Cases (Bldg. Inspection)	37	N/A	N/A	\$3,177	\$0	\$0
NUISANCE PROPERTIES (Number of Inspectors)						
Dangerous building investigations (2)	73	1	0.25	\$4,567	\$0	\$0
Fire & Police department investigations (2)	82	1.5	0.25	\$7,311	\$0	\$0
Structures posted dangerous and unsafe (2)	25	1	0.75	\$2,034	\$1,875	\$75
Structures posted open and accessible (2)	73	1	0.75	\$5,939	\$5,475	\$75
Structures posted unfit for human habitation (2)	12	1	0.75	\$976	\$900	\$75
Follow up inspections on BCBA cases (1)	284	0.5	0.25	\$10,219	\$12,780	\$45
Monthly monitoring inspection of condemned, hazardous, vacated structures (1)	787	0.5	0.25	\$28,318	\$15,740	\$20
Post Properties with Notice and Orders, Administrative Search Warrant Postings (2)	416	0.25	0.25	\$9,439	\$8,320	\$20
TOTAL	3984	2,215.00	1,685.75	\$187,130	\$78,110	
Current Revenue Generating Services						
<u>Current Revenue Generating Services</u>	<u>Number of occurrences</u>	<u>Current Fees</u>	<u>Proposed Fee per occurrence</u>	<u>Current Revenue</u>	<u>Proposed Revenue</u>	<u>Estimated Increase</u>
Garbage clean-up reimbursements from DPW	300	\$35	\$50	\$10,500	\$15,000	
Rental inspections	197	\$125	\$125	\$24,625	\$24,625	
BCBA application fees	23	\$25	\$40	\$575	\$920	
Structures posted dangerous and unsafe	19	\$125	\$175	\$2,375	\$3,325	
TOTAL	539	\$310	\$390	\$38,075	\$43,870	
GRAND TOTALS				\$38,075	\$121,980	\$83,905

The services in the non-revenue generating section of this table reflect time spent enforcing ordinance related issues last year by Building Inspection Division personnel.

TABLE 2

PERMIT FEE RECOMMENDATIONS

Permit Type	Average Number of Permits	Current Fees	Proposed Fees	Proposed Increase Per Permit	Current Revenue	Proposed Revenue	Estimated Increase
Building							
Roof	293	\$100	\$150	\$50	\$21,132	\$35,769	\$14,638
* Deck	6	\$100	\$160	\$60	\$590	\$935	\$345
Fence	59	\$30	\$75	\$45	\$1,766	\$4,433	\$2,666
Sign	67	\$30	\$150	\$120	\$3,063	\$11,043	\$7,980
Rehab	23	\$0	\$175	\$175	\$720	\$4,745	\$4,025
* Addition- Residential	18	\$230	\$315	\$85	\$2,354	\$3,842	\$1,488
Addition- commercial	5	\$230	\$290	\$60	\$3,510	\$3,795	\$285
* Alteration- Residential	128	\$130	\$215	\$85	\$15,431	\$26,311	\$10,880
Alteration- Commercial	52	\$130	\$190	\$60	\$39,074	\$42,209	\$3,135
* New- Residential	11	\$230	\$325	\$95	\$7,103	\$8,172	\$1,069
New- Commercial	8	\$230	\$290	\$60	\$41,338	\$41,818	\$480
Commercial Demo	10	\$120	\$150	\$30	\$1,900	\$2,200	\$300
Garage Demo	17	\$35	\$100	\$65	\$606	\$1,711	\$1,105
House Demo	19	\$95	\$150	\$55	\$1,879	\$2,896	\$1,018
Plan reviews-commercial	26	\$100	\$175	\$75	\$13,189	\$15,139	\$1,950
Change of Occupancy	22	\$30	\$175	\$145	\$660	\$3,850	\$3,190
All Other Permits	74	\$130	\$190	\$60	\$13,589	\$18,029	\$4,440
Average Building Permits	806	N/A	N/A	N/A	\$167,904	\$226,897	\$58,993
Electrical							
Service Only	53	\$80	\$100	\$20	\$4,468	\$5,518	\$1,050
All Other Permits	338	\$55	\$90	\$35	\$49,515	\$61,354	\$11,839
Average Electrical Permits	391	N/A	N/A	N/A	\$53,983	\$66,872	\$12,889
Mechanical							
Furnace Only	74	\$85	\$100	\$15	\$5,295	\$6,397	\$1,103
Water Heater Only	39	\$60	\$100	\$40	\$1,961	\$3,501	\$1,540
All Other Permits	231	\$55	\$90	\$35	\$28,906	\$36,982	\$8,076
Average Mechanical permits	343	N/A	N/A	N/A	\$36,162	\$46,880	\$10,719
Plumbing							
Water Heater Only	94	\$60	\$100	\$40	\$4,654	\$8,414	\$3,760
Sewer Repair Only	17	\$60	\$100	\$40	\$914	\$1,574	\$660
All Other Permits	202	\$55	\$90	\$35	\$15,790	\$22,868	\$7,079
Average Plumbing Permits	313	N/A	N/A	N/A	\$21,358	\$32,857	\$11,499
Other							
Sale of Property	5	\$280	\$280	\$0	\$1,400	\$1,400	\$0
Grand Total	1852	N/A	N/A	N/A	\$280,807	\$374,906	\$94,099

*Proposed fees for all residential building permits include: Decks 10.00 plan review fee, Additions/Alterations 25.00 plan review fee, Garages 15.00 plan review fee, and New Construction 35.00 plan review fee.

**TABLE 3
BUILDING INSPECTION BUDGET**

REVENUE

Account Number	Description	Budget	Anticipated	Received	Balance	% Received
249-000-000-477.000	Building Permits	150,000.00	-	56,902.00	93,098.00	37.93%
249-000-000-478.000	Electrical Permits	50,000.00	-	23,678.00	26,322.00	47.36%
249-000-000-479.000	Heating Permits	30,000.00	-	19,438.35	10,561.65	64.79%
249-000-000-480.000	Plumbing Permits	25,000.00	-	10,751.00	14,249.00	43.00%
249-000-000-482.000	Plan Review Fees	15,000.00	-	5,686.85	9,313.15	37.91%
249-000-000-483.000	Rehab Permit Fees	-	-	760.00	(760.00)	n/a
249-000-000-608.000	CE - Housing	1,000.00	-	5,580.00	(4,580.00)	558.00%
249-000-000-608.002	Dangerous Building Fees	5,000.00	-	2,700.00	2,300.00	54.00%
249-000-000-647.000	Sale of Printed Materials	-	-	40.00	(40.00)	n/a
249-000-000-664.000	Interest	500.00	-	972.22	(472.22)	194.44%
249-000-000-683.000	Building Demolitions	66,280.00	-	32,187.00	34,093.00	48.56%
249-000-000-685.677	W/C Refund	-	-	5,106.25	(5,106.25)	n/a
249-000-000-698.000	Miscellaneous	10,000.00	-	4,525.07	5,474.93	45.25%
249-000-000-698.002	Building Board Fees	2,500.00	-	1,250.00	1,250.00	50.00%
249-000-000-698.249	Misc - Permit Overpayments	-	-	50.00	(50.00)	n/a
	Total Permit and Ordinance Services	355,280.00	-	52,410.54	32,869.46	61.46%
249-000-000-699.101	Contribution from General Fund	132,248.00	-	-	132,248.00	0.00%
	Total Revenue	487,528.00	-	169,626.74	317,901.26	34.79%

EXPENDITURES

Account Number	Description	Budget	Encumbered	Expended	Balance	% Expended
249-371-000-702.000	Termination Pay	-	-	-	-	n/a
249-371-000-706.000	Salaries & Wages	276,263.00	-	126,880.89	149,382.11	45.93%
249-371-000-707.000	Wages - Temporary	-	-	805.00	(805.00)	n/a
249-371-000-709.000	Overtime	-	-	-	-	n/a
249-371-000-715.000	Employers FICA	21,137.00	-	10,832.90	10,304.10	51.25%
249-371-000-719.000	Health Insurance	24,976.00	-	15,318.92	9,657.08	61.33%
249-371-000-719.678	RX Drug Insurance	7,025.00	-	3,100.70	3,924.30	44.14%
249-371-000-722.000	Pension - General	15,852.00	-	9,378.80	6,473.20	59.16%
249-371-000-724.000	Unemployment	567.00	-	-	567.00	0.00%
249-371-000-724.001	Workers Compensation	1,988.00	-	1,008.24	979.76	50.72%
249-371-000-725.000	Other Fringe Benefits	4,395.00	-	1,210.01	3,184.99	27.53%
	Total Personal Services	352,203.00	-	168,535.46	183,667.54	47.85%
249-371-000-726.000	Office Supplies	6,000.00	-	2,348.29	3,651.71	39.14%
249-371-000-737.000	Publications	1,755.00	-	185.00	1,570.00	10.54%
249-371-000-751.000	Gasoline	1,500.00	-	980.60	519.40	65.37%
	Total Materials & Supplies	9,255.00	-	3,513.89	5,741.11	37.97%
249-371-000-818.000	Contractual Services	6,100.00	-	4,468.57	1,631.43	73.26%
249-371-000-818.004	Building Demolitions	66,280.00	24,820.00	23,475.00	17,985.00	35.42%
249-371-000-853.000	Telephone	2,600.00	-	1,255.28	1,344.72	48.28%
249-371-000-873.000	Travel	1,500.00	-	279.00	1,221.00	18.60%
249-371-000-900.000	Printing & Publishing	7,500.00	-	1,441.54	6,058.46	19.22%
249-371-000-934.000	Office Equipment Maintenance	250.00	-	-	250.00	0.00%
249-371-000-935.000	Software Maintenance	1,250.00	-	707.50	542.50	56.60%
249-371-000-939.000	Vehicle Maintenance	2,000.00	-	776.00	1,224.00	38.80%
249-371-000-943.000	Equipment Rental - MP	4,590.00	-	4,589.34	0.66	99.99%
249-371-000-958.000	Membership & Dues	1,000.00	-	787.50	212.50	78.75%
249-371-000-960.000	Education & Training	1,500.00	-	1,019.00	481.00	67.93%
249-371-000-962.000	Uncollectible Accounts	30,000.00	-	-	30,000.00	0.00%
	Total Contractual & Other	124,570.00	24,820.00	38,798.73	60,951.27	31.15%
249-371-000-983.000	Office Equipment	1,500.00	-	-	1,500.00	0.00%
249-371-000-984.000	Software	-	-	-	-	n/a
249-371-000-985.000	Vehicles	-	-	-	-	n/a
	Total Capital Outlay	1,500.00	-	-	1,500.00	0.00%
	Total Expenditures	487,528.00	24,820.00	210,848.08	251,859.92	43.25%



City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Christopher W. Lewis, Interim City Manager

DATE: February 2, 2010

SUBJECT: Wage Concessions - Letter of Agreement (LOA) with Police Officers Labor Council (POLC) – Non-Supervisory Unit

The City of Jackson is experiencing an unprecedented decline in income tax and property tax revenues as well as State Revenue Sharing. Unfortunately, the forecast is for the revenue decline to continue for the remainder of this fiscal year, as well as next. Inasmuch, the City must bring its expenditures in-line with revenues through either a Reduction-in-Force (RIF) or wage concessions from employees.

