



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

## **AGENDA – CITY COUNCIL MEETING**

April 13, 2010  
7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Kenneth E. Gaiser, 4<sup>th</sup> 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 meeting of March 23, 2010 and the special City Council meeting of March 31, 2010.
  - B. Approval of the request from the Family Service & Children's Aid to hold their 8<sup>th</sup> annual 5K Run for Fun on City streets on Saturday, April 24, 2010, from 8:30 a.m. until 11:00 a.m., beginning and ending at 330 W. Michigan Avenue, with police assistance at major intersections, and closure of Michigan Avenue between Blackstone and First Streets from 7:00 a.m. until 11:30 a.m. (Recommended approval received from the Police, Fire, Traffic Engineering, and Public Services Departments, and the Downtown Development Authority. Proper insurance coverage received.)
  - C. Approval of the request from the Jackson Police Department to hold their annual Police Memorial Service at Bucky Harris Park on Wednesday, May 5, 2010, at 12:00 p.m., to honor Jackson County police officers who have lost their lives in the line of duty. (Recommended approval received from the Police, Fire, Traffic Engineering, and Parks/Forestry Departments and the Downtown Development Authority. Insurance coverage is in place.)
  - D. Approval of the request from the Downtown Development Authority to conduct their Summer Planting Day on Saturday, May 22, 2010, from 9:00 a.m. until 11:00 a.m. in downtown Jackson and Bucky Harris Park. (Recommended approval received from the Traffic Engineering and Parks/Forestry Departments, and the Downtown Development Authority. Insurance coverage is in place.)
  - E. Approval of the request from the Downtown Development Authority to hold Cruise In on Friday, May 28<sup>th</sup>, June 25<sup>th</sup>, July 23<sup>rd</sup> and August 27, 2010, and to close streets from 5:15 p.m. until 9:30 p.m., and on Saturday, September 25<sup>th</sup>, from at 12:00 p.m. until 4:30 p.m., closing the following streets:
    - Michigan Avenue from Blackstone Street to Francis Street
    - Jackson Street from Cortland Street to Louis Glick Hwy.
    - Mechanic Street from Washington Avenue to Pearl Street(Recommended approval received from the Police - police officers are not available; Fire, Traffic Engineering, Parks/Forestry and Public Services Departments, and the Downtown Development Authority. Insurance coverage is in place.)

- F. Approval of Traffic Control Order (TCO) No. 2043, requiring traffic traveling east and westbound in the 200 block of West Wesley Street between Jackson and Blackstone Streets to stop for pedestrians, and installation of a crosswalk in the same location.
- G. Approval of Traffic Control Order (TCO) Nos. 2051-2060, reinstating two-hour parking on downtown streets with appropriate short-time zones.
- H. Receipt of the City of Jackson's summary of revenue and expenditures for eight (8) months ended, February 28, 2010.

8. **Committee Reports.**

9. **Appointments.**

10. **Public Hearing.**

11. **Resolutions.**

- A. Consideration of a resolution honoring Police Officer James D. Bonneau for giving the ultimate sacrifice in service to the citizens of the City of Jackson. (To be presented at Police Memorial Event, May 5, 2010.)
- B. Consideration of a resolution supporting House Bills 5550-5554, allowing issuers of existing tax increment financing securities to refinance all or any part of its outstanding securities before December 31, 2012, and authorization for the Mayor to write letters of support to the local State Representative.
- C. Consideration of a resolution establishing a new rate schedule increasing the charges for regular users of cemetery services effective May 15, 2010, in accordance with the recommendation of the Superintendent of Cemeteries, Forestry and Parks.
- D. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4189 for delinquent miscellaneous General Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- E. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4190 for delinquent miscellaneous Building Department Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- F. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4191 for delinquent miscellaneous Community Development Block Grant Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- G. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4192 for delinquent miscellaneous Wastewater Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- H. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4193 for delinquent miscellaneous Water Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- I. Consideration of a resolution establishing May 11, 2010, at the City Council meeting as the time and place to hold a public hearing on Special Assessment Roll No. 4194 for delinquent miscellaneous Public Works Fund accounts receivable and directing the City Assessor to prepare the roll, in accordance with the recommendation of the City Clerk.
- J. Consideration of a resolution approving the construction of a new non-motorized railroad crossing, and to repair the bridge sidewalk on Trail Street, at a total estimated cost of \$62,500.00, with \$50,000.00 from the Federal Local Safety Program, and \$12,500.00 from City funding, and authorization for the City Engineer to apply to the Michigan

Department of Transportation (MDOT) for a Fiscal Year 2012 Federal Local Safety Program grant.

- K. Consideration of the following resolutions to amend the City Charter, and establishment of an election date to be submitted to the City electorate:
1. Resolution amending Section 8.8 of the City Charter, to provide that the majority of Councilmembers serving shall be a Quorum for meetings.
  2. Resolution amending Section 11.1 of the City Charter, to provide that the existing Police and Fire Department shall not be combined into a public safety department unless specifically authorized by a vote of a majority of the City electors at a regular or special City election.
  3. Resolution creating Section 11.1.5 of the City Charter, to acknowledge that the City Council may enter into agreements with neighboring jurisdictions for establishment of metropolitan departments to provide municipal services as required by Charter and/or state law.
  4. Resolution amending Section 11.4 of the City Charter, to indicate that the City Clerk shall be sworn into office by the Mayor of the City, and that the City Clerk shall keep a record of all oaths of office for all appointed and elected City officials.
  5. Resolution amending Section 13.8 of the City Charter, to provide that no person or firm shall conduct the audit of the City's funds for more than four years in succession.
12. **Ordinances.**
- A. Final adoption of Ordinance No. 2010.05, amending Chapter 5, City Code, adding Article VIII to designate the Building Official as the enforcing agency to discharge the floodplain management responsibility of the City of Jackson, Jackson County, Michigan.
1. Consideration of a resolution to manage floodplain development for the National Flood Insurance Program.
13. **Other Business.**
- A. Consideration of the 2010 Building Inspection Division Fee Adjustment Schedule, (Finance Committee recommends approval.) (Item postponed at the March 23, 2010, Council meeting.)
14. **New Business.**
- A. Consideration of the request to approve the amended Option, Purchase, and Development Agreements between Carnegie Place, LLC, and the City regarding City owned vacant property located north of the Hayes Hotel and west of the Jackson District Library, and authorization for the Mayor and City Clerk to execute the appropriate document(s), and for staff to make minor modification and take all other action necessary to effectuate a closing on the property.
- B. Consideration of the proposed dates for Fiscal Year 2010-2011, for the closure of City Hall for employee furlough days, in accordance with the recommendation of the Interim City Manager.
- C. Consideration of the request to approve the authorization for the Fire Department to accept the Federal Emergency Management Agency (FEMA) grant, Assistance to Fire Fighters Grant, in the amount of \$140,778.00 (\$14,077.00 match from the City) for the purchase of new Self-Contained Breathing Apparatus' (SCBA).
- D. Consideration of the request to provide, at no charge, an adequate amount of City compost to encourage organizations to adopt vacant City lots for the development of community gardens, adoption of the Community/Urban Gardening Program guidelines for vacant City-owned lots to be used by City residents, and authorization for the City Attorney to make minor modifications to program documents if necessary, in accordance with the recommendation of the Community Development Director and the Superintendent of Forestry and Grounds.

15. **City Councilmembers' Comments.**
16. **Manager's Comments.**
17. **Adjournment.**

## **JACKSON CITY COUNCIL MEETING**

### **MINUTES**

**MARCH 23, 2010**

#### **CALL TO ORDER.**

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Karen F. Dunigan.

#### **PLEDGE OF ALLEGIANCE – INVOCATION.**

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

#### **ROLL CALL.**

Present: Mayor Karen F. Dunigan and Councilmembers Carl L. Breeding, Robert B. Howe, Kenneth E. Gaiser and John R. Polaczyk—5. Absent at roll call with excuse: Councilmembers Daniel P. Greer and Andrew R. Frounfelker—2.

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

#### **AGENDA.**

Councilmember Polaczyk requested that Item 13. A. under Other Business be divided as follows: *13.A.1. Consideration of the Jackson Fire Department Fire-Transport Proposal, and referral to the Finance Committee for their review and recommendation. 13.A.2. Consideration of the Jackson Area Fire Apparatus Maintenance Proposal and referral to the Finance Committee for their review and recommendation.*

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

#### **CITIZEN COMMENTS.**

Thomas Ratchford briefly discussed the City's population and the history of police staffing levels, stating he doesn't think there has been much cutting done. He also stated he believes the proposed special

assessment on his property at 109 E. Cortland Street for meterless parking is incorrect. He requested the Council take a look at the proposed roll and get it straightened out.

**Councilmember Frounfelker arrived at 7:08 p.m. and Councilmember Greer arrived at 7:10 p.m.**

Abelardo Moralez discussed Jackson Police Department Incident No. 10-008235. He also complained about his neighbors and various problems in the 700 block of Page Avenue.

Rusty Holdridge, MAPE President, questioned if it is fiscally wise to hire Warren Renando at \$112,000 a year when the job is already being done. The focus should be on hiring a permanent city manager. He also discussed the fire apparatus maintenance proposal, stating he would like the maintenance work kept within the MAPE unit.

Jason Covalle and Rod Walz spoke in support of the request from Jackson Public Schools for the delegation of inspection authority to the City.

Eric Miller, DPW employee, spoke in opposition to the hiring of Warren Renando for monetary reasons.

Bob Johnson spoke in support of hiring Warren Renando whom he worked with for a number of years.

#### **PRESENTATIONS/PROCLAMATIONS.**

**A. PRESENTATION OF SPEECHES OF FOUR FIRST PLACE WINNERS OF THE HUMAN RELATIONS COMMISSION 20<sup>TH</sup> ANNUAL TERESSA T. DELPH ESSAY/ORATORICAL CONTEST.**

**3<sup>RD</sup> & 4<sup>TH</sup> GRADES – SOFIA SILVESTRI, EZRA EBY ELEMENTARY SCHOOL**

**5<sup>TH</sup> & 6<sup>TH</sup> GRADES – DENIKA TURNER, FROST ELEMENTARY SCHOOL**

**7<sup>TH</sup> & 8<sup>TH</sup> GRADES – TYLER HALL, MIDDLE SCHOOL AT PARKSIDE**

**9<sup>TH</sup> - 12<sup>TH</sup> GRADES – TYLER SILVESTRI, NAPOLEON HIGH SCHOOL**

Sofia Silvestri, Denika Turner and Tyler Silvestri delivered their award winning speeches. Tyler Hall was not present.

Mayor Dunigan extended a special thank you to Frank Weathers and the Human Relations Commission for holding this annual contest.

#### **CONSENT CALENDAR.**

Councilmember Breeding requested Item J be removed for separate consideration and Councilmember Frounfelker request Item K be removed for separation consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to approve the following Consent Calendar, with Items J and K removed for separation consideration. 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 March 9, 2010.
- B. Approval of the request from The Council for the Prevention of Child Abuse and Neglect to display an agency banner and place pinwheels in the ground at Austin Blair Memorial Park beginning April 1 – 30, and hold a short program on April 1, 2010, from 12:00 p.m. (noon) to 1:00 p.m. to kick-off Child Abuse Prevention Month. (Recommended approval received from the Police, Fire and Parks/Forestry Departments, and the Downtown Development Authority. Hold Harmless Agreement has been executed in lieu of insurance coverage.)
- C. Approval of the request from Orthopaedic Rehab 8K Run Committee to hold their annual run/walk on City streets on Saturday, April 10, 2010, beginning at Kuhl's Bell Tower Market at 8:00 a.m. and ending at the same, with street closures, police assistance at major intersections, and use of the small bandstand trailer from the Department of Public Services. (Recommended approvals received by the Police, Fire, Traffic Engineering, and Public Services Departments, and the Downtown Development Authority. Proper insurance coverage received.)
- D. Approval of the request from the March of Dimes to conduct their annual March for Babies event on City streets, with police assistance, on Sunday, April 25, 2010, from 10:30 a.m. until 5:00 p.m. (walk begins at 2:00 p.m., beginning and ending in Ella Sharp Park. (Recommended approval received from the Police, Fire, Engineering, Public Services and Parks/Forestry Departments. Insurance coverage received and approved.)
- E. Approval of the request from Advance Packaging Corporation to conduct their annual Advance Packaging 5000 5K Run/Walk on Friday, May 14, 2010, beginning at 7:00 p.m., with police assistance and closure of one westbound lane of E. High Street from Executive Drive to Elm Street, and completely close westbound High Street from 6:55 p.m. to 7:05 p.m. from Executive Drive to 2400 E. High Street. (Recommended approval received from the Police, Fire, Traffic Engineering, and Public Works Departments. Proper insurance coverage received.)
- F. Approval of the request from the Jackson County Rose Festival, Inc., to (1) close W. Wesley Street from First Street to S. Jackson Street, W. Franklin from First Street to S. Jackson Street, Mason Street from First Street to S. Jackson Street, on Sunday, June 6, 2010, between 10:00 a.m. and 2:00 p.m. (2) close S. Jackson Street from W. Wesley to Wilkins Street, Greenwood Avenue from S. Jackson Street to Fourth Street, and Fourth Street from Griswold to Alpine Lake Road between 12:30 p.m. and 3:00 p.m., (3) close Oakwood Drive from E. Hickory to Walnut Lane within Sharp Park, beginning at 10:00 a.m., to conduct the 52<sup>nd</sup> annual Rose Parade, and (4) hold the Party in the Park, at Ella Sharp Park on Sunday, June 6, 2010, beginning at 2:00 p.m. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Works, and Parks/Recreation Departments and the Downtown Development Authority. Proper insurance coverage received.)
- G. Approval of the Community Development Block Grant (CDBG) 2010-2011 Consolidated Plan Draft (One-Year Action Plan), and authorization for its dissemination for public comment within the statutory timetable of thirty (30) days.
- H. Receipt of the Notice of Class Action in the matter of City of Riverview, et al. – vs – State of Michigan and Michigan Department of Environmental Quality, and referral to the City Attorney's office for proper handling
- I. Receipt of the Dangerous Building Report through February 28, 2010.
- J. *Removed for separate consideration.*
- K. *Removed for separate consideration.*

**CONSENT CALENDAR ITEM J.**

*Receipt of CDBG Financial Summary Report through February 28, 2010.*

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

### **CONSENT CALENDAR ITEM K.**

*Receipt of the Downtown Parking Survey Report, and referral to the City Affairs Committee for their review and recommendation.*

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to receive and refer the report to the DDA's Parking Advisory Committee. The motion and second were withdrawn.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to receive and refer the report to the DDA's Parking Advisory Committee and request a recommendation at the next regular Council meeting. The motion and second were withdrawn.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Gaiser to restore the 2-hour parking or equivalent to what was in place prior to the change. 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.

### **COMMITTEE REPORTS.**

#### **A. CONSIDERATION AND RECEIPT OF THE FINANCE COMMITTEE REPORT.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker 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. REFERRAL OF THE CITY DEPUTY POSITIONS, PART-TIME VS. FULL-TIME, TO THE CITY COUNCIL.**

Motion was made by Councilmember Breeding and seconded by Councilmember Howe to reconfirm the Interim City Manager's action reducing the deputy positions to part-time. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Howe, Greer, Frounfelker and Polaczyk—6. Nays: Councilmember Gaiser--1. Absent: 0.

#### **B. RULES AND PERSONNEL COMMITTEE.**

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. CONSIDERATION OF AN AGREEMENT FOR THE INTERIM CITY MANAGER SERVICES.**

Motion was made by Councilmember Greer and seconded by Councilmember Gaiser to concur with the consensus of the Committee on all items where there was consensus, a salary of \$56,000 per 6-month period, sick leave and vacation and a 12-month contract with 1 six-month renewal. The motion and second were withdrawn.

Motion was made by Councilmember Greer and seconded by Councilmember Gaiser to offer the position of Interim City Manager to Warren Renando. 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.

**Council recessed at 7:56 p.m. and reconvened at 8:02 p.m.**

### **APPOINTMENTS.**

- A. APPROVAL OF THE MAYOR'S RECOMMENDATION TO REAPPOINT ROBERT SIMMONS AND JEANNETTE WOODARD TO THE DOWNTOWN DEVELOPMENT AUTHORITY FOR A FOUR-YEAR TERM EACH, BEGINNING MARCH 30, 2010, AND ENDING MARCH 31, 2014.**

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

### **PUBLIC HEARINGS.**

- A. PUBLIC HEARING ON THE NECESSITY OF CONTINUING THE METERLESS PARKING SYSTEM IN THE DOWNTOWN AREA OF THE CITY FOR 2010-2011.**

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

- 1. RESOLUTION DETERMINING THE NECESSITY OF CONTINUING THE METERLESS PARKING SYSTEM, ORDERING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLL NOS. 4187 AND 4188, AND ESTABLISHING APRIL 27, 2010, AT THE CITY COUNCIL MEETING AS THE TIME AND PLACE TO HOLD A PUBLIC HEARING CONFIRMING THE METERLESS PARKING SYSTEM ASSESSMENT ROLLS.**

Motion was made by Councilmember Howe and seconded by Councilmember Polaczyk to adopt the resolution.

Motion was made by Councilmember Breeding and seconded by Councilmember Howe to amend the motion to include the comments made by Thomas Ratchford during Citizen Comments. Mr. Ratchford believes the proposed special assessment on his property at 109 E.

Cortland Street is incorrect. 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.

The main motion, as amended, was voted on and 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 CONSIDER RESCINDING A BROWNFIELD PLAN FOR 228 W. MICHIGAN AVENUE (FORMER HAYES HOTEL) FOR HAYES COMMONS, LLC.**

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

**1. RESOLUTION RESCINDING THE BROWNFIELD PLAN, SUBJECT TO APPROVAL AND MINOR MODIFICATIONS BY THE CITY ATTORNEY.**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to adopt the resolution. 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 APPROVING ENTERING INTO A COST-PARTICIPATION AGREEMENT AND CONTRACT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE CITY IN THE TOTAL AMOUNT OF \$318,100.00, FEDERAL SHARE BEING \$316,973.08, AND THE CITY SHARE BEING \$1,126.92, FOR FULL DEPTH ASPHALT PAVEMENT REPLACEMENT, CURB SPOT REPAIRS AND SIDEWALK CONSTRUCTION WHERE MISSING ON WEST ARGYLE STREET FROM NORTH WISNER STREET TO NORTH WEST AVENUE.**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to adopt the resolution. 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

**ORDINANCES.**

**A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 5, CITY CODE, ADDING ARTICLE VIII TO DESIGNATE THE BUILDING OFFICIAL AS THE ENFORCING AGENCY TO DISCHARGE THE FLOODPLAIN MANAGEMENT RESPONSIBILITY OF THE CITY OF JACKSON, JACKSON COUNTY, MICHIGAN.**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to approve the ordinance and place it on the next 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

**OTHER BUSINESS.**

**A.1.**

**CONSIDERATION OF THE JACKSON FIRE DEPARTMENT FIRE-TRANSPORT PROPOSAL, AND REFERRAL TO THE FINANCE COMMITTEE FOR THEIR REVIEW AND RECOMMENDATION. (POSTPONED AT THE FEBRUARY 23, 2010, CITY COUNCIL MEETING.)**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to postpone this matter indefinitely. 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

**A.2.**

**CONSIDERATION OF THE JACKSON AREA FIRE APPARATUS MAINTENANCE PROPOSAL, AND REFERRAL TO THE FINANCE COMMITTEE FOR THEIR REVIEW AND RECOMMENDATION. (POSTPONED AT THE FEBRUARY 23, 2010, CITY COUNCIL MEETING.)**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to refer this matter to the Finance 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. CONSIDERATION OF THE 2010 BUILDING INSPECTION DIVISION FEE ADJUSTMENT SCHEDULE, (FINANCE COMMITTEE RECOMMENDS APPROVAL).**

Motion was made by Councilmember Breeding to not approve the schedule. The motion died for lack of a second.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to concur with the Finance Committee recommendation.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Breeding to postpone consideration of this matter until the next regular Council meeting. The motion was adopted by the following vote. Yeas: Councilmembers Breeding, Howe, Gaiser and Polaczyk—4. Nays: Mayor Dunigan and Councilmembers Greer and Frounfelker—3. Absent: 0.

**NEW BUSINESS.**

**A. CONSIDERATION OF THE REQUEST TO APPROVE THE LOW BID CONTRACT AWARD TO JULE SWARTZ & SONS EXCAVATING, IN THE AMOUNT OF \$322,921.37, FOR THE MONROE STREET WATERMAIN REPLACEMENT CONTRACT FOR WATERMAIN REPLACEMENT ON MONROE STREET BETWEEN CLINTON ROAD AND BLACKSTONE STREET, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE**

**APPROPRIATE CONTRACT DOCUMENTS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER, AND THE PURCHASING AGENT.**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to approve the request. 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. CONSIDERATION OF THE REQUEST TO AMEND A PROFESSIONAL SERVICES AGREEMENT (PSA) CONTRACT WITH CP FEDERAL CREDIT UNION FOR SERVICES PROVIDED TO THE JACKSON BROWNFIELD REDEVELOPMENT AUTHORITY, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), SUBJECT TO MINOR MODIFICATIONS BY THE CITY ATTORNEY, IN ACCORDANCE WITH THE RECOMMENDATION OF THE JACKSON BROWNFIELD REDEVELOPMENT AUTHORITY AND THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

- C. CONSIDERATION TO APPROVE THE REQUEST FROM JACKSON PUBLIC SCHOOLS FOR THE CITY TO ACCEPT THE DELEGATION OF SCHOOL INSPECTION AUTHORITY TO A LOCAL UNIT OF GOVERNMENT ENFORCING AGENCY, MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH, TO CONDUCT INSPECTIONS OF ALL SCHOOL BUILDING CONSTRUCTION, AS WELL AS THE REVIEW OF ANY REQUIRED CONSTRUCTION DOCUMENTS, AND AUTHORIZATION FOR THE MAYOR AND CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S).**

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

**CITY COUNCILMEMBERS' COMMENTS.**

**Councilmember Breeding** asked if it was true that the City is buying bottled water for consumption in City Hall. If this is true, why are we not drinking City water?

**Councilmember Greer** stated that meetings for strategic planning need to be scheduled.

**Mayor Dunigan** encouraged everyone to participate in the 2010 Census. She announced that City leadership will walk to the post office to mail their census information on April 1 and extended an invitation to anyone who would like to join them. She also stated that she and Interim City Manager Lewis will work on scheduling special budget workshop meetings.

**MANAGER'S COMMENTS.**

Interim City Manager Lewis reported he has been attending monthly Township Supervisors meetings. He said the meetings are beneficial, a great place to network and he will forward future invitations to Councilmembers.

**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 8:28 p.m.

Lynn Fessel  
City Clerk

**JACKSON CITY COUNCIL  
SPECIAL MEETING MINUTES  
MARCH 31, 2010**

The Jackson City Council met in special session in the 10<sup>th</sup> floor conference room in City Hall to discuss the anticipated state shared revenue cuts this fall. Mayor Dunigan convened the meeting at 6:00 p.m.

Present: Mayor Karen F. Dunigan and Councilmembers Carl L. Breeding, Robert B. Howe and John R. Polaczyk. Councilmember Andrew R. Frounfelker arrived at 6:03 p.m. and Councilmember Daniel P. Greer arrived at 6:07 p.m. Councilmember Kenneth E. Gaiser was absent with excuse.

Finance Director Philip Hones distributed and discussed the 2010/2011 General Fund proposed summary of revenues, expenditures and changes in fund balances. The Mayor and Council, with the Interim City Manager and staff, discussed the Budget Stabilization Fund and the General Fund balance, which includes a prior period revenue sharing adjustment of \$852,466 and a Workers Compensation Fund refund of \$308,300. Other items of discussion included:

- House Bill No. 5550 which relates to DDA TIF bonds
- Closing City Hall for 5 Fridays to accommodate furlough days
- Selling City-owned property
- Raising park fees and selling sponsorships
- Outsourcing legal and engineering services
- Pensions, legacy costs and healthcare
- The City employs 45 fewer people than one year ago
- Retirements and vacancies
- Sick and vacation pay-outs
- Holiday pay
- Leaf pick-up

Interim City Manager Lewis stated the budget is balanced at this time and asked the Council for direction if there are to be further cuts.

The meeting adjourned at 7:21 p.m.

Lynn Fessel  
City Clerk



City Clerk

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

April 5, 2010

**TO:** Honorable Mayor & City Councilmembers  
**FROM:** Angela Arnold, Deputy City Clerk *Angela*  
**RE:** Family Service & Children's Aid Run for Fun

Family Service & Children's Aid is requesting to conduct their 8<sup>th</sup> annual Run for Fun on city streets on Saturday, April 24, 2010, from 8:30 a.m. until 11:00 a.m., beginning and ending at 330 W. Michigan Avenue, with police assistance at major intersections, and closure of W. Michigan Avenue between Blackstone and First Streets.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, and Public Services Departments and the Downtown Development Authority. Proper insurance coverage has been received.

Please place this request on the Council's April 13<sup>th</sup> consent calendar for consideration.

Thank you.

Attachments

C: Christopher Lewis, Interim City Manager



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office:

3/2/10

Time:

3 PM

By:

aa

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

Sponsoring Organization's Legal Name: Family Service & Children's Aid

Organization Address: 330 West Michigan Avenue, Post Office Box 6128, Jackson, Michigan 49204-6128

Organization Agent: Bruce A. Inosencio, Jr. Title: Race Director

Phone: Work (517) 796-1444 Home (517) 750-1992 During event (517) 745-1405

Agent's Address: 4935 Stonewood Creek Drive, Jackson, Michigan 49201

Agent's E-Mail Address: bruce@inosencio.com

Event Name: Run for Fun 5K

Please give a brief description of the proposed special event: 5K run and walk to benefit a local non-profit agency, Family Service & Children's Aid; this is the 8th annual FSCA Run for Fun 5K.