As a result of this continuing budget crisis, and to avoid the layoff of police officers, the City of Jackson and the Police Officers Labor Council, Non-Supervisory Unit, have entered into a Letter of Agreement (LOA) for employee wage concessions that include employees taking 8.5 unpaid furlough days for those working 12-hour shifts, and a total of 13 unpaid furlough days for employees working 8-hour shifts. The City and POLC agree that the number of unpaid furlough days must equal a 5 percent reduction in pay and are being taken in lieu of a wage rollback. This pay concession also includes a pay freeze, excluding “longevity” pay that includes the elimination of annual step increases until June 30, 2011, for employees with less than five years of service.

As this Agreement is being reached in the middle of the fiscal year, POLC members working 8-hour shifts shall be required to take seven unpaid furlough days between February 1, 2010, and June 30, 2010, while those employees who work 12-hour shifts will be required to take 4.5 during the same time frame. Beginning on July 1, 2010 and continuing until June 30, 2011, POLC members shall take the full amount of unpaid furlough days in lieu of a five percent (5%) reduction in pay.

In exchange for these wage concessions the City agrees to continue all provisions of the current contract, other than the before mentioned concessions, until June 30, 2012. Further, the Employer agrees POLC Non-Supervisory Unit member(s) will not be laid-off prior to February 28, 2011. On or about March 1, 2011, both parties agree to meet and discuss the financial condition of the employer and wage increases or the continuation of unpaid furlough days.

I respectfully request that the City Council approve this Letter of Agreement.

CWL:skh

Letter of Agreement

City of Jackson and Police Officers Labor Council (POLC) Non-Supervisory Unit

Wage Concessions and Extension of Contract from June 30, 2010

Until June 30, 2012

The City of Jackson is experiencing an unprecedented decline in income tax and property tax revenues as well as State Revenue Sharing. Already this fiscal year the City was forced to address a budget deficit through the layoff of two police officers and the elimination of non-essential positions. Unfortunately, the City is projecting a continuing decline in revenue for the remainder of this fiscal year as well as for FY 2011/12. Inasmuch, the City must bring its expenditures in-line with revenues through either a Reduction-in-Force (RIF) or wage concessions from employees.

As a result of this continuing budget crisis, and to avoid the layoff of police officers, the City of Jackson and Police Officers Labor Council, Non-Supervisory Unit, agree to wage concessions that include employees taking 8.5 unpaid furlough days for those working 12 hour shifts, and a total of 13 unpaid furlough days for employees working 8 hour shifts. The City and POLC agree that the number of unpaid furlough days must equal a 5% reduction in pay and are being taken in lieu of a wage rollback. This pay concession also includes a pay freeze, excluding "longevity" pay, that includes the elimination of annual step increases until June 30, 2011 for employees with less than five years of service.

As this Agreement is being reached in the middle of the fiscal year, POLC members working eight hour shifts shall be required to take 7 unpaid furlough days between February 1, 2010 and June 30, 2010, while those employees who work 12 hour shifts will be required to take 4.5 during the same time frame. Beginning on July 1, 2010 and continuing until June 30, 2011, POLC members shall take the full amount of unpaid furlough days in lieu of a five percent (5%) reduction in pay. As mentioned in paragraph two of this agreement.

Furlough days will be selected by the employee in order of most senior to least senior employee.

If an employee is ordered into work during normal schedule work hours, that employee will forgo the scheduled furlough day and the furlough day will be put back into their furlough day bank. All other overtime language for hours worked other than normal scheduled duty assignment will apply as stated in Section 7.3 and Appendix E of the labor agreement. Furlough days will be counted as time worked for overtime purposes and assignments.

Since this wage concession could impact the Final Average Compensation (FAC) of three (3) POLC members who will become eligible for retirement prior to 2012, the City agrees that the FAC period (best three years in the last 10) shall be calculated so as not to include the time period when the employee experienced the five percent (5%) wage roll-back or equivalent number of unpaid furlough days.

The union leadership will be allowed 650 hours of leave until June 30, 2012 to conduct official union business such as, but not limited to, contract negotiations, grievance hearings, etc.

In exchange for these wage concessions the City agrees to continue all provisions of the current contract, other than the before mentioned concessions, until June 30, 2012. The Employer agrees POLC Non-Supervisory Unit member(s) will not be laid-off prior to February 28, 2011. On or about March 1 2011, both parties agree to meet and discuss the financial condition of the employer and wage increases or the continuation of furlough days.

During the time of this agreement, if members of this unit leave employment, unit members Kyle Ruge and Warren Johnson will be reinstated to full employment in order that the layoff occurred. As stated in section 5.6 of the labor agreement.

Shane LaPorte 2-1-10 POLC President
Non-Supervisory Unit

Mark A. Karle 2-1-10 POLC



City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Christopher W. Lewis, Interim City Manager

DATE: February 2, 2010

SUBJECT: Wage Concessions - Non-Union Employees

To address the City's declining revenues and related budget short-fall I am requesting the Council approve the implementation of five (5) unpaid furlough days for non-union employees. This equates to a two-percent (2%) wage reduction. I am also requesting the Council suspend Appendix A-1 and Appendix A-2 in the Personnel Policy which provides a ten step schedule of annual wage increases that occur on an employee's anniversary date.

As you know, unlike the City's unionized employees, the unrepresented employees did not receive a three-percent wage increase this year, therefore, I am not asking them to accept the same five-percent wage concession that union employees are being asked to give. This request does not include the City Treasurer as he is an elected official whose salary is not set by the City.

Since this request is occurring in the middle of the fiscal year, non-union employees would be required to take 2.5 unpaid furlough days between February 1, 2010, and June 30, 2010. Beginning on July 1, 2010, and continuing until June 30, 2011, these employees would be required to take the full five unpaid furlough days in lieu of a two-percent (2%) reduction in pay.

A two-percent (2%) wage concession from non-union employees will save approximately \$60,500 in the General Fund.

I ask that the Council approve this request.

CWL:skh



City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Christopher W. Lewis, Interim City Manager

DATE: February 3, 2010

SUBJECT: Five Percent (5%) Wage Reduction – Interim City Manager

As I have asked the City's labor unions and non-union employees for wage concessions, I am requesting the City Council approve a temporary five-percent (5%) reduction in my current salary of \$88,691, which will reduce my annual salary to \$84,256. This wage reduction should remain in place only during the time I serve as Interim City Manager. At the conclusion of my appointment to this position and upon my return to the position of Personnel Director, the wage reduction should automatically revert to two-percent (2%), or whatever reduction other department heads are experiencing at that time, if any. If no wage concessions are in place for department heads at that time, I request my salary automatically revert back to \$88,691 without further action by the Council.

CWL:skh



City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Christopher W. Lewis, Interim City Manager

DATE: February 4, 2010

SUBJECT: Wage Concessions - Letter of Agreement (LOA) with Police Officers Labor Council (POLC) – Supervisory Unit

As a result of this continuing budget crisis, and to avoid the layoff of police command officers, the City of Jackson and the Police Officers Labor Council, Supervisory Unit, have entered into a Letter of Agreement (LOA) that requires employees to take 14 unpaid furlough days for those working 12 hour shifts, and a total of 21 unpaid furlough days for employees working 8 hour shifts. The City and POLC-Supervisors agree that the number of unpaid furlough days must equal an 8 percent reduction in pay, and are being taken in lieu of a wage rollback.

As this Agreement is being reached in the middle of the fiscal year, POLC members working eight hour shifts shall be required to take 7 unpaid furlough days between February 1, 2010, and June 30, 2010, while those employees who work 12-hour shifts will be required to take 4.5 during the same time frame. Beginning on July 1, 2010, and continuing until June 30, 2011, POLC members shall take the full amount of unpaid furlough days in lieu of a five percent (5%) reduction in pay.

In exchange for the POLC-Supervisory Units agreement to take unpaid furlough days the City agrees to continue all provisions of the current contract. Further, the Employer agrees POLC-Supervisory Unit member(s) will not be laid- off or demoted prior to February 28, 2011. On or about March 1 2011, both parties agree to meet and discuss the financial condition of the employer and wage increases or the continuation of unpaid furlough days.

I respectfully request that the City Council approve this Letter of Agreement.

Letter of Agreement

City of Jackson and Police Officers Labor Council (POLC) Supervisory Unit

February 1, 2010 - June 30, 2011

The City of Jackson is experiencing an unprecedented decline in income tax and property tax revenues as well as State Revenue Sharing. Unfortunately, the forecast is for continuing declines in revenues for the remainder of this fiscal year as well as for next year. Inasmuch, the City must bring its expenditures in-line with revenues through either a Reduction-in-Force (RIF) or wage concessions from employees.

As a result of this continuing budget crisis, and to avoid the layoff of command officers in the Police Department, the City of Jackson and Police Officers Labor Council, Supervisory Unit, agree to an immediate five percent (5%) wage reduction which equates to 8.5 unpaid furlough days for employees working 12 hour shifts, and a total of 13 unpaid furlough days for employees working 8 hour shifts.

In addition, the three percent (3%) pay raise that employees will receive on July 1, 2010 will be offset by employees taking an additional eight (8) unpaid furlough days for a total of 21 days for employees working eight (8) hour shifts and an additional 6.5 unpaid furlough days for employees working 12 hour shifts for a total of 15 unpaid days. This LOA includes the elimination of annual step increases until June 30, 2011 for employees with less than five years of service, if any, but does not include longevity pay.

As this Agreement is being reached in the middle of the fiscal year, POLC-Supervisory members working eight hour shifts shall be required to take 7 unpaid furlough days between February 1, 2010 and June 30, 2010, while those employees who work 12 hour shifts will be required to take 4.5 during the same time frame. Beginning on July 1, 2010 and continuing until June 30, 2011, POLC members shall take the full amount of unpaid furlough days in lieu of an eight percent (8%) reduction in pay, which equates to 21 unpaid days for employees working 8 hour shifts and 15 days for employees working 12 hour shifts.

Furlough days will be selected by the employee in order of most senior to least senior employee.

If an employee is ordered into work during normal schedule work hours, that employee will forgo the scheduled furlough day and the furlough day will be put back into their furlough day bank. All other overtime language for hours worked other than normal scheduled duty assignment will apply as stated in the labor agreement. Furlough days will be counted as time worked for overtime purposes and assignments.

Since the unpaid furlough days could impact the Final Average Compensation (FAC) of POLC members who will become eligible for retirement prior to 2012, the City agrees that the FAC period (best three years in the last 10) shall be calculated so as not to include the time period when the employee experienced the wage roll-back or equivalent number of unpaid furlough days.

Letter of Agreement
POLC –Supervisory Unit and City of Jackson
February, 2010
Page 2

In exchange for the POLC-Supervisory Unit agreeing to take unpaid furlough days until June 30, 2011, the City agrees to continue all provisions of the current contract until June 30, 2011, and further assures the POLC that its member(s) will not be laid-off or demoted prior to June 30, 2011. However, if on July 1, 2011 the City can demonstrate that the budget situation had not improved, then POLC-Supervisory members may be subject to lay-off or demotion unless further concessions including the possibility of additional furlough days are agreed to by the POLC.



Paul Gross

POLC – Supervisory Unit

POLC-Supervisory Unit

City of Jackson

City of Jackson



City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Christopher W. Lewis, Interim City Manager

DATE: February 2, 2010

SUBJECT: Items for Referral to the Finance Committee

Each year the City of Jackson enjoys many special events in the downtown that at a minimum require the support of the Police Department and Public Works. These include, but are not limited to, Fourth of July Fireworks, Downtown Cruise Nights, Jackson County Fair, Christmas Parade, and Eve on the Ave. In addition, there are high school football and basketball.

As most of these events occur in the evening and on weekends, police officers and DPW employees receive overtime pay during these assignments. The annual cost of supporting such events is estimated at between \$75,000 and \$100,000. In addition to the costs, reductions in staffing make it more difficult to deliver the expected service.

I request the Council refer this matter to the Finance Committee or City Affairs Committee for further discussion and analysis.

CWL:skh



Department of Community Development

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

Facsimile (517) 768-5832

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Financial Services
(517) 788-4058

Rehabilitation Services & Information
(517) 788-4070

DATE: February 4, 2010

TO: Christopher W. Lewis, City Manager

FROM: Carol Konieczki, Community Development Director

SUBJECT: **Authorization to approve the proposed Carnegie Place Option to Purchase, Purchase Agreement and Development Agreement
Authorization for the Mayor and City Clerk to execute the Agreements and
Authorization for the City Attorney to make minor modifications to the Agreements**

At the January 26th City Council meeting, Mr. Pat Gillespie presented his proposal for Carnegie Place. The proposal is for the redevelopment of City owned property located north of the Hayes Hotel and west of the Jackson District Library, herein referred to as the "Property." City Council tabled taking action on the proposal until the February 9th meeting.

Since then, several items in the Purchase Agreement and Development Agreement have changed. Mr. Gillespie has agreed to a purchase price of \$10,000, and agrees to make a good faith effort to employ/purchase materials in the Jackson City/County region and engage entities situated within the City/County region, to assist with the construction of the project up to \$1,000,000.00, subject to competitive bid process. In addition, development of the exterior shall be an urban design complimentary to the downtown district, and the developer will use good faith efforts to utilize zero lot lines on street frontage.

As previously stated in the January 21, 2010 memo: Mr. Pat Gillespie, Carnegie Place, LLC (Purchaser), and City staff have entered into various stages of negotiations regarding the City owned vacant property over the course of the last six years. During this period of time, Mr. Gillespie has negotiated with two previous City Managers and several changes of staff within the Community Development Department. Shortly after Mr. Lewis took the position as Interim City Manager, a meeting took place for he and Mr. Gillespie to become acquainted and discuss the proposed project for the downtown vacant property. Subsequently, several more meetings have taken place and Mr. Gillespie is now prepared to make the following offers for the Property:

Option Agreement:

- An Agreement shall be in existence for a period of sixty (60) months. Purchaser may elect to acquire the Optioned Property at any time during the term of the Agreement by giving Seller notice of its election to purchase all or a portion of the Optioned Property at any time during the term of this Agreement.
- The purchase price of the Optioned Property shall be Ten Thousand Dollars (\$10,000.00). If less than the entire amount of the Optioned Property is purchased at any

one time, Purchaser shall pay a proportionate purchase price based on the size of the property to be purchased in relation to the entire Optioned Property.

- Purchaser agrees to use commercially reasonable efforts to market the Optioned Property to retail, office, commercial and residential users in hopes of developing the Site and promoting downtown Jackson, Michigan. During the option period, Purchaser shall have the exclusive right to market the Optioned Property through the use of signage on the site, billboards, website, fliers, mailers, and any other media or marketing tools. Purchaser shall be allowed to install signage as shown on the Property. Signs cannot exceed the maximum square footage as provided by the City of Jackson sign ordinance unless a variance is obtained. Seller shall pay 50% of the costs associated with the on-site signage, and said total costs shall not exceed \$5,000.00.

Purchase Agreement:

- Purchase Price and Terms of Payment: The purchase price of the property shall be Ten Thousand and ⁰⁰/₁₀₀ Dollars (\$10,000.00), the full amount of which shall be paid by Purchaser to Seller in cash or certified funds at the time of closing.
- Taxes: The parcel will be exempt from taxation with an assessed value of zero (0) (including special assessments) at the time of closing. Purchaser understands that the parcel shall be placed on the appropriate tax rolls on the 31st day of December, immediately following the sale of said parcel.
- Closing: Closing shall take place within 30 days of exercise of the Option to Purchase
- Special Conditions: Environmental Purchaser shall receive, at Seller's expense, (subject to the availability of US EPA grant funds) a Phase I and Phase II environmental investigation to determine whether the Property can be used for the Purchaser's intended use.
- Renaissance Zone: Developer may apply for designation by the Michigan Strategic Fund of Property as a Renaissance Zone. To receive the designation will require the independent approvals of the application and/or the Project plan by the Jackson City Council, Downtown Development Authority of Jackson, Jackson Economic Development Corporation, and the Michigan Strategic Fund. If Developer applies for a Renaissance Zone designation, City Administration reserves the right to oppose such a designation if it is not in the best interest of the City. If City Administration opposes designation of a Renaissance Zone, and if such designation is not approved by City Council, Developer may terminate this agreement in writing within thirty (30) days of receipt of City Administration's notice of opposition. If Developer terminates this agreement, Developer will convey the Property back to the City at no cost.

Development Agreement

Developer will develop Mixed Use Buildings upon the Property in compliance with all-applicable building codes, zoning, and other restrictions of record.

- Development Size And Investment The Mixed Use Buildings shall accommodate multiple residential and commercial uses, which may include business enterprises, entertainment venues, urban residential for sale, urban residential for rent, hospitality, and

other enterprises providing surrounding residences and business with various neighborhood services, such as restaurants, banking, convenience stores, medical care, and health and beauty salons (“Mixed Use Buildings”). Development of the above Property shall create private investment of not less than \$2,000,000.00 in real and personal property on the Property.

- Developer agrees to make a good faith effort to employ/purchase materials in the Jackson City/County region and engage entities situated within the City/County region, to assist with the construction of the project up to \$1,000,000.00, subject to competitive bid process.
- Performance Dates:
 - a) Commencement of the Development of the Property must be initiated within two years from the date of closing.
 - b) Completion of the Development shall occur within seven years from the date of closing.
 - c) City acknowledges that the Development will be built in phases and will consist of several independent buildings which will be constructed as the commercial real estate market and demands dictate. “Commencement of Development” means that the necessary permits and approvals for the first building have been obtained, all construction contracts signed, construction financing, if any, will be arranged, all site preparation completed, and actual physical Development activity will be underway.
 - d) “Completion of the Development” shall mean that the structure constructed on the Property will be ready for use as demonstrated by obtaining a Certificate of Occupancy for the purpose intended, and all other requirements of the Agreement have been satisfied.
 - e) Development of the exterior shall be an urban design complimentary to the downtown district, and the developer will use good faith efforts to utilize zero lot lines on street frontage.
- Economic Benefits: Developer and City Administration each agree to use commercially reasonable efforts to obtain all support available for the Project. The City specifically agrees to participate and cooperate with Developer, and encourage any and all other federal, state, county and city subsidies that may be available to the Project including but not limited to: Brownfield financing, Brownfield tax credits, CMI grant funds, MDEQ grants, MDEQ low interest loans, New Market Tax Credits, MSHDA, Main Street Programs, Michigan Business Tax Credits, and all other available incentives. Each of the above shall be approved prior to closing. If any of the above approvals are not given or met prior to closing:
 - a. The parties may waive that condition to closing and proceed to closing.
 - b. The parties may, without amending this Agreement, but with resolution approved by the City Council, extend the date for closing until such approvals can be obtained and/or steps completed.

In addition, the City Engineering Department has designed the replacement of the existing four (4) inch water main along Louis Glick Hwy from Blackstone St. to Mechanic St. with an eight (8) inch water main. If Developer provides the required water service size and location, water leads will be installed in the City right-of-way during the time of water main replacement construction. If water service information is not provided three (3) months prior to the replacement construction, it will be the responsibility of the Developer to install water leads at its cost. The City will provide the Developer with a minimum of three (3) months’ notice prior to commencing water main replacement construction.