Event Day(s) & Date(s): Saturday, April 24, 2010 Event Time(s): 8:30 a.m.

Set-Up Date & Time: Saturday, April 24, 2010 Tear-Down Date & Time: April 24, 2010, 11:00 a.m.

Event Location: 330 West Michigan Avenue; downtown Jackson; Historic District; see attached map

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

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

STREET CLOSURES: Start Date/ Time: April 24, 2010, 7:00 a.m. through Date/ Time: April 24, 2010, 11:30 a.m.

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

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

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

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

If yes, what time? until



**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION, Page 2**  
 City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
 (517) 788-4025

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 250-500

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES NO If yes, how many? 2  
 As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)  
 1. Large bandstand (same as last year) to be delivered to 330 West Michigan Avenue on April 23, 2010; and  
 2. Please see attached letter.

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

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

February 1, 2010  
 \_\_\_\_\_  
 Date

*Bruce A. Inosencio, Jr.*  
 \_\_\_\_\_  
 Signature of Sponsoring Organization's Agent  
 Bruce A. Inosencio, Jr., Race Director

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

**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION – Page 3**  
City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

Event Title: Family Service & Children's Aid 5K Run for Fun – Saturday, April 24, 2010

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's office, as soon as possible.**

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: <u>C. Simpson</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>200.00</u>
Fire Dept.: <u>M. Beyerstedt</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>301.56</u>
Public Serv. Dept.: <u>S. Porter</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>200.00</u>
Parks/Forestry: <u>N/A</u>	Recommend Approval: YES	NO	Est. Economic Impact: \$ <u>-0-</u>
DDA: <u>J. Greene</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions:

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

Insurance/Indemnification Received: 3/2/2010

Insurance Approved: 3/03/2010

City Council Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Approval/Denial Mailed: \_\_\_\_\_



BRUCE A. INOSENCIO, JR.\*  
bruce@inosencio.com  
\*also admitted in Florida

KRISTINA M. FISK  
kfisk@inosencio.com

March 2, 2010

City of Jackson  
161 West Michigan Avenue  
Jackson, Michigan 49201

Attention: Ms. Angela Arnold  
Deputy Clerk

Re: **Family Service & Children's Aid  
Run for Fun on April 24, 2010**

Dear Ms. Arnold:

As you know, I am the Race Director for the 8<sup>th</sup> Annual Family Service & Children's Aid Run for Fun 5k. This year's Run For Fun 5k (3.1 miles) will again consist of a run and a walk, both of which will be held on Saturday, April 24, 2010, on the same course that has been used since the event's inception in 2003. We have added chip timing to this year's event, for quicker results for our participants, and we are now part of the Jackson Citizen Patriot Running Series as well.

With the permission of the City Council, the event will begin at 8:30 a.m. and should prove to be helpful to our organization in several facets. Not only do we hope to raise much-needed funds for FSCA, but we want to raise the community's awareness of our organization and the various programs we provide. We are excited about this event, as it should bring many runners and walkers to the downtown Jackson area. I have enclosed a fully completed *Special Event Application*, this year's entry form, and a map of the course, for your review and file.

As you are aware, the course travels throughout the City of Jackson, and I have attached a map to provide you with an overview of the course. Specifically, the course is as follows:

Starting line is at 330 West Michigan Avenue  
The course heads east down Michigan Avenue to Francis Street  
Turn right on Francis (south) for one block  
Turn right on Cortland (west) and take Cortland all the way to First Street  
Turn left on First Street (south) to Franklin Street

Turn right on Franklin Street (west) and stay on Franklin until you reach Durand  
Turn right on Durand (north) for one block  
Turn right on Washington (east) and take Washington all the way back to First Street  
Turn left on First Street (north) to Michigan Avenue  
Turn right on Michigan Avenue (east) and the finish line is at 330 West Michigan

With respect to street closures, I believe we would need to close Michigan Avenue, between First Street and Blackstone, from 7:00 a.m. until 11:30 a.m. The 5k run and walk will both begin at 8:30 a.m. There will also be a Kids Fun Run that will be run on Michigan Avenue at approximately 9:15 a.m. (after the last walker completes the course). This race will start on Michigan Avenue, just west of Blackstone, and finish in front of the FSCA building (330 West Michigan).

As for police assistance, we will need a police vehicle available to “lead the pack” once the race begins. This has proven to be helpful in years past. I would expect that the winner of the 5k run would complete the course by 8:50 a.m. at the latest. Additionally, I would recommend that we have police on hand to control traffic at the following intersections and approximate times (the intersections in bold are essential):

Michigan Avenue and Blackstone	8:15 a.m. - 8:35 a.m. (JPD) <sup>1</sup>
<b>Michigan Avenue and Jackson</b>	<b>8:15 a.m. - 8:45 a.m. (JPD)</b>
Michigan Avenue and Mechanic	8:15 a.m. - 8:45 a.m. (JPD)
Michigan Avenue and Francis	FSCA volunteer will be present
Francis and Cortland	FSCA volunteer will be present
Cortland and Mechanic	8:25 a.m. - 8:55 a.m. (JPD)
<b>Cortland and South Jackson</b>	<b>8:25 a.m. - 8:55 a.m. (JPD)</b>
Cortland and Blackstone	8:35 a.m. - 8:45 a.m. (JPD) <sup>1</sup>
Cortland and First	FSCA volunteer will be present

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<sup>1</sup>The officer at the intersection of Michigan and Blackstone will only be needed for a few moments after the race starts. After the last walker passes through the intersection, this officer can then be moved one block south to the intersection of Cortland and Blackstone.

<b>First and perimeter route</b>	<b>8:30 a.m. - 9:30 a.m. (JPD)<sup>2</sup></b>
First and Washington	FSCA volunteer will be present
First and Franklin	FSCA volunteer will be present
Franklin and 2 <sup>nd</sup> , 3 <sup>rd</sup> , and 4 <sup>th</sup>	FSCA volunteer will be present
<b>Franklin and West Avenue</b>	<b>8:30 a.m. - 9:15 a.m. (JPD)<sup>3</sup></b>
Franklin and Grinnell, Webster, Bowen	FSCA volunteer will be present
Franklin and Wisner, Thompson, Durand	FSCA volunteer will be present
Durand and Washington	FSCA volunteer will be present
Washington and Thompson, Wisner	FSCA volunteer will be present
Washington and Bowen, Webster, Grinnell	FSCA volunteer will be present
<b>Washington and West Avenue</b>	<b>8:35 a.m. - 9:30 a.m. (JPD)<sup>3</sup></b>
Washington and 7 <sup>th</sup> , 4 <sup>th</sup> , 3 <sup>rd</sup> , 2 <sup>nd</sup>	FSCA volunteer will be present
Washington and First	FSCA volunteer will be present
First and perimeter route	8:35 a.m. - 9:45 a.m. (JPD) <sup>2</sup>
First and Cortland, Michigan Avenue	FSCA volunteer will be present

In an effort to coordinate our on-course volunteers with the Jackson Police Department, we have scheduled a volunteer meeting for 8:00 a.m. on the day of the event. The meeting will be held in the conference room of FSCA and we would like the JPD officer in charge of the event present if at all possible.

Also, we will have portable "Runners On The Road" signs placed at various locations throughout the course so that we are doing our best to ensure that motorists are aware of the race in the vicinity of the busiest intersections. With the 16 FSCA volunteers on the course, and the FSCA volunteers at the one mile mark (on Cortland, between Blackstone and First) and two mile mark (on Franklin, between Wisner and Thompson), we shouldn't have any problems.

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<sup>2</sup>The officer at the intersection of First Street and the perimeter route will probably have the busiest intersection and will need to be in place no later than 8:30 a.m. and will probably need to stay until 9:30 a.m. FSCA will have a trail vehicle to let the officers and volunteers at each intersection know that the last walker has passed through the intersection so we do not have officers and volunteers remaining on the course unnecessarily.

<sup>3</sup>It is absolutely essential that we have JPD officers at the intersection of Washington and West Avenue and the intersection of Franklin and West Avenue. Patrol cars did not make it to those very busy intersections in 2008 and it created a dangerous situation for the participants.

Ms. Angela Arnold  
Page 4  
March 2, 2010

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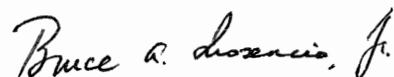
The insurance policy is already in place for this event and a copy is attached. Also, in our waiver on the attached entry form, I have included the City of Jackson as an entity that cannot be held responsible for any injury sustained by a participant in the event.

Also, we will arrange for two (2) portable toilets to be present at the event. If we will need a permit relative to this issue, please advise.

Please have this matter placed on the agenda for the March 23, 2010, City Council meeting. Someone from Family Service & Children's Aid will plan to attend the meeting to address City Council briefly regarding our request.

Please do not hesitate to contact me if you have any questions or require additional information. Thank you.

Very truly yours,

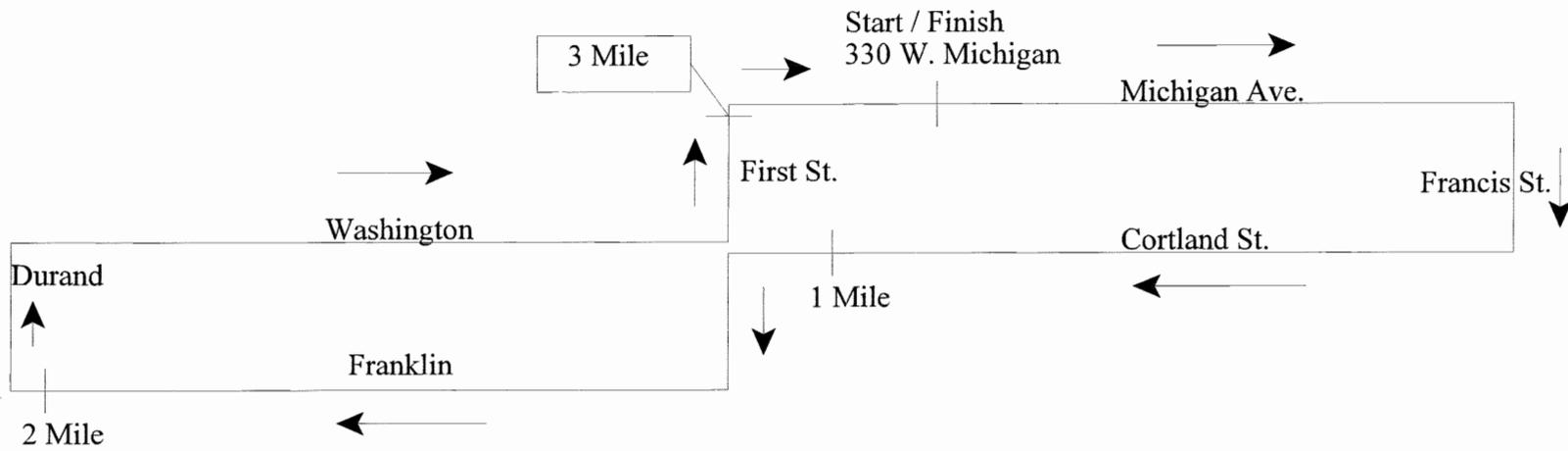


Bruce A. Inosencio, Jr.

BAI/cd  
Enclosures

Map is not to scale

Mile markers on map are approximate



## Family Service & Children's Aid Run for Fun 5k Run and Walk Course Map



City Clerk

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

April 5, 2010

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Angela Arnold, Deputy City Clerk *Angela Arnold*  
**RE:** Police Memorial Service

The City Police Department is requesting to hold their annual Police Memorial Service at Bucky Harris Park on Wednesday, May 5, 2010 at 12:00 p.m., to honor Jackson County police officers who have lost their lives in the line of duty.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Parks/Forestry, and Public Services Departments and the Downtown Development Authority. This event is covered under the City's insurance company.

Please place this request on the Council's April 13<sup>th</sup> consent calendar for consideration.

Thank you.