Requested action by Mr. Gillespie, Carnegie Place, LLC is for the City Council to consider taking action on the Option to Purchase, Purchase Offer and Development Agreements as provided herein:

Options City Council may wish to consider include:

- 1) Approve the Option to Purchase, Purchase Agreement and Development Agreement as proposed.
- 2) Approve the Option to Purchase, Purchase Agreement and Development Agreement with modifications.
- 3) Reject the Option to Purchase, Purchase Agreement and Development Agreement.

Action requested is for council to consider the options identified above; and authorize the Mayor and City Clerk to execute the appropriate documents and for staff to make minor modifications if needed, in accordance with the recommendation of the City Attorney.

Please place this item on the February 9, 2010 City Council Agenda for consideration.

cc: Julius Giglio, City Attorney
Jonathon Greene, DDA Executive Director
Barry Hicks, Economic Development Project Manager

OPTION AGREEMENT

This Agreement is made on _____ February 2010, by the **City of Jackson**, a Michigan municipal Corporation with offices located at 161 West Michigan Avenue, Jackson, Michigan, 49201 (hereinafter referred to as "Seller"), and **Carnegie Place, LLC**, a Michigan limited liability company with offices located at 2501 Coolidge Road, Suite 501, East Lansing, Michigan, 48823 (hereinafter referred to as "Purchaser"), to convey an option on the following terms and conditions.

1. Purpose. Seller owns the property described on the attached Exhibit A as the "Carnegie District." Purchaser anticipates purchasing the Optioned Property at some time in the future. The parties have entered into this Option to allow Purchaser to acquire the Optioned Property in the future.

2. Term of Option. This Agreement shall be in existence for a period of sixty (60) months. Purchaser may elect to acquire the Optioned Property at any time during the term of this Agreement by giving Seller notice of its election to purchase all or a portion of the Optioned Property at any time during the term of this Agreement.

3. Election of Option. Purchaser may elect to exercise the option in total or in part. Purchaser may exercise the option as many times as necessary during the term of this option to acquire all of the Optioned Property. Prior to election, Seller retains the right to use the Optioned Property, (or any portion of the Property where an election has not occurred), for any use that does not interfere with Purchaser's rights, including, but not limited to, a deposit site for the Seller's semi-annual City clean up.

4. Purchase Price. The purchase price of the Optioned Property shall be Ten Thousand and 00/100 Dollars (\$10,000.00). If less than the entire amount of the Optioned Property is purchased at any one time, Purchaser shall pay a proportionate purchase price based on the size of the property to be purchased in relation to the entire Optioned Property.

5. Consideration. In consideration of the giving of this option, Purchaser has paid to Seller the sum of One Hundred Dollars (\$100.00), receipt of which is hereby acknowledged, and Purchaser agrees to use commercially reasonable efforts to market the Optioned Property to retail, office, commercial and residential users in hopes of developing the Site and promote downtown Jackson, Michigan. During the option period, Purchaser shall have the exclusive right to market the Optioned Property through the use of signage on the site, billboards, website, fliers, mailers, and any other media or marketing tools. Seller shall be allowed to install signage as shown on the Property. Signs cannot exceed the maximum square footage as provided by the City of Jackson sign ordinance unless a variance is obtained.

Seller shall pay 50% of the costs associated with the on site signage and said total costs shall not exceed \$5,000.00.

6. Title. Any conveyance given pursuant to this Option shall be by Quit Claim deed, and at the time of closing, Seller shall purchase a title search in commitment form on the Property. The terms of purchase shall be in accordance with the Purchase Agreement which is attached hereto as Exhibit 1 and incorporated herein. Purchaser, at its sole expense, may obtain its own title insurance. If the title is defective, based on Purchaser's attorney's written opinion, Seller may remedy the title defects within thirty (30) days or obtain title insurance specifically insuring against the defects in question. If Seller is unable or unwilling to remedy the defects to the title, the Purchaser may accept the title "as is" or cancel the Agreement. Under no circumstances shall the Seller be liable for non-performance by reason of defective title.

7. Termination of Option Period. If Purchaser fails to exercise the Option before the expiration date (February ___2015), or if Purchaser fails to exercise the Option for every parcel of the Property, Purchaser's right to exercise the Option for the Property, or the remaining parcels of the Property, as the case may be, shall terminate.

8. Exercise of Option. Purchaser may exercise this Option on one or more occasions by giving written notice signed by Purchaser and personally served or delivered by certified mail, before the expiration date of the Option (February ___2015), to Seller at Seller's address set forth above or at any subsequent address that Seller may provide to Purchaser in writing. The written notice of exercise of the Option shall state the property to be conveyed pursuant to the exercise. All notices shall be sent to Purchaser by personal service or certified mail at the address shown above or any subsequent address that Purchaser may provide to Seller in writing.

9. Assignment and Binding Effect. This option shall inure to the benefit of and be binding on the parties to this Agreement and their heirs, legal representatives, successors, and assigns, and shall run with the land affected by this Agreement. Purchaser shall not assign this agreement without the written consent of Seller. Consent shall not be unreasonably withheld by Seller.

10. Effective Date. This Agreement shall become effective as of the date on which the last of the parties listed below signs this Agreement.

11. Possession/Risk of Loss. Seller shall continue in possession of the Property until closing and shall maintain same in its present condition. Common wear and tear excepted. Possession shall be transferred to Purchaser at Closing. Seller shall not sell, convey or encumber the Property herein described during the period of this Option. Seller will not enter into any lease of the Premises or any part thereof without first securing the written approval of Purchaser. Purchaser shall have the right, and reasonable notice to enter upon the real Property herein described for the purposes of examination of and testing same. Such work shall be done and in the manner that causes the least possible disturbance to the possession of Seller.

Development Agreement. Seller and Buyer hereby agree to the Development Agreement, attached hereto as Exhibit "2".

This Option shall be in effect until February _____, 2015, contingent upon annual renewal by Seller.

SELLER
City of Jackson

By:
Its:

PURCHASER
Carnegie Place, LLC

By: Patrick K. Gillespie
Its: Member

STATE OF MICHIGAN)
_____ COUNTY)

The foregoing instrument was acknowledged before me this _____ by _____, _____ of the City of Jackson, Michigan.

/s/ _____

Notary public, State of Michigan, County of _____.

My commission expires _____

Acting in the County of _____

STATE OF MICHIGAN)
_____ COUNTY)

The foregoing instrument was acknowledged before me this _____ by _____, Member of Carnegie Place, LLC.

/s/ _____

Notary public, State of Michigan, County of _____.

My commission expires _____

Acting in the County of _____

Drafted by and when recorded return to:

Charles L. Lasky
Lasky Fifarek & Hogan, P.C.
101 South Washington Square
Suite 500
Lansing, MI 48933

EXHIBIT 1

PURCHASE AGREEMENT

THIS AGREEMENT, made as of the date appearing below, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201, hereinafter called the "Seller", and CARNEGIE PLACE, LLC, a Michigan limited liability company whose address is 2501 Coolidge Road, Suite 501, East Lansing, Michigan, 48823 hereinafter called the "Purchaser". The parties agree as follows:

1. PROPERTY TO BE SOLD. The Seller agrees to sell and the Purchaser agrees to buy real estate situated in the City of Jackson, County of Jackson, and State of Michigan, which is more particularly described as: Those parcels legally described on Exhibit A which is attached hereto, subject to easement and restrictions of record, except for property identified as "Parking Area", in Exhibit B –. Commonly known as:

209-211 N. Blackstone, 209 W. Louis Glick, 298 W". Michigan Ave., 226-228 Louis Glick, except for property identified in Exhibit A – 250-262 and 272 W. Michigan Ave., Jackson, Michigan (Assessor's Stencil Number 1-0090, 110102.1, 1-0110, 10083, 1-0184.1,) (hereinafter referred to as "the Property").

Seller shall, at its sole expense, provide a staked survey of the Property with all easements and encroachments identified.

2. PURCHASE PRICE and TERMS OF PAYMENT. The purchase price of the Property shall be Ten Thousand and ⁰⁰/₁₀₀ Dollars (\$10,000.00), the full amount of which shall be paid by Purchaser to Seller in cash or certified funds at the time of closing.

3. TAXES. The parcel will be exempt from taxation with an assessed value of zero (0) (including special assessments) at the time of Closing. Purchaser understands that the parcel shall be placed on the appropriate tax rolls on the 31st day of December, immediately following the sale of said parcel. The Purchaser shall be responsible for the payment of all taxes, special assessments and other fees which occur subsequent to the date of Closing.

4. TITLE. Seller shall deliver to Purchaser a Title Search in commitment form. Purchaser, at its sole expense, may obtain its own title insurance. If the title is defective, based on Purchaser's attorney's written opinion, Seller may remedy the title defects within thirty (30) days or obtain title insurance specifically insuring against the defects in question. If Seller is unable or unwilling to remedy the defect to the title, the Purchaser may accept the title "as is" or cancel the Agreement before the expiration of the Due Diligence Period as defined in Section 7

of this Agreement. Under no circumstances shall the Seller be liable for non-performance by reason of defective title. . The title insurance commitment shall be provided for the Purchaser's review within fifteen (15) business days of the execution of this Agreement by both Seller and Purchaser and shall include copies of all items set forth therein as exceptions to or defects of title to permit Purchaser to review the state of title to the Property including, but not limited to, tax appeals, tax liens and financing statements.

5. CONVEYANCE. Seller will convey title by Quit Claim Deed.

6. TIME OF ACCEPTANCE, CLOSING, and POSSESSION. Closing shall take place within 30 days of exercise of the Option to Purchase, or an agreed upon date, at the offices of the American Title Company of Jackson.

7. OTHER SPECIAL CONDITIONS. The Seller and Purchaser agree that, as a condition precedent to a sale under this Agreement, the following must occur during the Due Diligence Period:

A. Seller and Purchaser shall execute, prior to closing, the Development Agreement which is attached hereto as Exhibit 2 and thereby incorporated herein.

B. As provided in Paragraph 14 of this Agreement, Purchaser shall receive at Seller's expense, a Phase I and Phase II environmental investigation to determine whether the Property can be used for the Purchaser's intended use. If Purchaser is not satisfied with results of the environmental investigation Purchaser may cancel this Agreement in writing within sixty (60) days of receipt of the Environmental Investigation Reports.C. Purchaser shall, at its sole expense, determine whether it is able to use the Property for its intended use to the extent zoning, conditional use, or site plan approvals are required, it is Purchaser's obligation to obtain said approvals. City Administration hereby agrees to support a mixed use zoning by supporting Purchaser in a planned unit development rezoning.

D. RENAISSANCE ZONE. Developer may apply for designation by the Michigan Strategic Fund of Property as a Renaissance Zone. To receive the designation will require the independent approvals of the application and/or the Project plan by the Jackson City Council, Downtown Development Authority of Jackson, Jackson Economic Development Corporation, and the Michigan Strategic Fund. If Developer applies for a Renaissance Zone designation, City

Administration reserves the right to oppose such a designation if it is not in the best interest of the City. If City Administration opposes designation of a Renaissance Zone, and if such designation is not approved by City Council, Developer may terminate this agreement in writing within thirty (30) days of receipt of City Administration's notice of opposition. If Developer terminates the development agreement, Developer will convey the Property back to the City at no cost.

Purchaser's failure to provide written notice to the Seller during the Due Diligence Period that the Special Conditions identified in 7 B or C have not been satisfied, shall result in said Special Conditions being deemed to have been waived by Purchaser.

8. SELLER'S CONTINGENCY. Seller's obligations under this Agreement are contingent upon Purchaser submitting to Seller evidence reasonably satisfactory to the Seller and that the Purchaser will be able to obtain financing necessary and adequate for the construction of the project.

9. AUTHORIZATION TO ENTER. Seller authorizes Purchaser to enter upon the Property at any time during the Due Diligence Period to survey the Property, to determine the exact dimensions and legal description thereof, and to make soil borings to determine the suitability of the land for the uses intended and to analyze the soil borings to ascertain the level of contaminants. All borings, surveying and testing shall be at the Purchaser's expense. The Purchaser may inspect the Property and all buildings on the Property during the Due Diligence Period, and conduct such tests, as Purchaser may desire, including an environmental assessment of the Property. The Purchaser or any party the Purchaser designates shall be granted reasonable access to the Property for inspection. In each instance, the Purchaser shall inform Seller 48 hours in advance of the time and date when Purchaser or others acting on its behalf wish to inspect the Property so that those visits can be scheduled at times that accommodate Seller's schedule. Purchaser shall repair all damage caused to the Property to Seller's satisfaction within 30 days of visit. Purchaser agrees to defend, indemnify and save harmless the Seller and its agents, officers, employees or servants from and against any and all liability, cost or losses resulting from any and all claims, demands, suits, actions, payments or judgments, including any and all expenses, legal or otherwise, brought or recovered against the Seller by any third party, arising directly or indirectly by reason of any act or omission of the Purchaser, or its agents, servants, employees or contractors, or any other person or entity, in connection with entry upon the Property as herein allowed. In addition to the foregoing

indemnification against third party claims, the Purchaser further agrees to indemnify, defend, and save harmless the Seller from any costs, losses or damages, including any and all expenses, legal or otherwise, arising from any personal injuries, property damage, bodily injuries, death or other losses arising directly or indirectly by reason of any act or omission of the Purchaser or its agents, servants, employees or contractors, whereby the Seller claims to be damaged, directly or indirectly, by said act or omission in connection with entry upon the Property as herein allowed. Purchaser's obligation to defend, indemnify, and save harmless the Seller shall survive the closing.

10. DEFAULT PURCHASER. In the event of the default by Purchaser of any terms herein, Seller may, at its option, declare the Purchase Agreement terminated, or elect to enforce the terms hereof.

11. DEFAULT SELLER. In the event of default by Seller of any terms herein, Purchaser may, at its option, declare the Purchase Agreement terminated, or elect to enforce the terms hereof.

12. "AS IS" "WHERE IS" CONDITION. It is understood that the Property is being sold in its present "AS IS" "WHERE IS" condition, "WITH ALL FAULTS" (whether obvious or concealed), and that the Property will be delivered by Seller to Purchaser in substantially the same condition as when the offer was made. Notwithstanding the above, the Seller may have grants or other environmental funds that are or may become available for the remediation and/or clean-up of the Property. Seller shall use its best efforts to support clean-up investigations and activities through the use of said grants/loans. Purchaser acknowledges that this Purchase Agreement constitutes the entire agreement between the parties and that there are no representations or warranties by the Seller upon which Purchaser is relying, except those written herein.

13. ENVIRONMENTAL NOTICES TO PURCHASER:

ENVIRONMENTAL REPORTS

A. Seller has advised Purchaser that the Property may contain environmental contamination and may have contained hazardous materials. The Property is a "facility" as defined by Section 20126 (1)(c) of PA 451 of 1994, Part 201, as Amended. The Seller is in possession of a Baseline Environmental Assessment (BEA) dated September 26, 2000 for the Property and will make the same available to the Purchaser for review.

B. ENVIRONMENTAL CONCERNS. There are numerous federal, state, and local laws and regulations in existence, which are intended to control or correct environmental contamination. These laws and regulations may expose Purchaser and other users of the Property to liability for damages or cleanup costs occasioned by environmental contamination, regardless of fault and regardless of when in time the contamination may have occurred. The costs associated with the cleanup of the environmental contamination can be substantial. Accordingly, it is prudent for Purchaser to seek legal and technical counsel from professionals experienced in such matters so that it may be better appraised of its rights and responsibilities with respect to environmental contamination. Especially such counsel should be sought when Seller has informed Purchaser that hazardous wastes or substances may have been or now are used, stored, handled, or disposed of on the Property.

C. HAZARDOUS WASTES OR SUBSTANCES and UNDERGROUND STORAGE TANKS. There is the possible presence now, or in the past, of hazardous wastes or substances, and of possible underground storage tanks on the Property. The term "hazardous wastes or substances", as used in this paragraph, may include, but is not limited to, petroleum based products, paints and solvents, lead, cyanide, DDT, printing inks, acids, pesticides, ammonium compounds, asbestos, PCBs, and other chemical products. Hazardous wastes or substances and underground storage tanks may be present on all types of real property, and this NOTICE is therefore meant to apply to all areas of the Property, whether improved or unimproved. Purchaser must pay all costs of any assessment of the Property, environmental or otherwise.

D. WETLANDS. The Property may contain wetlands. There are numerous federal and state laws and regulations, which govern the development of wetlands. The term "wetlands", as used in this paragraph, may include, but is not limited to, the provisions of the Natural Resources and Environmental Protection Act 151, P.S. 1994 part 303, Wetland Protection and its Administrative Rules.

E. LIABILITIES. It is hereby acknowledged that Purchaser does not assume any responsibility or liability that Seller may have as a result of the environmental condition of the Property that may be imposed upon Seller by any state, federal or local law, rule, regulation, or ordinance (including, but without limitation, any

requirement to report, assess, investigate, abate and/or remediate the Property), resulting from a release of a Hazardous Substance upon the Property during Seller's ownership or operation of the Property before closing.

14. ENVIRONMENTAL REMEDIATION. Seller, through its Jackson Brownfield Redevelopment Authority, shall arrange for Seller's environmental consultant to conduct an investigation and prepare a Phase I and Phase II report regarding the environmental condition of the Site, contingent upon availability of U.S. EPA Funds. As a result of these investigations, the Site will more than likely be deemed a "facility" as defined by Public Act 451 of 1994, MCL 324.20101. A Baseline Environmental Assessment pursuant to Part 201 shall be provided to Purchaser for review and submission by the Purchaser to DEQ.

Purchaser's obligation to close this transaction is expressly conditioned upon Purchaser's receipt of the MDEQ's approval of the Baseline Environmental Assessment to be submitted to the MDEQ, pertaining to the Property and the MDEQ's determination that Purchaser meets the requirements for an exemption from liability under Section 20126(1) of Part 201 of NREPA; and Purchaser's receipt of a determination by the MDEQ, the sufficiency of same being in Purchaser's sole discretion, that Purchaser's proposed use of the Property satisfies Purchaser's obligations under Section 20107(a) of Part 201 of NREPA. Any stated closing date for this transaction shall be extended to accommodate the receipt of said approval from the MDEQ.

Subsequent to the Seller's completion of the environmental investigation and the delivery of the environmental reports to Purchaser shall be provided an opportunity to conduct, at Purchaser's sole expense, further environmental study of the Site.

Purchaser shall have one hundred twenty (120) days from the date of delivery of said reports to Purchaser to conduct, at Purchaser's sole expense, such additional environmental studies of the Property, and other studies to determine whether it is free of hazardous substances or waste, environmental toxins and underground tanks, broadly defined by federal, state and local law, and to determine whether the Property is suitable for the Development relative to soil quality, wetlands and unexcavated materials that may exist on the Property. To the extent such study is or has been performed, Purchaser will provide a copy of the same to Seller and will advise the Seller if it is satisfied with the condition of the Property or, to the extent Purchaser elects not to conduct such study, Purchaser shall have waived the right to do so. If, within said 120 days, the Purchaser determines that it is not satisfied with the condition of the Property, Purchaser may cancel this Agreement in writing, with no further liability by either party

with regard to this Agreement. Regardless of whether Purchaser does or does not conduct such study, if no notice of cancellation is sent by Purchaser to Seller within 120 days following the delivery of said reports, then Purchaser agrees that it (subject to the remaining provisions of this Paragraph 15) has accepted the Property in its present condition and "AS IS" regarding the matters described in this Paragraph.

Prior to closing, the Purchaser shall take such remedial action as necessary to prepare the Site in an environmental condition that will allow the development of the Site as provided in this Agreement and shall respond and take such remedial action as may be mandated by the MDEQ to remove at or from the Site any Hazardous Substances discovered at the Site as a result of this investigation. City Administration will support Purchaser in application for reimbursement of "Eligible Activities" as defined by PA 381 of 1996, as amended. City Administration will support Purchaser's request to remove the Property from the DDA district for the express purpose of Brownfield tax capture.