Attachments

C: Christopher Lewis, Interim City Manager  
Lt. Chris Simpson



CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 3/17/10 Time: 8AM By: aa

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

Sponsoring Organization's Legal Name: JACKSON POLICE DEPARTMENT

Organization Address: 216 E. WASHINGTON

Organization Agent: CHRISTOPHER A SIMPSON Title: LIEUTENANT

Phone: Work 768-8733 Home — During event 706-3993

Agent's Address: 216 E. WASHINGTON

Agent's E-Mail Address: CSIMPSON@CITYOFJACKSON.ORG

Event Name: POLICE MEMORIAL

Please give a brief description of the proposed special event: MEMORIAL FOR FALLEN OFFICERS IN JACKSON COUNTY

Event Day(s) & Date(s): MAY 5, 2010 Event Time(s): 1200

Set-Up Date & Time: MAY 5, 2010 0800 Tear-Down Date & Time: MAY 5, 2010 1300 HRS

Event Location: BUCKY HARRIS PARK

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

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

STREET CLOSURES: Start Date/ Time: N/A through Date/ Time: N/A

RESERVED PARKING: Are you requesting reserved parking?  YES  NO  
If yes, list the number of street spaces, City lots or locations where parking is requested:  
5 JACKSON / W. MICHIGAN BY PARK

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

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES  NO   
If yes, are liquor license and liquor liability insurance attached? YES  NO   
If yes, what time? N/A until —



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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 150

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES  NO  If yes, how many? 4  
 As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

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

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

City

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

3/16/10  
 Date

Signature of Sponsoring Organization's Agent

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

**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION – Page 3**  
City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

Event Title: Police Memorial – Wednesday, May 5, 2010

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's office, as soon as possible.**

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: C. Simpson Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Fire Dept.: M. Beyerstedt Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Traffic Eng.: R. Dietz Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Public Serv. Dept.: S. Porter Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Parks/Forestry: T. Steiger Recommend Approval: YES NO Est. Economic Impact: \$ -0-

DDA: J. Greene Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions:

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

Insurance/Indemnification Received: City insured Insurance Approved: \_\_\_\_\_

City Council Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Approval/Denial Mailed: \_\_\_\_\_



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

April 6, 2010

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Angela Arnold, Deputy City Clerk *Angela*  
**RE:** Downtown Development Authority – Summer Planting Day

The Downtown Development Authority is requesting to hold their annual Summer Planting Day on Saturday, May 22, 2010. This is an event where hundreds of volunteers gather to beautify downtown by filling downtown's planters and green spaces with flowers and plants. Adoption is free, while the City's Forestry Department handles flower care and watering throughout the season. Please note the memo and attachments provided by Tom Steiger.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Forestry and Public Works Departments and the Downtown Development Authority. This event is covered under the City's insurance policy.

Please consider this request at the April 13th City Council meeting. Thank you.

Attachment

C: Chris Lewis, Interim City Manager  
Jonathan Greene, DDA Director  
Tom Steiger, Supt. Of Cemeteries, Forestry and Parks



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 3/9/10 Time: 1 PM By: an

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

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave. Jackson, MI 49201

Organization Agent: Jonathan Greene Title: Executive Director

Phone: Work 768-6408 Home During event

Agent's Address: 161 W. Michigan Ave. Jackson, MI 49201

Agent's E-Mail Address: jgreene@cityofjackson.org

Event Name: Summer Planting Day

Please give a brief description of the proposed special event: Summer Planting Day is an event where hundreds of volunteers gather to beautify downtown by filling downtown's planters and green spaces with flowers and plants. Adoption is free, while the City's Forestry Department handles flower care and watering throughout the season.

Event Day(s) & Date(s): May 22nd 16th Event Time(s): 9:00-11:00am

Set-Up Date & Time: May 22nd 16th at 8:00 am Tear-Down Date & Time: May 22nd 16th at 12:00pm

Event Location: Downtown Jackson; Bucky Harris Park

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

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

STREET CLOSURES: Start Date/ Time: N/A through Date/ Time:

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

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

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

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

If yes, what time? until



**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION, Page 2**  
 City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
 (517) 788-4025

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

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 500 Plus

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

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

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

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

Covered under City's Insurance Plan

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

3/9/10  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of Sponsoring Organization's Agent

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

**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION – Page 3**  
City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

Event Title: **DDA Summer Planting Day – Saturday, May 22, 2010**

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's office, as soon as possible.**

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: <u>N/A</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>-0-</u>
Fire Dept.: <u>N/A</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>-0-</u>
Public Serv. Dept.: <u>N/A</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>-0-</u>
Parks/Forestry: <u>T. Steiger</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>See Attached Memo</u>
DDA: <u>J. Greene</u>	Recommend Approval: <u><b>YES</b></u> NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Insurance/Indemnification Received: City insured Insurance Approved: \_\_\_\_\_

City Council Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Approval/Denial Mailed: \_\_\_\_\_

# Memorandum

**To:** Manager, Mayor, and Council  
**CC:** Angela Arnold, Deputy City Clerk  
**From:** Thomas Steiger, Supt. of Cemeteries, Forestry, and Parks  
**Date:** 4/1/2010  
**Re:** Special Event Application – Summer Planting Day

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For the past ten years the City's Forestry Department has collaborated with the Downtown Development Authority to host Summer Planting Day. This event has proven to be one of the most popular volunteer programs/events in town. Approximately 400 people participate in planting annual flowers in the brick planters, flower pots, and public garden beds located within the Central Business District. In a matter of slightly more than one hour 460 flats of annual flowers are planted, providing instant beautification and curb appeal to our downtown.

With recent fiscal restraints and concerns there has been a request to detail the expenses associated with Downtown Special Events. Therefore, the following are typical expenses for the City of Jackson Forestry Department to coordinate this event. The basic expenses include the cost of the flowers, staff overtime to distribute and cleanup on event day, and operating supplies that includes a plaque recognizing the "adopter" and "memorial", as well as tee shirts and refreshments for participants.

460 FLATS OF ASSORTED FLOWERS	\$4,658
5 HOURS OF STAFF OVERTIME (6 FULL TIME)	\$ 942
MEMORIAL PLAQUES	\$1100
TEE SHIRTS (400)	\$1700
REFRESHMENTS (coffee, juice, water, fruit, danish)	<u>\$1100</u>
<b>TOTAL</b>	<b>\$9,500</b>

In an attempt to determine a reference of value, a general rule of thumb in the landscape industry for the cost of installing annual flowers, the following comparison can be made. The cost to plant 1 flat of flowers is \$25, therefore the cost to plant 460 flats is \$11,500.

A conclusion can be drawn to determine this event is cost effective as well as an opportunity for civic pride and ownership. This has proven to be one of the most popular volunteer opportunities in town and registrations fill up well before the date each year. Granted, the tee shirts and refreshments are not necessary, however have been historically a token of appreciation for everyone's efforts.

attachments

CITY OF JACKSON 12009/10 REQUESTED BUDGET EXPENSE DETAIL EXPLANATION FORM		
Fund Name: General		Fund: 101
Activity Name: Forestry		Activity: 690
Account #	Account Name and Detailed Explanation	Budget Estimate
	<b>PERSONAL SERVICES</b>	
706	SALARIES AND WAGES	\$ 194,661
707	WAGES, TEMPORARY	\$ 48,000
709	OVERTIME	\$ 11,000
715	EMPLOYERS FICA	\$ 18,562
719	HEALTH INSURANCE	\$ 35,481
719.678	RX DRUG	\$ 7,260
722	PENSION - GENERAL	\$ 13,917
724	UNEMPLOYMENT	\$ 1,090
724.001	WORKERS COMPENSATION	\$ 4,836
725	OTHER FRINGE BENEFITS	\$ 4,485
	<b>PERSONAL SERVICES TOTAL</b>	<b>\$ 339,292</b>
	<b>MATERIALS AND SUPPLIES</b>	
737	<b>PUBLICATIONS</b>	
	MSU Crop Advisory Newsletters, Arbor Day Newsletters, Reference Books	\$ 300
	SUBTOTAL	\$ 300
740	<b>OPERATING SUPPLIES</b>	
	Tree planting supplies-stakes, fertilizers, wrap	\$ 1,000
	Seasonal decorations_Harris, Butterfield, Blackman, Farmers Market	\$ 1,000
	Downtown Planting Day TeeShirts (400 )	\$ 1,700
	Downtown Planting Day Plaques	\$ 1,100
	Downtown Planting Day Refreshments	\$ 1,100
	SUBTOTAL	\$ 5,900
751	<b>GASOLINE/FUEL</b>	
	Gasoline/Diesel	\$ 15,500
	SUBTOTAL	\$ 15,500
755	<b>SAFETY SUPPLIES</b>	
	Safety and Training Materials	\$ 500
	Summer boots 3 pair @ \$110	\$ 330
	Personal Protection Equipment -hardhats,gloves,respirator	\$ 250
	SUBTOTAL	\$ 1,080

<b>Bed #</b>	<b>Flower Type:</b>	<b>Adopted By</b>	<b>In Memory of</b>
1	Tidal Wave Silver Petunia	Satterelli Family	Joseph & Iva Satterelli
2	Tidal Wave Silver Petunia	Currier, Zimmerman & Kiesling	Kathy, Pam & Lynn
3	Pink Dragon Wing Begonia	Kiwanis-Jackson Downtown	Our Deceased Members
4	Red Dragon Wing Begonia	M. T. Miller WMS	Gaye Stewart
5	Pink Dragon Wing Begonia	Jackson Womens Garden Assoc.	none
6	Red Dragon Wing Begonia	Summit Park Assisted Living	Our Past Residents
7	Pink Dragon Wing Begonia	The Family of Irene Ojeda	Jose H., Jose, Mark Ojeda
8	Tidal Wave Purple Petunia	A - 1 TEAM	none
9	Dark Pink Impatiens	The Brokerage House, Inc	none
10	Dark Pink Impatiens	CMS Club	none
11	Dark Pink Impatiens	P & T Fitness (Pedal & Tour)	Mick Webster, May 17, 2006
12	Dark Pink Impatiens	Kathy & Karen	Robert & Gloria Howell
13	Tidal Wave Pink Petunia	MI Theatre Producers Group	None
14	Tidal Wave Petunia & Summer Melody	Somerset Garden Club	Elinore Garner & Joan Burns
15	Tidal Wave Petunia & Summer Melody	The Boyle Family	Na Na & Ta Ta Boyle
16	Tidal Wave Petunia & Summer Melody	Allegiance Occ Health Center	None
17	Tidal Wave Silver Petunia	Jan Allen & Pat Clement	none
18	Japanese Fleece Flower	Sandy Weinhardt - Milligan	My Beloved Parents
19	Japanese Fleece Flower	Jackson Area Realtors	none
20	Tidal Wave Silver Petunia	Spring Arbor Assisted Living	None
21	Dark Leaf Pink Party Begonia	Deb & Denise	Dad, God's Gardener
22	Green Leaf Pink Party Begonia	Chapter J Cascade Wings	Past Members of Chapter J
23	Dark Leaf Red Party Begonia	First United Methodist	Our Loved Ones
24	Green Leaf Pink Party Begonia	Robert, Curtis & Greg	Roy & Doris Rearick
25	Dark Leaf White Party Begonia	Your Five Grandchildren	Grandpa Thomas A. Bumpus
26	Green Leaf Red Party Begonia	Loving Family	Jerry Glassel
27	Dark Leaf Pink Party Begonia	New Life Widows Group	Our Husbands and Kim Stewart
28	Green Leaf White Party Begonia	Mom, Daughter, Grandma	Sarah Sprunger
29	Dark Leaf Red Party Begonia	Mom, Michael, Mary & Olivia	Sara Caitlyn
30	Green Leaf Pink Party Begonia	Civitan Club of Jackson	none
31	Dark Leaf White Party Begonia	Manpower Award Winning	none
32	Medium Pink Impatiens	PRECEPTOR ALPHA-GREEK LETTERS	none
33	Light Pink Impatiens	Kiwanis Club of Jackson-NW	none
34	Tidal Wave Pink Petunia	Faith Haven Senior Care Centre	None
35	Dark Leaf White Begonia	Carole Miller	Pudge & Marge Blanchard
36	Green Leaf White Begonia	Grand - Son	Grand - Dad
37	Dark Leaf White Begonia	Judy Kyser	Chuck Kyser
38	Green Leaf White Begonia	Proctor & Jacobs Families	Hubbard & Voris Families
39	Dark Leaf White Begonia	Joanna Yonan	Don & Ellen Black
40	Green Leaf White Begonia	Jo Taylor	John L. & Troy Taylor
41	Dark Leaf White Begonia	Kelly & Parks Families	Thomas & Ruby Mitchell
42	Green Leaf White Begonia	Captain Jackson	none
43	Dark Leaf White Begonia	Marge, Kim, Nette, Bird, Bren	Robert C. Dittis
44	DayLilies	Jerry & Mark Snyder Families	Amelia Engel
45	Dianthus, Corona, & Cherry Magic Mix	Countryside Care Center	none
46	Dianthus, Corona, & Cherry Magic Mix	Jackie & Ron Illi	LaRue McGee
47	Osteospermum	The Richey Kids	Our Loved Ones
48	Osteospermum	Shannon & Shawn	Ellen Harner
49	Mixed Zinnia's	Forbes Family	Dad
50	Mixed Zinnia's	The Atkins Family	Thelma Atkins