City Administration shall use its best efforts to ensure that all programs made available under the Brownfield Development Financing Act will be utilized in the investigation, assessment and/or remediation of the Property, such as for Baseline Environmental Assessment Activities, Due Care Activities, Additional Response Activities, and other Additional and Eligible Activities as provided by the Act and/or for reimbursement of such or similar costs incurred in the Development of the Property, including but not necessarily limited to, the process of capturing tax increment revenue from the Property to reimburse Eligible Costs. City Administration further agrees to participate, cooperate, encourage and work with Purchaser to obtain any and all other federal, state, county and city subsidies that may be available, including but not limited to, MSHDA, New Market Tax credits, Main Street programs and Michigan Business Tax credits. City Administration obligations contained in this paragraph shall survive closing.

15. TIME. The Parties specifically declare and agree that time is of the essence in this Agreement.

16. PARTIES. The pronouns and relative words herein used are written in the masculine and singular only. If more than one join in the execution hereof as Seller and Purchaser, or either be of the feminine sex or a corporation, such words shall be read as if written in plural, feminine or neuter, respectively.

17. AMENDMENT. Neither this Agreement nor any provisions hereof may be changed, amended, modified, waived or discharges orally or by any course of dealing, but only

by an instrument in writing signed by the party against which enforcement of the change, amendment, modification, or discharge is sought.

18. NOTICES. Except as otherwise specified herein, all notices, consents, approvals, requests, and other communications (herein collectively call "Notices") required or permitted under this Agreement shall be given in writing and personally delivered with receipt obtained, mailed by registered or first-class mail, return receipt requested, or sent via nationally recognized overnight courier delivery service for the next business day delivery, addressed as follows:

If to the City: City of Jackson
 161 West Michigan Avenue
 Jackson, Michigan 49201
 Attn: Office of the City Attorney

If to the Purchaser: Carnegie Place, LLC
 2501 Coolidge Road, Suite 501
 East Lansing, MI 48823
 Patrick K. Gillespie

20. SEVERABILITY. If any one or more provisions of this Agreement or in any instrument or other document delivered pursuant to this Agreement or the application thereof to any person or circumstance 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 persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent of the law.

21. COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall be deemed to be an original document, but together shall constitute one instrument.

22. APPLICABLE LAW. This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Michigan.

23. WAIVER. Failure of Seller to exercise any right given hereunder or to insist upon strict compliance with regard to any term, condition or covenant specified herein, shall not constitute a waiver of Seller's right to exercise such right or to demand strict compliance with any term, condition or covenant under this Agreement.

24. NEGOTIATED. It is agreed by the parties hereto that 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.

EXHIBIT 2

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (hereinafter referred to as the "Agreement") is entered into as of the date appearing below, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "City"), and Carnegie Place, LLC, a Michigan limited liability company, whose address is 2501 Coolidge Road, Suite 501, East Lansing, MI 48823 (hereinafter referred to as "Developer").

WITNESSETH:

WHEREAS, the parties hereto entered into an Option Agreement dated February ____, 2010 for purchase of certain real estate in the City of Jackson, County of Jackson, and State of Michigan, which is more particularly described on Exhibit A which is attached to the Option Agreement, except for property identified as "Parking Area" in Exhibit B (hereinafter referred to as "the Property"); and "WHEREAS, part of the consideration passing to the City for the sale of the Property is the promise by Developer to develop the Property, to generate economic activity, which will benefit the City and its residents; and

WHEREAS, the parties wish to ensure that the Development will take place and wish to set forth the terms of the Development and provide for remedies to the City in the event Development does not occur.

NOW, THEREFORE, it is agreed by and between the parties hereto, in consideration of the above promises and covenants contained, as follows:

1. RECITALS. The foregoing recitals are incorporated herein and form a part of this Development Agreement.

2. DEVELOPMENT CRITERIA.

A. CODE COMPLIANCE. Developer will develop and establish the Mixed Use Buildings upon the Property in compliance with all-applicable building codes, zoning, and other restrictions of record.

B. DEVELOPMENT SIZE and INVESTMENT. The Mixed Use Buildings shall accommodate multiple residential and commercial uses, which may include business enterprises, entertainment venues, urban residential for sale, urban residential for rent, hospitality, and other enterprises providing surrounding residences and business with various neighborhood services, such as restaurants, banking, convenience stores, medical care, health and beauty salons (“Mixed Use Buildings”). Development of the above Property shall create private investment of not less than \$2,000,000.00 in real and personal property on the Property. (hereinafter all requirements of this paragraph shall collectively be referred to as the “Development”). Developer agrees to make good faith efforts to employ/purchase materials in the Jackson City/County Region and engage entities situated within the Jackson City/County Region, to assist with the construction of the project up to \$1,000,000.00 subject to competitive bid process.

C. PERFORMANCE DATES: The following Performance Dates shall be applicable to the Development:

- i. Commencement of the Development of the Property must be initiated within two years from the date of closing;
- ii. Completion of the Development shall occur within seven years from the date of closing.
- iii. City acknowledges that the Development will be built in phases and will consist of several independent buildings which will be constructed as the commercial real estate market and demands dictate. “Commencement of Development” means that the

necessary permits and approvals for the first building have been obtained, all construction contracts signed, construction financing, if any, will be arranged, all site preparation completed, and actual physical Development activity will be underway. "Completion of the Development" shall mean that the structure constructed on the Property will be ready for use as demonstrated by obtaining a Certificate of Occupancy for the purpose intended, and all other requirements of the Agreement have been satisfied. The City in its reasonable discretion will determine compliance with these stages of development. After the Commencement of Development on the first building, Developer shall diligently prosecute the completion of the remaining structures, if any. However, if market conditions dictate a longer period of time, the completion of the Development dates may be extended contingent upon written approval of both parties, which approval shall not be unreasonably withheld by the City.

- iv. "*Office*" shall mean street level space, or above street level space, designed to provide flexible solutions for a variety of establishments that desire to locate their offices and employees and business equipment within the Development.
- v. "*Residential*" shall mean residential accommodations, comprised of a mix of efficiency units; one, or two, or more bedroom units and/or condominiums at the Developer's discretion based upon market conditions.
- vi. "*Retail / Commercial / Academic*" shall mean street level space, below or above street level space, designed to provide flexible solutions for a variety of retail, entertainment, service, commercial establishments or academic entities.
- vii. Development of the exterior shall be an urban design complimentary to the downtown district and the developer will use good faith efforts to utilize zero lot lines on street frontage.

D. PLANS AND SPECS Development plans shall be submitted, in a form acceptable to the City of Jackson Building Inspection Division, by the Developer to the City.

E. INSPECTIONS. The Developer must permit inspection of the Property as needed by the City, and the City will provide reasonable notice to Developer unless an emergency arises, in which case, the City will make a good faith attempt to contact the Developer.

F. MORTGAGEE NOT OBLIGATED TO CONSTRUCT.

Notwithstanding the provisions of this Agreement including, but not limited to, those which are or are intended to be covenants running with the land, the holder of any mortgage authorized by the Agreement (including any such holder who obtains title to the Property or any part thereof as a result of foreclosure proceedings, or action in lieu thereof, but not including (a) any other party who thereafter obtains title to the Property or such parcel from or through such holder or (b) any other purchaser at foreclosure other than the holder of the mortgage itself) shall in no way be obligated by the provisions of the Agreement to construct or complete the improvements or to guarantee such construction to completion; nor shall any covenant or any other provision in the deed be construed to so obligate such holder.

G. COPY OF NOTICE OF DEFAULT TO MORTGAGEE. Whenever the City shall deliver any notice or demand to the Developer with respect to any breach or default by the Developer in its obligations or covenants under the Agreement, the City shall at the same time forward a copy of such notice or demand to each holder of any mortgage authorized by the Agreement at the last address of such holder furnished to the City by the Developer.

H. MORTGAGEE'S OPTION TO CURE DEFAULTS. In the event of any breach or default in the terms of this Agreement, then each holder shall (insofar as the rights of the City are concerned) have the right, at its option to cure or remedy such breach or default (or such breach or default to the extent that it relates to the part of the Property covered by its mortgage) and to add the cost thereof to the mortgage debt and the lien of its mortgage, provided that if the breach or default is with respect to construction of the improvements, nothing contained in this Section or any other Section of the Agreement shall be deemed an approval thereof, to undertake or continue the construction or completion of the improvements (beyond the extent necessary to conserve or protect improvements or construction already made) without first having expressly assumed the obligation to the City, by written agreement satisfactory to the City, to complete, in the manner provided in the Agreement, the improvements on the Property or the part thereof to which the lien or title of such holder relates. Any such holder who shall properly complete the improvements relating to the Property or applicable part thereof shall be entitled, upon written request made to the City to a certification or certifications by the City to such affect, and any such certification shall, if so requested by such holder, mean and provide that any remedies or rights that the City shall have or be entitled to because of failure of the Developer or any successor in interest to the Property, or any part thereof, to cure or remedy any default with respect to the construction of the improvements on other parts or parcels of the Property, or because of any other default in breach of the Agreement by the Developer or such successor, shall not apply to the part or parcel of the Property to which such certification relates.

I. MORTGAGE AND HOLDER. For the purposes of this Agreement, the term "Mortgage" shall mean a deed of trust or other instrument creating an encumbrance or lien upon the Property, or any part

thereof, as security for a loan. The term "Holder" in reference to a mortgage shall include any insurer or guarantor of any obligation or conditions secured by such mortgage or deed of trust.

J. OBLIGATIONS OWED TO AND BY FINANCIAL INSTITUTIONS.

The Developer and City agree that representations, warranties, or other agreements made by the City in this Agreement are transferable to any financial institution which loans money to the Developer for the sole purpose of the construction of the improvement on the Property and for which the property is security and who succeeds to Developer's interest through foreclosure, deed in lieu of foreclosure or otherwise. It is acknowledged that additional consideration for said transferability is the extension of credit to the Developer for the construction of the improvement on the premises which promotes the City's redevelopment of the Property and tax revenues to be generated from occupancy of the Property.