51	Mixed Zinnia's	ERA Reardon Realty	none
52	Mixed Zinnia's	State Rep. Marty Griffin	None
53	Mixed Zinnia's	Mom, Mark & Kellie	Aamber Heather Jimenez
54	Vinca & Ageratum	St. Paul's Church	none
55	Vinca & Ageratum	Dielman Family	Marcel and Leonard Harris
56	Vinca & Ageratum	Wendy, Steve & Family	June McEnroe, Pat Hawley, Vic Saier
57	Vinca & Ageratum	Weid & Stuart Families	Marg & Russ Weid, Pa Webb
58	Vinca & Ageratum	Stuart & Campbell Families	Jack Foster
59	Marigolds	Ellis & Klima Families	Joseph Ellis & Val Klima
60	Osteospermum	Homicide Survivors Support Group	Homicide Victims
61	Osteospermum	Homicide Survivors Support Group	Homicide Victims
62	Marigolds	Angela Machnik & Valerie Grenke	Loving memory of Mark Ely
63	Osteospermum	Napoleon Girl Scouts-Troup 196	none
64	DayLilies	Jackson Breakfast Rotary	"Service Above Self"
65	DayLilies	"Southwell Family"	Robert Southwell
66	DayLilies	"Huff Family"	James Huff
67	Mixed Zinnia's	Marilyn, Laurie & Linda	Hemi, Halle & Streaks
68	Mixed Zinnia's	Tracey Eagleson & Family	Ken & Rose-Mary Solomon
C1	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Steve, Deb, & Family	R.G. & Pat Raymond
C2	Tidal Wave Petunia, Blue Scaevola & White Bacopa	BoBe-But Stormy Casper	Rheta, Donna, Goody & Janice
C3	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Steve, Deb & Family	Virgil Courtney
C4	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Lumen Christi Angling Club	None
C5	Tidal Wave Petunia, Blue Scaevola & White Bacopa	The Baldwin and Sanders Families	Marvin J. Baldwin
C6	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Kristine Waite	Hugh Waite
C7	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Jackson Coffee Co.	Dedicated to Those Who Serve
C8	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Patricia A. Sanders	Elsie A. & Carol A. Arting
C9	Tidal Wave Petunia, Blue Scaevola & White Bacopa	Questions, Young Professionals	None
EM 1	Tidal Wave Petunias, Blue Scaevola & White Bacopa	CAPS Nursery Landscape	Mary Kubish
EM 2	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Mr. & Mrs. Alan Raser	Pa & Ma Raser and Sally Swank
EM 3	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Mascia Family	Our Grandparents
EM 4	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Eye Openers Lions Club	none
EM 5	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Anne L. Goff	Albert L. Goff
EM 6	Tidal Wave Petunias, Blue Scaevola & White Bacopa	The Girls	Pauline McKee
EM 7	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Ralph & Tina Smith	Aunt Lee Baker
EM 8	Tidal Wave Petunias, Blue Scaevola & White Bacopa	The Scroggins Family	Lougenia "Granny" Hill
EM 9	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Dorothy Teeples	Ham & Martha Teeples
EM 10	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Virgie Prince	Earl (Sonny) Prince
EM 11	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Diane Barber	Bryan Barber & Judy Hayworth
EM 12	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Betty Decker	Bob Decker

EM 13	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Laurie & Phil Rochefort	Robert & Barbara McClintic
EM 14	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Mary & Dennis Zdanowitz	Zelma Mast
EM 15	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Eileen Bolenbaugh	Florine Bolenbaugh
EM 16	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Sharon & Mike Vargo	Steven & Carolyn Vargo
EM 17	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Girl Scout Troop 218	none
EM 18	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Girl Scout Troop 218	none
EM 19	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Girl Scout Troop 218	none
FM 1	Canna Lily, Salvia & Party Begonia	Hinton Family	D. Hinton, W. & M. Gutchess
FM 2	Canna Lily, Salvia & Party Begonia	Jackson Jaycees	none
FM 3	Millett, Salvia & Party Begonia	Doug Brinker & JCC Family	Gary Wetzel Righetini
FM 4	Canna Lily, Salvia & Party Begonia	Cub Scout Pack 339 N-West	Joseph Anthony Applegate
FM 5	Salvia & Wave Petunia	JPS Transportation Dept.	Our prayers for Adam Balyeat
FM 6	Salvia & Wave Petunia	Lily Missions Center	Rev. George Wade
FM 7	Mixed Zinnia's	Acts 4:9 Church	none
FM 8	Mixed Zinnia's	Yehl, Nott & Shafer Families	Helen & Wayne Shafer
FM 9	Tidal Wave Petunia, Scaevola, Bacopa, Million Bells & Easy Way	Cascades Civitan Club	Derek Moore
FM 9	Tidal Wave Petunia, Scaevola, Bacopa, Million Bells & Easy Way	Cascades Civitan Club	Luetta Waters
FM 9	Tidal Wave Petunia, Scaevola, Bacopa, Million Bells & Easy Way	Cascades Civitan Club	Amador Ybarra
P 1	Mixed Coleus	Mom, Jake, Jessi & Hanna	Jeremy Slusser
P 2	Mixed Coleus	Red Hot Hatters	Marcia Renfer & Wilma Willard
P 3	Mixed Coleus	Karyn Maddock & Family	Joseph and Eugena Powaga
P 4	Tidal Wave Petunias, Million Bells & Blue Scaevola	Tom & Janet Witt Family	Dudley
P 5	Tidal Wave Petunias, Million Bells & Blue Scaevola	From Her Family	Diane Ginnow Weber
P 6	Tidal Wave Petunias, Million Bells & Blue Scaevola	Donna & Joanne	Fred & Vivian Pittman
P 7	Tidal Wave Petunias, Million Bells & Blue Scaevola	The Hudsons	Laurie Ann Bowersox
P 8	Tidal Wave Petunias, Million Bells & Blue Scaevola	The Keen Family	John & Lois Kotlow
P 9	Tidal Wave Petunias, Million Bells & Blue Scaevola	Love, Cindy Kirk and Family	Darrell & Betty Brenner
P 10	Tidal Wave Petunias, Million Bells & Blue Scaevola	Councilman Frounfelker & Kara Beer	none
P 11	Tidal Wave Petunias, Million Bells & Blue Scaevola	Digital Arts & Design	Melba & Jerry Phillips
P 12	Tidal Wave Petunias, Million Bells & Blue Scaevola	Salli Cole	none
Victory Lane	Blue Salvia, Pink Vinca, Tidal Wave Petunia & Mixed Begonias	The Wheaton Family	Ordway Grandparents
Victory Lane	Blue Salvia, Pink Vinca, Tidal Wave Petunia & Mixed Begonias	The Wheaton Family	Marylou Saylor & Amy Rippee
W 1	Tidal Wave Petunias, Blue Scaevola & White Bacopa	The Burt Family	Pamela Kay Burt
W 2	Tidal Wave Petunias, Blue Scaevola & White Bacopa	Juan Sandoval	D. Dandoval, L. Sandoval



City Clerk

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

April 6, 2010

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Angela Arnold, Deputy City Clerk *Angela*  
**RE:** Downtown Development Authority – Cruise In

The Downtown Development Authority is requesting closure of the following streets on the following days; Friday, May 28, June 25, July 23, August 27 beginning at 5:15 p.m. and Saturday, September 25, beginning at 12:00 p.m. to hold Downtown Jackson Cruise In.

Michigan Avenue: Blackstone to Francis Street  
Jackson Street: Cortland to Louis Glick Highway  
Mechanic Street: Washington to Pearl Street

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Forestry and Public Works Departments and the Downtown Development Authority. This event is covered under the City's insurance policy.

Please consider this request at the April 13th City Council meeting. Thank you.

Attachment

C: Chris Lewis, Interim City Manager  
Jonathan Greene, DDA Director



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 1/19/10 Time: 2:30 By: aa

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

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave. Jackson, MI 49201

Organization Agent: Jennifer Tucker Title: DDA Assistant

Phone: Work 768-6410 Home During event 768-6408

Agent's Address: 161 W. Michigan Ave. Jackson, MI 49201

Agent's E-Mail Address: jtucker@cityofjackson.org

Event Name: Cruise In

Please give a brief description of the proposed special event: Cruise In's are family-oriented featuring cars on display throughout Downtown streets, as well as food vendors and potentially DJ music or live bands on stage at Bucky Harris Park.

Admission is free.

Event Day(s) & Date(s): 5/28, 6/25, 7/23, 8/27, 9/25 Event Time(s): Friday 6-9pm AND Saturday 1-4pm

Set-Up Date & Time: 5/28, 6/25, 7/23, 8/27 @ 3pm AND 9/25 @ 11am Tear-Down Date & Time: 5/28, 6/25, 7/23, 8/27 @ 9pm AND 9/25 @ 4pm

Event Location: Downtown: Map Attached

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 11

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

STREET CLOSURES: Start Date/ Time: 5:15pm each Friday / 12:00pm Saturday (9/25), through Date/ Time: 9:30pm each Friday / 4:30pm Saturday (9/25)

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

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

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

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

If yes, what time? until



**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION, Page 2**  
 City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
 (517) 788-4025

**ENTERTAINMENT:** Are there any entertainment features related to this event?  YES  NO

If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 4,000-5,000 people

**AMUSEMENT:** Do you plan to have any amusement or carnival rides? YES   NO

If yes, you are required to obtain a permit through the City Clerk's Office.

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO If yes, how many? 2

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

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

Request closure of Michigan Ave. from Blackstone to Francis St. and Jackson St. from Cortland to Louis Glick Hwy. Mechanic St. from Washington Ave. to Pearl St. Engineering: 10 - No Parking Tripods for food vendors parking spots

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

Covered under City's Insurance Policy

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

A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or I am requesting that City Council waive the insurance requirement for this Low Hazard Event as identified in paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

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

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

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

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

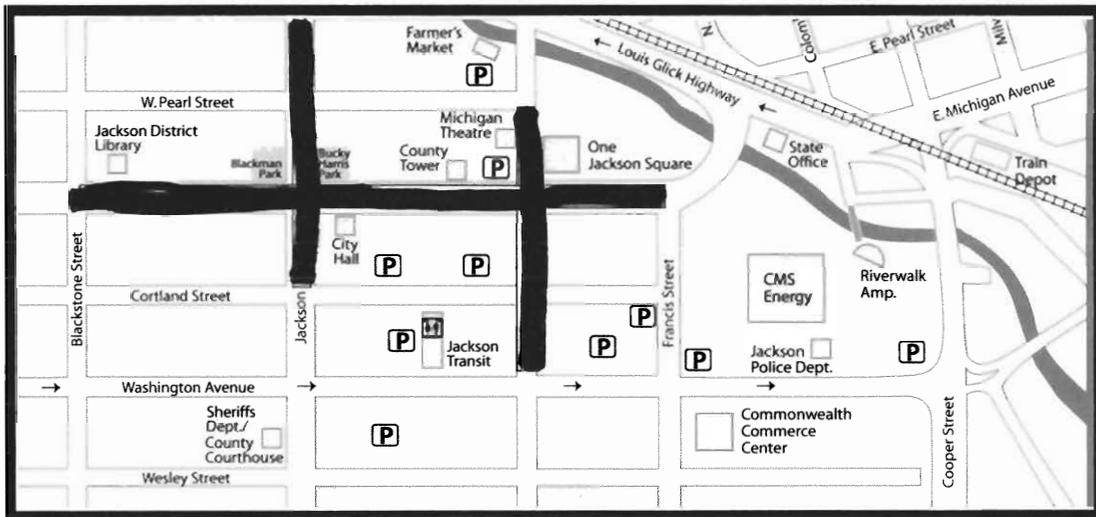
1/19/10  
Date

*Jonathan Green*  
Signature of Sponsoring Organization's Agent

# Cruise Nights 2010

The Downtown Development Authority is coordinating 5 Cruise In's throughout the Downtown streets once again this summer. They are scheduled for May 28, June 25, July 23, August 27, and September 26. Cruise In's take place from 6:00 pm to 9:00 pm for Friday event dates and 1:00 pm - 4:00 pm for Saturday event dates. Requested action is for the City Council to approve the following street closures on the before mentioned dates between the hours of 5:15 pm and 9:30 pm for Friday events and 12:00 pm and 4:30 pm on Saturday events.

Michigan Ave. from Blackstone to Francis St.  
Jackson St. from Cortland to Louis Glick Hwy.  
Mechanic St. from Washington Ave. to Pearl St.



Cruise Night Entertainment will feature a local DJ playing music from the 50's, 60's & 70's at Bucky Harris Park.



Downtown Development Authority (DDA)

Downtown Development Authority (DDA)  
161 West Michigan Avenue  
Jackson, MI 49201  
Phone (517) 768-6410 Fax (517) 768-6367

**CITY OF JACKSON**  
**SPECIAL EVENT APPLICATION – Page 3**  
City Clerk's Office \* 161 W. Michigan Avenue \* Jackson, MI 49201  
(517) 788-4025

Event Title: DDA 2010 Cruise In – Friday, May 28, June 25, July 23, Aug. 27 & Sat. Sept. 25

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's office, as soon as possible.**

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: <u>C. Simpson</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-*</u>
Fire Dept.: <u>M. Beyerstedt</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>404.92/event</u>
Public Serv. Dept.: <u>S. Porter</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>200.00/event</u>
Parks/Forestry: <u>T. Steiger</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
DDA: <u>J. Greene</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions:

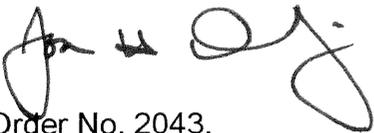
**\* Police officers are not available, due to overtime costs**

Insurance/Indemnification Received: City insured Insurance Approved: \_\_\_\_\_

City Council Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Approval/Denial Mailed: \_\_\_\_\_



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

**DATE:** April 7, 2010  
**TO:** Christopher W. Lewis, Interim City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer   
**RE:** Request to Approve Traffic Control Order No. 2043,  
Wesley Street Crosswalk

The Department of Engineering reviewed the possibility of installing a marked crosswalk in the 200 block of West Wesley Street to connect the County owned parking lot to the County Courthouse building.