3. RENAISSANCE ZONE. Developer may apply for designation by the Michigan Strategic Fund of Property as a Renaissance Zone. To receive the designation will require the independent approvals of the application and/or the Project plan by the Jackson City Council, Downtown Development Authority of Jackson, Jackson Economic Development Corporation, and the Michigan Strategic Fund. If Developer applies for a Renaissance Zone designation, City Administration reserves the right to oppose such a designation if it is not in the best interest in the City. If City Administration opposes designation of a Renaissance Zone, and if such designation is not approved by City Council, Developer may terminate this agreement in writing within thirty (30) days of receipt of City Administration's notice of opposition. If Developer terminates this agreement, Developer will convey the Property back to the City at no cost.

4. ECONOMIC BENEFITS. Developer and City Administration each agree to use commercially reasonable efforts to obtain all support available for the Project. The City specifically agrees to participate and cooperate with Developer and encourage any

and all other federal, state, county and city subsidies that may be available to the Project including but not limited to: Brownfield financing, Brownfield tax credits, CMI grant funds, MDEQ grants, MDEQ low interest loans, New Market Tax Credits, MSHDA, Main Street Programs, Michigan Business Tax Credits and all other available incentives. Each of the above shall be approved prior to closing. If any of the above approvals are not given or met prior to closing:

- a. The parties may waive that condition to closing and proceed to closing.
- b. The parties may, without amending this Agreement, but with resolution approved by the City Council, extend the date for closing until such approvals can be obtained and/or steps completed.
- c. In addition, the City Engineering Department has designed the replacement of the existing four (4") inch water main along Louis Glick Hwy from Blackstone St. to Mechanic St. with an eight (8") water main. If Developer provides the required water service size and location, water leads will be installed in the city right-of-way during the time of water main replacement construction. If water service information is not provided three (3) months prior to the replacement construction it will be the responsibility of the Developer to install water leads at its cost. The City will provide the Developer with a minimum of three (3) months notice prior to commencing water main replacement construction.

5. DEFAULT and REMEDIES. If the either party fails to comply with any covenants, clauses, provisions or agreements herein contained, it shall be deemed to be in default of this Agreement and the other party may seek any legal or equitable remedy available under the law or in equity, which shall include, but is not necessarily limited to, money damages, specific performance, rescission, or revocation. Failure to develop the Property constitutes a failure of consideration for the sale of the Property to Developer.

6. TIME. The Parties specifically declare and agree that time shall be deemed of the essence in this Agreement.

7. BINDING EFFECT. The covenants, clauses, provisions, and agreements shall bind, and the rights hereunder shall inure to the respective successors and assigns of the City and Developer.

8. NON-DISCRIMINATION REQUIREMENT. The Developer, its successors and assigns, and every successor in the interest to the Property or any part thereof, must not discriminate upon the basis of race, color, religion, sex, or national origin in the sale, lease, or rental or in the use or occupancy of the Property or any improvements to be erected thereon, or any part thereof.

9. INSURANCE REQUIREMENTS. Prior to closing, the Developer shall obtain appropriate Fire and Extended Coverage insurance and Commercial General Liability Insurance (at least \$1,000,000 per occurrence) at Developer's sole cost, and maintain the same during the term of the Agreement, which policy(s) shall name the City as a loss payee and/or additional insured as its interest may appear. Developer shall provide City with certificates of insurance, evidencing the required coverage. In the event the Property is damaged or destroyed by fire or other casualty, the City shall require the Developer to pay any and all insurance proceeds for use for any of the following:

- A. Repair or reconstruction of the Property;
- B. To be applied to the resolution or settlement of any mortgaged indebtedness incurred by the Developer; and/or
- C. To apply any portion of insurance proceeds toward abatement of conditions which the City deems to be deteriorated sufficiently to cause injury or damage to persons or vehicles appropriately accessing the Property.

10. DISCHARGE. Upon Developer satisfying the Performance Dates established for Commencement of the Development, and Completion of the Development, this Development Agreement shall be deemed satisfied and, at the request of Developer, the City shall file appropriate documentation discharging this Agreement. Provided, however, the obligations contained in Section 9 hereof shall not be subject to discharge.

11. DEVELOPMENT OF MIXED USE BUILDINGS. The parties acknowledge that this plan for the Development and use of the Mixed Use Buildings is speculative in nature. The parties acknowledge that as product demands and market conditions change, the development and use of the Mixed Use Buildings may be expanded or modified to meet current conditions and demands. City Administration agrees to support rezoning of the Property if necessary to allow for the development of the Mixed Use Buildings. In the event Developer is not granted the necessary zoning for the Development, Developer may terminate this agreement. It is hereby agreed to and understood by the parties that a portion of the property as identified in red on Exhibit B, " Parking Area" attached hereto will be retained by the city for a surface parking lot or parking deck structure. The size of the Parking Area shall be approximately 139'x430' and a legal description shall be determined for the area prior to closing on the Property and shall become a part of this Development Agreement.

12. REPORTING: In addition to ongoing communication throughout the term of this agreement, Developer agrees to provide bi-annual (or quarterly if requested by City Council) reporting to the City regarding the progress of the development, including level of interest from possible tenants. Said reporting shall be in a format agreeable to both Developer and City.

13. MODIFICATION. The promises, covenants, terms, and conditions herein contained may not be modified, altered, or extended without the mutual written consent of the parties.

14. PARTIES. The pronouns and relative words used are written in the masculine and singular only. If more than one join in the execution hereof as Developer, or either be of the feminine sex or a corporation, such words shall be read as if written in plural, feminine, or neuter, respectively.

15. NOTICES. Except as otherwise specified, all notices, consents, approvals, requests, and other communications (collectively "Notices") required or permitted under this Agreement shall be given in writing and personally delivered with receipt obtained, mailed by certified or first-class mail, return receipt requested, or sent via nationally recognized overnight courier delivery service for the next business day delivery, addressed as follows:

If to the City, to: City of Jackson
Department of Community Development
161 West Michigan Avenue
Jackson, Michigan 49201
ATTN: Community Development Director

If to Developer, to: Carnegie Place, LLC
2501 Coolidge Road, Suite 501
East Lansing, MI 48823
ATTN: Patrick K. Gillespie

16. SEVERABILITY. If any of the provisions of this Agreement, or in any instrument or other document delivered pursuant to this Agreement, or the application thereof to any person or circumstance 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 persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected or impaired thereby, and each provision of the Agreement shall be valid and enforceable to the fullest extent of the law.

17. COUNTERPARTS. This Agreement may be executed in counterparts, each of which shall be deemed an original document, but together shall constitute one instrument.

18. APPLICABLE LAW. This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Michigan.

19. WAIVER. Failure of City to exercise any right given or to insist upon strict compliance with regard to any term, condition or covenant specified, shall not constitute a waiver of the City's right to exercise such right or to demand strict compliance with any term, condition or covenant under this Agreement.

20. NEGOTIATED. It is agreed by the parties hereto that 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.

21. CAPTIONS. All captions, headings, paragraph and subparagraph numbers and letters are solely for reference purposes and shall not be deemed to supplement, limit or otherwise vary the test of this Agreement.

22. COUNCIL ADOPTION. This Development Agreement was Approved and Authorized by the Jackson City Council on _____, 2010.

Dated: _____, 2010

CITY OF JACKSON

By: _____
Karen F. Dunigan *Mayor*

By: _____
Lynn Fessel *City Clerk*

STATE OF MICHIGAN)
)ss.
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me, this _____ day of _____, 2010, by Karen F. Dunigan, its Mayor, and Lynn Fessel, its City Clerk, on behalf of the City of Jackson, a Michigan municipal corporation.

Notary Public
Jackson County, Michigan
My commission expires _____

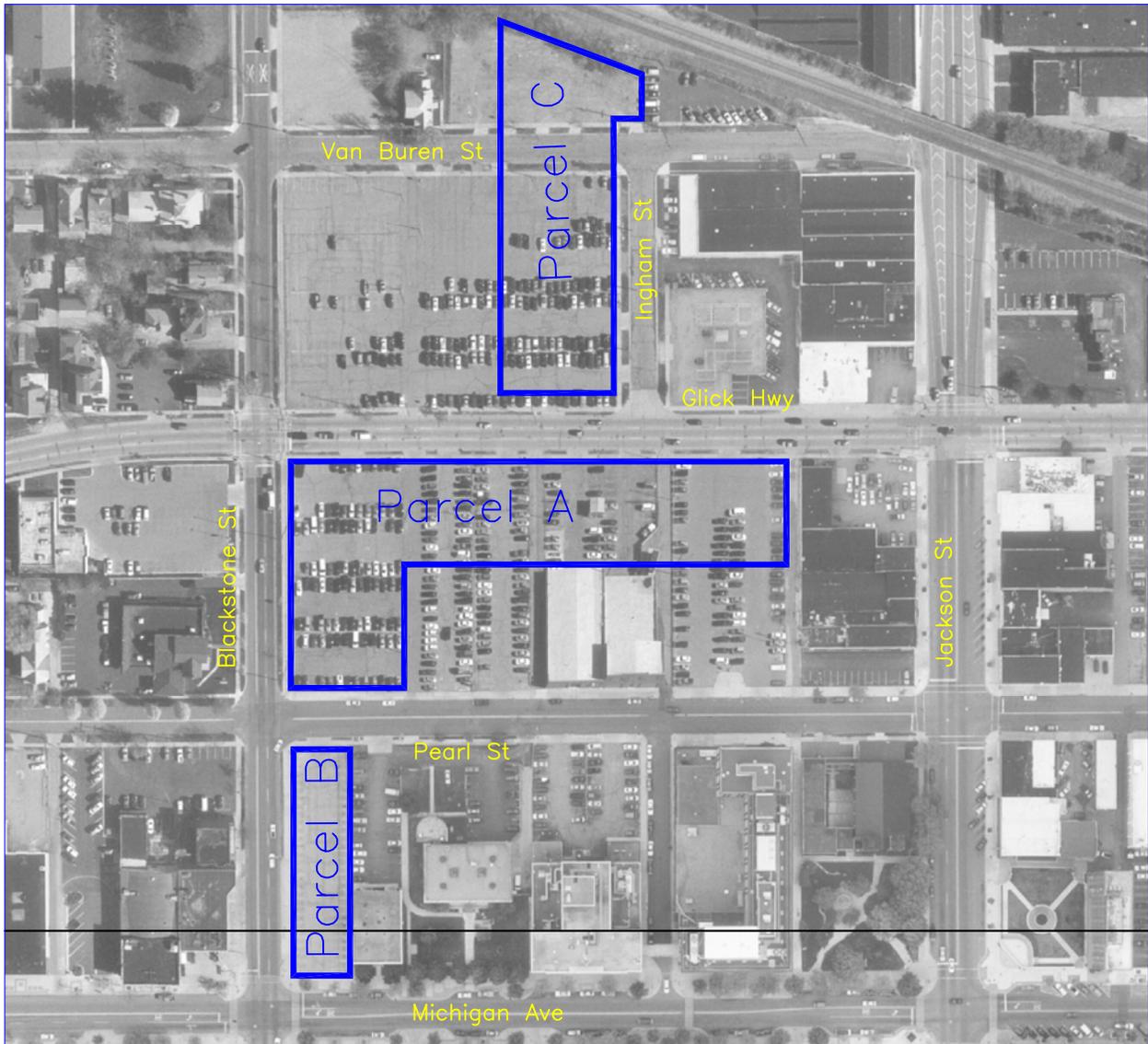
CARNEGIE PLACE, LLC

By: _____
Patrick K. Gillespie, Member

STATE OF MICHIGAN)
)ss.
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me, this _____ day of _____, 2010, by Patrick K. Gillespie, its Member, on behalf of Carnegie Place, LLC, a Michigan limited liability company.