It is the Department of Engineering's recommendation that the crosswalk be installed and that motorists traveling on the 200 block of West Wesley be required to stop for pedestrians within the mid-block crosswalk.

With your concurrence, I request Traffic Control Order 2043 be placed on the Council agenda for their approval. If you have any questions, please do not hesitate to contact me.

JD:sms

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2043**

**LOCATION:** Wesley Street

**DATE:** March 30, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

To discourage jaywalking review the possibility of establishing a marked crosswalk in the mid-block area of the 200 block of West Wesley Street. This crosswalk will be a connection from the county owned parking lot on the south side of the street for pedestrians to safely cross to the north side of Wesley Street to access the County Courthouse building.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

Vehicles traveling east and westbound in the 200 block of West Wesley, between Jackson and Blackstone Streets, shall be required to stop for pedestrians within the mid-block crosswalk.

The installation of this crosswalk will occur during reconstruction of Wesley street in the late summer of 2010.

**APPROVED**

**REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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



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

**DATE:** April 7, 2010  
**TO:** Christopher W. Lewis, Interim City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** Traffic Control Orders 2051 thru 2060, Changes to Downtown Parking

At the direction of the City Council, the Department of Engineering has prepared the following Traffic Control Orders (TCO) No. 2051 through 2060. Each TCO is listed below:

TCO 2051: On the east side of Jackson Street between Washington Avenue and Cortland Street during the enforcement hours of 8am-5pm Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours with the exception of two (2) spaces in front of the entrance to the Day Care Center located within the Baptist Church which shall have a fifteen (15) minute limit. This action shall also rescind TCO #2010.

TCO 2052: On the east side of Jackson Street from Cortland Street to Michigan Avenue during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. Additionally the two (2) northernmost parking spaces shall be for compact cars only. This action shall also rescind TCO #2009.

TCO 2053: On the east side of Jackson Street from Michigan Avenue to Pearl Street during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2008.

TCO 2054: On the east side of Jackson Street from Pearl Street to Louis Glick during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2007.

TCO 2055: On both sides of Pearl Street from Jackson Street to Mechanic Street during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2011.

TCO 2056: On both sides of Michigan Avenue between Jackson Street to Mechanic Street during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours except for two (2) spaces in front of the US Post office where the limit shall be fifteen (15) minutes and for six (6) spaces in front of the County Tower building and four (4) spaces west of City Hall which both shall

Christopher W. Lewis  
April 7, 2010  
Page 2

be thirty minute limits. Additionally, no vehicle shall stop, stand or park within 25 feet of the marked pedestrian crosswalk extending southward from the public alley which separates 134 and 140 W. Michigan Avenue. This action shall also rescind TCO #2012.

TCO 2057: On both sides of Michigan Avenue from Mechanic Street to Francis Street during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. Additionally, on the north side, parking shall be prohibited from 70 feet east of Mechanic Street to Mechanic Street. This action shall also rescind TCO #2013.

TCO 2058: Parking shall always be prohibited on the north side of Cortland Street from 140 feet east of Jackson Street to Jackson Street and on both sides of the remainder of the block during enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2014.

TCO 2059: On the east side of Mechanic Street no vehicle shall park from Washington Avenue to 110 feet north of Washington Avenue or from 30 feet south of Cortland Street to Cortland Street. Further, on the west side of Mechanic Street no vehicle shall park from 130 feet north of Washington Avenue to Washington Avenue. On both sides of the remainder of the block during the enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2016.

TCO 2060: On the west side of Francis Street parking shall be prohibited from Michigan Avenue to 120 feet south of Michigan Avenue. During the hours of enforcement of 8am-5pm, Monday through Friday, from 120 feet south of Michigan Avenue to 140 feet south of Michigan Avenue there shall be a ten (10) minute load zone and from 140 feet south of Michigan Avenue to 100 feet north of Cortland Street, no vehicle shall remain parked for a period exceeding two (2) hours. Further, parking shall be prohibited from 100 feet north of Cortland Street to Cortland Street. Parking on the east side of this block shall be prohibited at all times. This action shall also rescind TCO #2018.

With your concurrence, I request the above Traffic Control Orders be placed on the Council Agenda for its meeting on April 13, 2010. If you have any questions or concerns, please do not hesitate to contact me directly.

JHD:sms

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2051**

**LOCATION:** Jackson Street: Washington to Cortland, east side

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the 2 hour limit with appropriate short time zones. As such on the east side of Jackson Street from Washington Avenue to Cortland Street during the enforcement hours of 8am-5pm Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours with the exception of two (2) spaces in front of the entrance to the Day Care Center located within the Baptist Church which shall have a fifteen (15) minute limit.

This action shall also rescind TCO #2010.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

<input type="checkbox"/>									
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Posts      Stop      Time Limit      No Parking      Loading Zone      One Way      Yield      Paint      Other

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2052**

**LOCATION:** Jackson Street: Cortland to Michigan, east side

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on the east side of Jackson Street from Cortland Street to Michigan Avenue during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours. Additionally the two (2) northernmost parking spaces shall be for compact cars only.  
This action shall also rescind TCO #2009.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2053**

**LOCATION:** Jackson Street: Michigan to Pearl, east side

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on the east side of Jackson Street from Michigan Avenue to Pearl Street during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for period exceeding two (2) hours. This action shall also rescind TCO #2008.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2054**

**LOCATION:** Jackson Street: Pearl to Louis Glick

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on the east side of Jackson Street from Pearl Street to Louis Glick during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period exceeding two hours. This action shall also rescind TCO #2007.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2055**

**LOCATION:** Pearl: Jackson to Mechanic

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on both sides of Pearl Street from Jackson Street to Mechanic Street during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours. This action shall also rescind TCO #2011.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2056**

**LOCATION:** Michigan Avenue: Jackson to Mechanic

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on both sides of Michigan Avenue from Jackson Street to Mechanic Street during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours except for two (2) spaces in front of the US Post office where the limit shall be fifteen (15) minutes and for six (6) spaces in front of the County Tower building and four (4) spaces west of City Hall which both shall be thirty minute limits.

Additionally no vehicle shall stop, stand or park within 25 feet of the marked pedestrian crosswalk extending southward from the public alley which separates 134 and 140 W. Michigan Avenue.

This action shall also rescind TCO #2012.

**APPROVED**

**REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2057**

**LOCATION:** Michigan Avenue: Mechanic to Francis

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such on both sides of Michigan Avenue from Mechanic Street to Francis Street during enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period to exceed two (2) hours. Additionally on the north side parking shall be prohibited from 70 feet east of Mechanic Street to Mechanic Street. This actions shall also rescind TCO #2013.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

<input type="checkbox"/>								
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Posts      Stop      Time Limit      No Parking      Loading Zone      One Way      Yield      Paint      Other

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2058**

**LOCATION:** Cortland Street: Jackson to Mechanic

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such parking shall always be prohibited on the north side of Cortland Street from 140 feet east of Jackson Street to Jackson Street and on both sides of the remainder of the block during enforcement hours of 8am-5pm Monday-Friday, no vehicle shall remain parked for a period exceeding two (2) hours.

This action shall also rescind TCO #2014.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2059**

**LOCATION:** Mechanic Street: Washington to Cortland

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such on the east side of Mechanic no vehicle shall park from Washington Avenue to 110 feet north of Washington Avenue or from 30 feet south of Cortland Street to Cortland Street. Further, on the west side of Mechanic Street, no vehicle shall park from 130 north of Washington Avenue to Washington Avenue. On both sides of the remainder of the block during the enforcement hours of 8am-5pm, Monday through Friday, no vehicle shall remain parked for a period exceeding two (2) hours.

This action shall also rescind TCO #2016.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

<input type="checkbox"/>								
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Posts      Stop      Time Limit      No Parking      Loading Zone      One Way      Yield      Paint      Other

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 2060**

**LOCATION:** Francis Street: Michigan to Cortland

**DATE:** April 6, 2010

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

City Council directed the Department of Engineering to review the one hour parking limit installed last fall.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

A new parking survey was conducted with the majority of businesses and visitors supporting a return to the two (2) hour limit with appropriate short time zones. As such, on the west side of Francis Street parking shall be prohibited from Michigan Avenue to 120 feet south of Michigan Avenue. During the hours of enforcement of 8am-5pm, Monday through Friday, from 120 feet south of Michigan Avenue to 140 feet south of Michigan Avenue there shall be a ten (10) minute load zone and from 140 feet south of Michigan Avenue to 100 feet north of Cortland Street, no vehicle shall remain parked for a period exceeding two (2) hours. Further, parking shall be prohibited from 100 feet north of Cortland Street to Cortland Street. Parking on the east side of this block shall be prohibited at all times.

This action shall also rescind TCO #2018.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

<input type="checkbox"/>									
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Posts      Stop      Time Limit      No Parking      Loading Zone      One Way      Yield      Paint      Other

**ASSIGNMENT COMPLETED**

**DATE:**                      **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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



# City of Jackson, Michigan Financial Statements

As of and For the 8 Months Ended February 28, 2010  
*(Unaudited)*

<u>INDEX:</u>	<u>Page</u>
General Fund Expenditure Summary	1-2
All Other Funds - Expenditure Summary	3-4
All Funds - Revenue Summary	5-6
Notes to Revenue & Expenditure Summaries	7

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

Function Department	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Legislative :</u></b>						
101-101 City Council	85,857	81,857	5,746	57,132	69.79%	24,725
<b><u>Judicial:</u></b>						
101-137 Administrative Hearings Bureau	23,742	23,742	1,956	17,429	73.41%	6,313
	<b>23,742</b>	<b>23,742</b>	<b>1,956</b>	<b>17,429</b>	<b>73.41%</b>	<b>6,313</b>
<b><u>General Government :</u></b>						
101-172 City Manager	259,967	199,735	16,270	112,735	56.44%	87,000
101-192 City Clerk-Elections	157,629	138,629	5,885	87,931	63.43%	50,698
101-201 Finance	447,572	421,042	26,098	282,550	67.11%	138,492
101-209 City Assessor	403,112	398,930	28,776	276,757	69.37%	122,173
101-210 City Attorney	564,993	497,412	34,736	320,881	64.51%	176,531
101-215 City Clerk	223,579	223,579	15,706	142,019	63.52%	81,560
101-226 Personnel	350,816	308,344	19,202	204,809	66.42%	103,535
101-233 Purchasing	113,034	113,034	4,327	92,550	81.88%	20,484
101-253 City Treasurer	332,816	326,016	26,175	205,824	63.13%	120,192
101-254 City Income Tax	221,916	199,866	12,569	127,746	63.92%	72,120
101-258 Management Information Services	346,189	337,392	35,205	215,671	63.92%	121,721
101-265 City Hall & Grounds	339,717	339,717	38,930	224,740	66.16%	114,977
101-276 Cemeteries	481,523	481,523	26,977	287,685	59.74%	193,838
101-299 Unallocated	515,342	512,009	54,469	387,908	75.76%	124,101
	<b>4,758,205</b>	<b>4,497,228</b>	<b>345,325</b>	<b>2,969,806</b>	<b>66.04%</b>	<b>1,527,422</b>
<b><u>Police Department :</u></b>						
101-301 Police	8,433,711	8,251,899	592,484	5,475,130	66.35%	2,776,769
101-303 Police Youth Services - JPS	320,763	320,763	22,026	193,981	60.47%	126,782
101-308 STEP Grants	0	13,333	0	13,333	100.00%	0
101-311 JCCAE Grant	0	8,297	0	5,557	66.98%	2,740
101-313 Consortium Training	26,313	26,313	(713)	8,043	30.57%	18,270
101-314 In-Service Training	10,217	10,217	590	6,361	62.26%	3,856
101-315 MCOLES Training	0	37,120	0	(263)	-0.71%	37,383
	<b>8,791,004</b>	<b>8,667,942</b>	<b>614,387</b>	<b>5,702,142</b>	<b>65.78%</b>	<b>2,965,800</b>
<b><u>Fire Department :</u></b>						
101-337 Fire Administration	284,800	314,679	22,306	220,575	70.10%	94,104
101-340 Fire Suppression	4,964,074	4,421,189	302,113	3,015,728	68.21%	1,405,461
101-341 Fire Prevention	15,938	15,938	145	6,002	37.66%	9,936
101-343 Fire Training	87,887	189,349	15,488	58,764	31.03%	130,585
	<b>5,352,699</b>	<b>4,941,155</b>	<b>340,052</b>	<b>3,301,069</b>	<b>66.81%</b>	<b>1,640,086</b>
<b><u>Other Public Safety :</u></b>						
101-350 Public Safety - Unallocated	1,534,967	1,534,967	81,069	1,096,373	71.43%	438,594
101-401 Planning	135,349	122,141	598	52,998	43.39%	69,143
101-426 Office of Emergency Measures	66,493	66,493	8,736	36,276	54.56%	30,217
	<b>1,736,809</b>	<b>1,723,601</b>	<b>90,403</b>	<b>1,185,647</b>	<b>68.79%</b>	<b>537,954</b>

( Continued - )

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

- Continued -

Function Department	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Public Works :</u></b>						
101-441 Tax Property Maintenance	10,000	8,000	(84)	5,088	63.60%	2,912
101-442 Civic Affairs	57,475	45,000	1,017	28,381	63.07%	16,619
101-445 Drains at Large	72,088	60,000	4,062	11,352	18.92%	48,648
101-446 Storm Drain Construction	10,000	10,000	1,201	5,797	57.97%	4,203
101-447 Grounds Maintenance	154,515	44,515	7,670	28,105	63.14%	16,410
101-448 Sidewalk Construction	60,000	60,000	0	5,694	9.49%	54,306
101-450 Street Lighting	407,412	407,412	47,850	322,825	79.24%	84,587
101-455 Weed Control	30,461	30,461	0	11,598	38.07%	18,863
	<b>801,951</b>	<b>665,388</b>	<b>61,716</b>	<b>418,840</b>	<b>62.95%</b>	<b>246,548</b>
<b><u>Recreation &amp; Culture :</u></b>						
101-690 Forestry	576,720	545,266	44,551	382,215	70.10%	163,051
101-692 Parks, Recreation & Grounds Admin	714,740	694,740	70,159	489,109	70.40%	205,631
101-697 Parks & Facilities Maintenance	522,172	522,172	34,659	319,797	61.24%	202,375
101-698 Lt. Nixon Memorial Pool	142,368	142,368	2,290	87,876	61.72%	54,492
101-699 Sharp Park Swimming Pool	131,266	68,973	477	71,654	103.89%	(2,681) <i>Note 2</i>
101-803 Historical District	14,203	14,203	0	5,295	37.28%	8,908
	<b>2,101,469</b>	<b>1,987,722</b>	<b>152,136</b>	<b>1,355,946</b>	<b>68.22%</b>	<b>631,776</b>
<b><u>Health &amp; Welfare :</u></b>						
101-896 Human Relations	<b>70,418</b>	<b>64,376</b>	<b>5,374</b>	<b>52,811</b>	<b>82.04%</b>	<b>11,565</b>
<b><u>Contributions to Other Funds:</u></b>						
101-999 Contributions to Other Funds:	<b>217,575</b>	<b>175,148</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>175,148</b>
<b>Total General Fund Expenditures</b>	<b>23,939,729</b>	<b>22,828,159</b>	<b>1,617,095</b>	<b>15,060,822</b>	<b>65.97%</b>	<b>7,767,337</b>

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

Fund Type/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Special Revenue Funds :</u></b>						
202 Major Street	7,868,522	7,998,523	403,893	2,048,391	25.61%	5,950,132
203 Local Street	1,616,802	1,616,802	87,797	796,521	49.27%	820,281
208 Ella W. Sharp Park Operating	744,413	738,813	28,943	415,666	56.26%	323,147
210 Land Acquisition Fund	50,000	50,000	3,355	28,301	56.60%	21,699
211 Housing Initiative Fund	30,000	30,000	217	6,087	20.29%	23,913
245 Public Improvement	1,266,517	1,266,517	27,453	161,564	12.76%	1,104,953
249 Building Department	476,248	476,528	40,474	284,833	59.77%	191,695
257 Budget Stabilization	40,000	40,000	0	0	0.00%	40,000
265 Drug Law Enforcement	41,931	41,931	26,304	60,606	144.54%	(18,675) <i>Note 2</i>
266 Project Safe Neighborhood Grant	0	0	0	19,977	N/A	(19,977) <i>Note 2</i>
268 BYRNE/JAG Grants	136,104	542,049	5,728	195,854	36.13%	346,195
269 COPS Hiring Recovery Prog. Grant	591,920	591,920	0	83,965	14.19%	507,955
270 LAWNET Grant	30,589	30,589	51,692	82,571	269.94%	(51,982) <i>Note 2</i>
288 Lead Hazard Control Grant	721,495	721,495	6,437	507,124	70.29%	214,371
289 Neighborhood Stabilization Grant	0	0	91,425	281,640	N/A	(281,640) <i>Note 2</i>
293 Waterfront Redevelopment Grant	277,777	277,777	0	0	0.00%	277,777
295 2008 Brownfield Assessment Grant	97,466	97,466	0	68,918	70.71%	28,548
296 Recreation Activity	294,299	294,299	9,310	122,445	41.61%	171,854
297 JPS Recreation Millage Program	250,000	250,000	17,341	142,200	56.88%	107,800
<b><u>Debt Service Funds :</u></b>						
323 Mich. Urban Land Assembly D/S	144,000	144,000	12,000	96,000	66.67%	48,000
324 2003 MTF Bond D/S	277,815	277,815	12,170	277,815	100.00%	0
365 City Hall D/S	616,186	616,186	0	208,468	33.83%	407,718
368 Building Authority D/S	128,784	128,784	150	128,484	99.77%	300
395 2001 DDA TIF D/S	1,139,263	1,139,263	0	186,856	16.40%	952,407
398 2002 BRA TIF D/S	590,848	590,848	0	230,299	38.98%	360,549
399 2007 BRA TIF Refunding D/S	448,929	448,929	0	209,302	46.62%	239,627
<b><u>Capital Projects Funds :</u></b>						
401 Capital Projects Fund	177,827	152,000	2,140	65,626	43.18%	86,374
402 Water Equipment and Replacement	2,320,187	2,320,187	24,344	889,824	38.35%	1,430,363
404 Sanitary Sewer Maintenance Fund	484,720	484,720	20,099	267,326	55.15%	217,394
405 Sanitary Sewer Replacement	700,000	700,000	9,973	348,315	49.76%	351,685
406 Wastewater Equip. Replacement	1,090,000	1,090,000	0	37,152	3.41%	1,052,848
494 Brownfield Redevelopment Auth.	1,342,864	1,342,864	7,387	508,164	37.84%	834,700
496 DDA Project	1,388,102	1,388,102	18,524	306,167	22.06%	1,081,935
<b><u>Enterprise Funds :</u></b>						
583 Sharp Park Golf Practice Center	81,900	81,900	0	23,195	28.32%	58,705
585 Auto Parking System	91,613	91,613	4,458	30,143	32.90%	61,470
586 Parking Assessment	197,456	197,456	24,310	107,678	54.53%	89,778
590 Sewer	6,868,145	6,868,145	394,523	3,149,553	45.86%	3,718,592
591 Water	7,817,555	7,817,555	438,334	3,779,749	48.35%	4,037,806
599 Parking Deck Fund	440,512	440,512	15,361	97,317	22.09%	343,195

( Continued - )

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

- Continued -

Fund Type/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<b><u>Internal Service Funds :</u></b>							
641	Public Works Administration	644,715	644,715	53,036	415,844	64.50%	228,871
642	Engineering Administration	342,863	342,863	15,431	214,774	62.64%	128,089
643	Local Site Remediation Revolving	184,000	184,000	0	5,713	3.10%	178,287
661	Motor Pool and Garage	1,660,549	1,660,549	66,640	701,767	42.26%	958,782
663	Equipment Revolving Fund	75,071	75,071	0	75,071	100.00%	0
677	Workers' Compensation	459,400	459,400	18,026	604,068	131.49%	(144,668) <i>Note 2</i>
678	Prescription Drug	1,043,700	1,043,700	64,004	479,052	45.90%	564,648
679	Health Care Deductible Reimb.	214,175	214,175	1,871	41,798	19.52%	172,377
680	Health Care Deductible Reimb.-Fire	0	0	17,851	105,384	N/A	(105,384) <i>Note 2</i>
<b><u>Trust &amp; Agency Funds :</u></b>							
702	County & School Tax Collection	50,000	50,000	0	0	0.00%	50,000
711	Cemetery Perpetual Maintenance	71,000	71,000	0	4,444	6.26%	66,556
718	Ella W. Sharp Endowment	46,300	46,300	0	0	0.00%	46,300
731	Employees' Retirement System	2,300,000	2,300,000	453,385	1,746,287	75.93%	553,713
732	Policemen's/Firemen's Pension	1,310,000	1,310,000	0	564,757	43.11%	745,243
733	Policemen's/Firemen's Pens.-345	4,350,000	4,350,000	12,461	2,692,299	61.89%	1,657,701
736	Public Employees Health Care	10,000	10,000	0	917	9.17%	9,083
<b><u>Special Assessment Funds :</u></b>							
895	Special Assessment	331,992	331,992	0	130,216	39.22%	201,776

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

Fund/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<b><u>General Fund :</u></b>					
Property Taxes	7,692,601	7,692,601	50,610	6,719,308	87.35%
Income Taxes	8,000,000	7,700,000	898,812	4,669,896	60.65%
Licenses & Permits	244,250	244,250	50,341	102,896	42.13%
Federal Grants	4,650	12,947	0	5,503	42.50%
State Grants	15,381	52,501	0	6,323	12.04%
State Revenue Sharing	5,129,901	4,579,901	96	2,470,488	53.94%
Contributions From Local Units	153,073	163,073	62	81,346	49.88%
Charges For Goods & Services	1,146,822	1,216,822	8,986	279,043	22.93%
Fines & Forfeits	214,200	214,200	40,270	168,086	78.47%
Investment Income	190,000	190,000	303	4,104	2.16%
Contributions From Other Funds	190,750	190,750	1,201	55,653	29.18%
Miscellaneous	480,887	864,847	15,350	440,302	50.91%
Total General Fund Revenues	23,462,515	23,121,892	1,066,031	15,002,948	64.89%
<b><u>Special Revenue Funds :</u></b>					
202 Major Street	7,603,765	7,603,765	337,927	1,321,919	17.39%
203 Local Street	1,609,411	1,609,411	42,429	282,915	17.58%
208 Ella W. Sharp Park Operating	743,800	738,200	3,305	301,298	40.82%
210 Land Acquisition Fund	50,000	50,000	0	0	0.00%
211 Housing Initiative Fund	30,000	30,000	0	0	0.00%
245 Public Improvement	1,190,880	1,190,880	6,467	1,034,635	86.88%
249 Building Inspection	476,248	476,528	25,900	214,789	45.07%
257 Budget Stabilization	40,000	40,000	0	9,095	22.74%
265 Drug Law Enforcement	36,000	36,000	0	34,919	97.00%
266 Project Safe Neighborhood Grant	0	0	0	19,319	N/A Note 2
268 BYRNE/JAG Grants	136,104	542,049	24,697	102,012	18.82%
269 COPS Hiring Recovery Prog. Grant	591,920	591,920	0	42,035	7.10%
270 LАWNET Grant	30,589	30,589	25,846	56,725	185.44%
288 Lead Hazard Control Grant	721,495	721,495	0	494,243	68.50%
289 Neighborhood Stabilization Grant	0	0	0	170,353	N/A Note 2
293 Waterfront Redevelopment Grant	277,000	277,000	0	(2,000)	-0.72%
295 2008 Brownfield Assessment Grant	97,466	97,466	0	60,571	62.15%
296 Recreation Activity	290,000	290,000	14,752	116,470	40.16%
297 JPS Recreation Millage Program	250,000	250,000	0	128,676	51.47%
<b><u>Debt Service Funds :</u></b>					
323 Mich. Urban Land Assembly D/S	144,000	144,000	12,000	96,000	66.67%
324 2003 MTF Bond D/S	277,815	277,815	12,170	277,815	100.00%
365 2003 City Hall D/S	587,500	587,500	2,686	532,484	90.64%
368 Building Authority D/S	128,784	128,784	150	128,484	99.77%
395 2001 DDA TIF D/S	1,139,300	1,139,300	0	186,856	16.40%
398 2002 BRA TIF D/S	591,000	591,000	0	230,299	38.97%
399 2007 BRA TIF Refunding D/S	449,000	449,000	0	209,302	46.62%
<b><u>Capital Projects Funds :</u></b>					
401 Capital Projects Fund	177,827	152,000	0	15,137	9.96%
402 Water Equipment and Replacement	1,721,000	1,721,000	139,250	1,153,332	67.02%
404 Sanitary Sewer Maintenance Fund	484,720	484,720	20,099	272,182	56.15%
405 Sanitary Sewer Replacement	681,000	681,000	54,000	442,299	64.95%
406 Wastewater Equip. Replacement	664,000	664,000	51,500	425,777	64.12%

(Continued-)