Notary Public
Jackson County, Michigan
My commission expires _____



Parcel A

Lots 5,8,9,11&12, B2N, R1W City of Jackson, except south 12' of lots 5,8&9

Parcel B

West 66' of lots 14&15, B1N, R1W City of Jackson

Parcel C

Lots 1-6 B3N, R1W City of Jackson, except south 12' of lots 1&6 and the west 101' of lots 5&6.

Also Beg at the intersection of the north line of VanBuren St and the centerline of Ingham St thence west 33', thence south 66', thence west 132', thence north 180' to the south line or railroad thence southeasterly along south line to the centerline of vacated Ingham St thence south to Beg.

Exhibit A – Parcels to be Sold

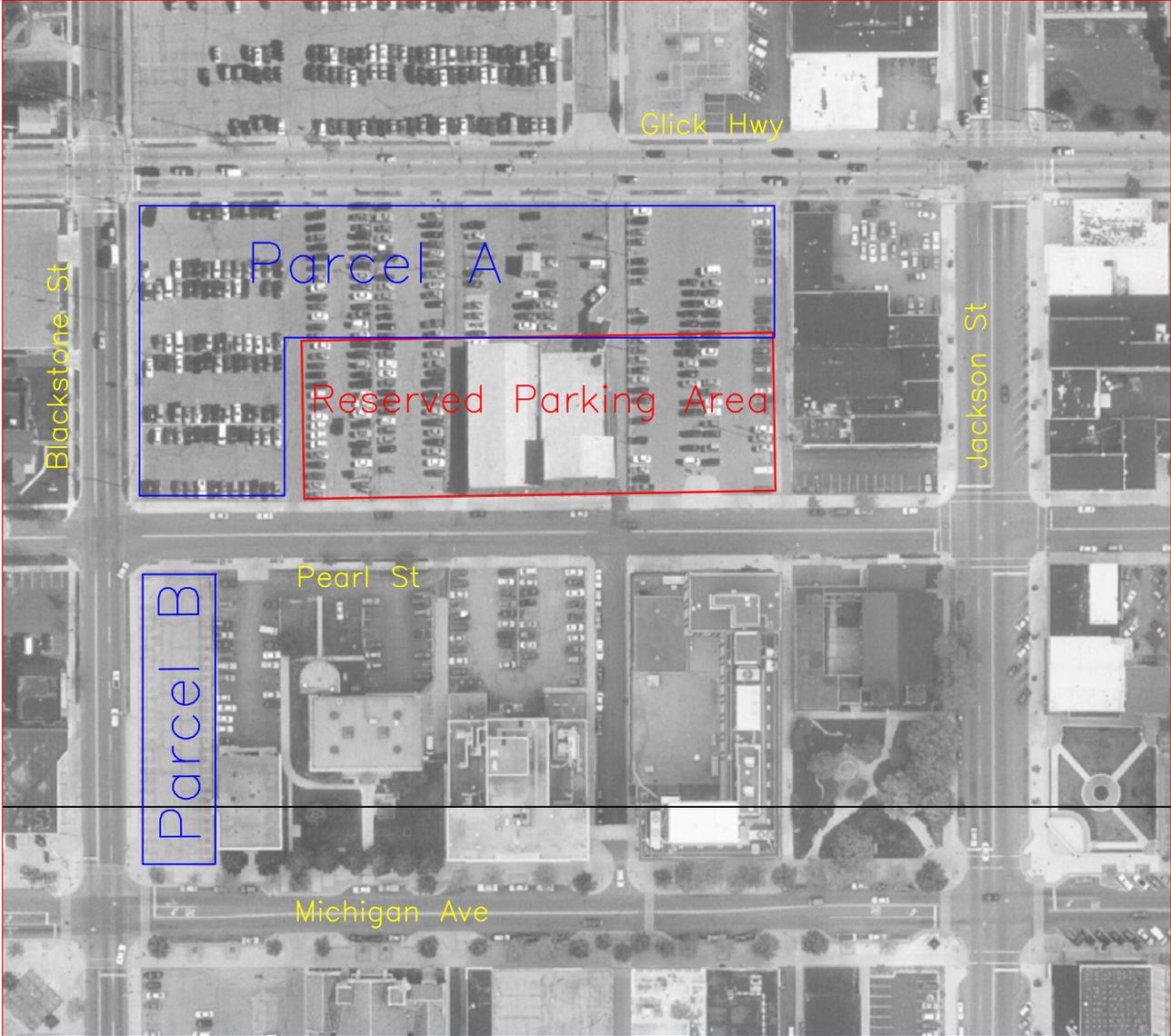


Exhibit B — Parking Area

City of Jackson Police Department
216 East Washington Avenue
Jackson, Michigan 49201
(517) 788-4127



MEMORANDUM

DATE: February 2, 2010

TO: Christopher Lewis
Interim City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: January Manager's Report

Chief Matthew Heins

- Attended:
 - Meeting to discuss personnel issues
 - Meeting with Kathleen Conley regarding neighborhood violence
 - Meeting with EMPCO regarding Lieutenant Assessment
 - Training Consortium Meeting
 - Meeting with Huron Valley Ambulance
 - Meeting with Commanders to review 2009 goals and set 2010 goals
 - Grievance Meeting – POLC-NS
 - Meeting with POLC-S and POLC-NS regarding 12 Hour Shift Agreement
 - Martin Luther King Breakfast
 - Meetings (2) with JNET
 - Area Chief's Meeting
 - Forfeiture Meeting with City Attorney
 - Budget Discussion Meeting
 - Meeting regarding Sergeant Expectations
 - General Staff Meeting with Sergeants and Coordinators
 - PSN Task Force Meeting
 - YMCA Focus Group
 - Meeting with POLC-NS President
 - Community Response to Neighborhood Violence Meeting
- Appeared on Bart Hawley
- Conducted MSU Staff and Command interviews
- Participated in NAACP Strategic Planning Session

Deputy Chief John Holda

- Attended:
 - JNET Meeting
 - Department Head Meetings (2)
 - Budget Meetings (3)
 - Forfeiture Meeting with City Attorney
 - Meeting regarding 12 Hour Shifts
 - Training Consortium Meeting
 - Policy Review Meeting
 - Meeting with New World Representative (Records Management)
 - Meeting with Omega Representative (Crime Mapping)
 - Meeting with EMPCO regarding Lieutenant Assessment
 - Intergovernmental Purchasing Meeting
 - POLC-NS Grievance Meeting
 - Meeting with Kathleen Conley regarding youth violence
 - Salvation Army Advisory Board
 - Computer Systems Update Meeting
 - General Staff Meeting
- Established annual goals for 2010
- Projects:
 - Transition to Crime Mapping.com
 - Transition to County Records Management System
 - BSA/Cash Register in Records

Lt. Christopher Simpson

- Attended:
 - Sexual Assault Task Force Meeting
 - Review of Annual Goals with Commanders
 - Meeting with Union Presidents About 12 hour Agreement
 - LEPC Meeting in the Office of Emergency Management
 - Forfeiture Meeting with City Attorney
 - Budget Meeting
 - Training in Lansing; Public Employment Law
 - Meeting with City Attorney Regarding Medical Marijuana Concerns
 - Human Service Coordinating Alliance Meeting
 - Domestic Violence Coordinating Committee Meeting
 - General Staff Meeting
 - Project Safe Neighborhoods Meeting
 - Community Response to Neighborhood Violence Meeting
- Worked Patrol for 8 hours on the road
- Visited Elementary Schools

A/Lt. Elmer Hitt

- Attended:
 - Addressing Policy Meeting – City Attorney
 - MPRI Steering Committee meeting

- 2010 goals meeting with commanders
- Mental Health Court meeting
- PSN Meeting
- John George Home board meeting
- Human Relation Commission Meeting
- General Staff Meeting
- Local Planning Team Meeting
- PSN case review meeting
- Grant Report Submitted:
 - COPS Recovery Act quarterly report submitted
 - Recovery Act JAG quarterly reports submitted
- Other update information:
 - State Electronics began the installation of the new radio consoles.
 - \$39,000 was awarded to the police department under Project Safe Neighborhood Gun & Gang Grant Initiatives. Funds were redistributed due to other jurisdictions not spending their money. JPD's final proposal was submitted on 1/29 for this additional funding.
 - A new search warrant/raid policy has been drafted. Waiting for final approval by the policy review committee and the Chief.
 - A school violence/active shooter presentation was put on at Jackson High School as requested by their crisis team.
 - The suspect in the Michael Adams homicide turned himself in on outstanding misdemeanor warrants. No charges have yet been issued for the homicide. There have been discussions between the Prosecutor's Office and his attorney.
 - The 2 year old child death investigation is going very well. Charges will most likely be issued in the near future.