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

- Continued -

Fund/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<b><u>Capital Projects Funds : (Continued)</u></b>						
494	Brownfield Redevelopment Auth.	1,450,094	1,450,094	0	16,519	1.14%
496	DDA Project	1,000,760	1,000,760	0	5,756	0.58%
<b><u>Enterprise Funds :</u></b>						
583	Sharp Park Golf Practice Center	76,000	76,000	0	21,492	28.28%
585	Auto Parking System	112,710	112,710	1,330	49,235	43.68%
586	Parking Assessment	120,500	120,500	2,929	38,022	31.55%
590	Sewer	5,343,000	5,343,000	373,618	2,764,435	51.74%
591	Water	7,065,296	7,065,296	412,949	4,239,113	60.00%
599	Parking Deck Fund	272,000	272,000	0	256,527	94.31%
<b><u>Internal Service Funds :</u></b>						
641	Public Works Administration	647,215	647,215	49,053	427,268	66.02%
642	Engineering Administration	342,863	342,863	28,840	269,266	78.53%
643	Local Site Remediation Revolving	183,112	183,112	0	2,004	1.09%
661	Motor Pool and Garage	1,324,083	1,324,083	85,086	880,557	66.50%
663	Equipment Revolving Fund	75,071	75,071	0	75,071	100.00%
677	Workers' Compensation	355,300	355,300	17,622	182,904	51.48%
678	Prescription Drug	1,056,060	1,056,060	60,189	525,293	49.74%
679	Health Care Deductible Reimb.	417,300	417,300	10,616	77,383	18.54%
680	Health Care Deductible Reimb.-Fire	0	0	13,440	98,559	N/A <i>Note 2</i>
<b><u>Trust &amp; Agency Funds :</u></b>						
702	County & School Tax Collection	50,000	50,000	0	12,788	25.58%
711	Cemetery Perpetual Maintenance	96,000	96,000	0	40,123	41.79%
718	Ella W. Sharp Endowment	46,300	46,300	0	0	0.00%
731	Employees' Retirement System	4,211,310	4,211,310	184,381	4,675,328	111.02%
732	Policemen's/Firemen's Pension	1,017,537	1,017,537	0	1,012,014	99.46%
733	Policemen's/Firemen's Pension-345	7,731,531	7,731,531	(54,606)	6,809,857	88.08%
736	Public Employees Health Care	120,480	120,480	0	47,849	39.72%
<b><u>Special Assessment Funds :</u></b>						
895	Special Assessment	331,992	331,992	(6,908)	134,193	40.42%

**City of Jackson**  
**Notes to Revenue & Expenditure Summaries**  
**As of and For the 8 Months Ended February 28, 2010**  
**( Prepared on the Adopted Budget - Basis )**

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

**Note 2:** Budget amendments will be submitted that will eliminate these variances.

## RESOLUTION

### BY THE CITY COUNCIL:

**LET IT BE KNOWN**, the death of Officer James D. Bonneau brought great sadness to the City of Jackson. Officer Bonneau was a member of the Jackson Police Department for only two years, but during this short time he proved himself to be a dedicated public servant and caring person who enriched many lives. Officer Bonneau graduated from Eastern Michigan University with a Bachelor of Science degree in Criminology (3.9 GPA). After college he attended the Mid-Michigan Police Academy and was valedictorian of his recruit class. Prior to coming to the City of Jackson he served as a State Park Ranger at Maybury State Park in Northville, Michigan. With genuine respect for his legacy of accomplishment, we join with the community in extending our condolences to his family and many friends. This outstanding young man will be sincerely missed and long remembered; and

**WHEREAS**, Officer Bonneau was initially hired as a police recruit in July 2007, and was promoted to Police Officer in November 2007; and

**WHEREAS**, Officer Bonneau took a courageous step when he chose his vocation. The members of this unique profession are constantly aware of the dangers they face, but excellent officers like Officer Bonneau are strongly motivated by a commitment to protecting the health and safety of others; and

**WHEREAS**, integrity, courtesy, intelligence, and sound judgment, along with a strong commitment to service, are just some of the qualities that Officer Bonneau brought to the Jackson Police Department and the protection of our citizens; and

**WHEREAS**, sadly on March 9, 2010, Officer James D. Bonneau gave the ultimate sacrifice while bravely serving the citizens of the City of Jackson, Michigan, doing what he loved so much,

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Jackson, Michigan, hereby wishes to express their highest praise as a memorial to the life of Officer James D. Bonneau. The City of Jackson has lost an exemplary professional, one who has capably served as a frontline defender for the people of the City.

**BE IT FURTHER RESOLVED**, that we also extend our sincere condolences to his family and many friends. May they know of our pride and appreciation for a life so well lived.

DATED this 13th day of April, 2010.

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Karen F. Dunigan, Mayor

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Carl L. Breeding, 1st Ward Councilmember

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Kenneth E. Gaiser, 4th Ward Councilmember

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Robert B. Howe, 2nd Ward Councilmember

---

Andrew R. Frounfelker, 5th Ward Councilmember

---

Daniel P. Greer, 3rd Ward Councilmember

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John R. Polaczyk, 6th Ward Councilmember



## 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 Lewis, Interim City Manager  
DATE: April 6, 2010  
SUBJECT: PROPOSED RESOLUTION SUPPORTING DDA TIF BONDS REFINANCING  
LEGISLATION

As you are aware, the decline in taxable values in Jackson, which is similar to other communities around the state, has created a situation where the City's DDA Tax Increment Financing Bond's annual debt service requirements exceed the associated tax increment revenues dedicated to pay that debt service.

These bonds were issued in 2001 to finance a portion of the Consumers Energy Project and the debt service at that time was based on the taxable values within the DDA increasing at a rate of 3.5% - a rate considered conservative at the time.

The pending House Bills 5550-5554 (attached) will amend the Revised Municipal Finance Act to allow communities such as the City of Jackson to issue a refunding security that will enable the City to replace the existing DDA TIF Bonds with debt that more closely matches the current tax increment revenue streams.

Attached is a proposed Resolution that supports that pending legislation and I would ask that you approve this so that I may forward this onto our state legislators.

CWL:skh

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, many communities in Michigan, including the City of Jackson, have attracted economic development to their areas through the issuance of tax increment financing securities, and

WHEREAS, the State of Michigan is currently experiencing an unprecedented economic downturn affecting cities and communities across the State; and

WHEREAS, the Michigan Legislature is considering legislation through House Bills 5550-5554 that would allow issuers of existing tax increment financing securities to refinance all or any part of its outstanding securities before December 31, 2012. This would provide short and long-term solutions to a problem municipalities are facing due to declining taxable values within tax increment financing districts; and

WHEREAS, the passage of House Bills 5550-5554 would allow the Jackson community to meet its financial obligations relating to these tax increment financing securities:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the City Council of the City of Jackson that:

- (1) The Mayor and City Council support the proposed legislation allowing refunding security within the State of Michigan.
- (2) Authorization for the Mayor to write letters of support to our local State Representative encouraging the passage of this very important legislation.

\* \* \* \*

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 true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

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Lynn Fessel, City Clerk

# Legislative Analysis

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Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

## REFUNDING OBLIGATIONS

### House Bill 5550

Sponsor: Rep. Jeff Mayes

### House Bill 5551

Sponsor: Rep. Tim Moore

### House Bill 5553

Sponsor: Rep. Tim Melton

### House Bill 5552

Sponsor: Rep. Richard Hammel

### House Bill 5554

Sponsor: Rep. Barb Byrum

Committee: Banking and Financial Services

Complete to 1-19-10

## A SUMMARY OF HOUSE BILLS 5550-5554 AS INTRODUCED 10-27-09

House Bill 5550 would amend the Revised Municipal Finance Act (MCL 141.2611) to allow a municipality to issue a refunding security to refund all or any part of its outstanding securities before December 31, 2012, if those securities were not secured by the unlimited full faith and credit pledge of the municipality. These refunding securities would be exempt from the act's current restriction that prohibits issuing a refunding security unless the net present value of the principal and interest to be paid on the refunding security is less than the net present value of the principal and interest to be paid on the security being refunded. (This is understood to essentially allow local units of government to restructure existing debt by extending debt further into the future and lowering current debt payments.)

House Bill 5551 would amend a different section of the Revised Municipal Finance Act (MCL 141.2305) to allow a municipal security to be sold at a discount exceeding 10 percent of the principal amount of the municipal security if that municipal security was issued before December 31, 2012. Such securities would have to be issued by a municipality for the purposes of more effectively managing its debt service and under a written debt management plan. These municipal securities would then be exempt from the act's restriction that a municipal security issued under the act not be sold at a discount exceeding 10 percent, and the bill would allow the securities to bear no interest and to appreciate as to principal if other requirements of the act were met (i.e., zero-coupon securities).

House Bills 5552-5554 would each amend an act dealing with a particular kind of tax increment finance authority in order to revise the definition of "qualified refunding obligation" in each act. The bills would include in the definition, a refunding obligation issued to refund an "other protected obligation" or an "eligible obligation" if the refunding obligation was issued before December 31, 2012. Under the tax increment

financing acts, those two kinds of obligations are existing obligations for which school taxes can continue to be captured.

House Bill 5552 would amend the Downtown Development Authority Act (MCL 125.1651).

House Bill 5553 would amend the Tax Increment Finance Authority Act (MCL 125.1001).

House Bill 5554 would amend the Local Development Financing Act (MCL 125.2152).

#### **BACKGROUND INFORMATION:**

According to testimony on a similar package of bills in the 2007-08 legislative session, the proposed legislation provides a short-term solution to a problem municipalities are facing due to falling property tax revenues: incremental increases in revenues that were anticipated to support debt related to tax increment financing arrangements are not materializing. This potentially leaves local units without sufficient revenue to meet their obligations unless they use general fund dollars. Currently, refunding debt is typically permitted only if there is a present value interest savings. House Bill 5550, for example, would instead essentially allow local units of government to restructure existing debt by extending debt further into the future and lowering current debt payments.

#### **FISCAL IMPACT:**

The fiscal impact of House Bills 5550 and 5551 is indeterminate.

House Bills 5550 and 5552-5554 would have an indeterminate fiscal impact on some local units of government. The provisions of the bills expand the instances in which qualified refunding obligations may be used. Refunding obligations are issued to restructure or refinance the costs of an earlier debt obligation. The new obligations are often associated with lower interest and/or payment costs to the municipality or authority. Under these bills, municipalities will be able to lower debt payments and avoid using their general funds to meet current obligations. However, municipalities will face higher costs long-term by extending their debt further into the future by issuing refunding obligations.

Legislative Analyst: Chris Couch  
Fiscal Analyst: Ben Gielczyk  
Rebecca Ross

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.



## Cemeteries, Forestry & Parks

2615 Francis St. - Jackson, MI 49203  
Telephone: (517) 788-4078 — Facsimile: (517) 780-4776

April 5, 2010

Mr. Chris Lewis  
Interim City Manager  
City of Jackson, Michigan

Dear Mr. Lewis:

Subject: Increase in Cemetery Rates

Every two to three years the rates for grave spaces and various services provided at both city cemeteries are increased to keep pace with operating expense increases. The current rate schedule was adopted by council with an effective date of May 15, 2008. I am requesting an approximate 7% rate increase in fees to be adopted by council per the attached proposed resolution with an effective date of May 15, 2010.

Based on average annual sales of 80 grave spaces, 125 single foundations, 25 double foundations, 100 casket burials and 50 cremated remains burials, the proposed increase would generate over \$15,250 in additional revenues.

I have attached a proposed resolution for your review.

If you have any questions or concerns please contact me.

Respectfully submitted,

Thomas Steiger  
Superintendent of Cemeteries, Forestry  
And Parks

### Attachments

CC: James Parrott, Director of Parks, Recreation and Grounds  
Kelli Hoover, Interim Director of Parks, Recreation and Ground

## RESOLUTION

WHEREAS, the City Council wishes to establish a new rate schedule increasing the charges for regular users of cemetery services.

NOW, THEREFORE, BE IT RESOLVED, that effective May 15, 2010, the following rate schedule will prevail for services rendered by the City in the operation of Mount Evergreen and Woodland Cemeteries in the City of Jackson, Michigan.

### **INTERMENT:**

ADULT	\$750
CHILD<4'	\$450
BABY<2'	\$325
ASHES-no service	\$375
ASHES-witness, chapel or gravesite	\$425
MAUSOLEUM	\$950

### **DHS BURIALS:**

DHS payments will be accepted and applied toward burial costs (grave space and interment services). Balance of costs due prior to services as adopted by Council in 2002.

### **GRAVE SPACE:**

Baby grave <3'	\$250
Child grave<5'	\$350
10' and under grave	\$700
12" grave	\$750
Columbarium Niche(incl. 1 inurnment, single plaque	\$1400
Second Burial Right (use of occupied grave for ashes)	\$350

### **DISINTER/REINTER:**

ADULT	\$1000
CHILD	\$600
BABY	\$450

### **DISINTER:**

ADULT	\$750
CHILD	\$450
BABY	\$325

### **WINTER SURCHARGE:**

FULL GRAVE SPACE	\$125
PARTIAL GRAVE SPACE	\$ 60

<b><u>OVERTIME CHARGE:</u></b> (Additional)	
SATURDAY INTERMENT	\$400
SUNDAY/HOLIDAY INTERMENT	\$600
SATURDAY CHAPEL ONLY OR ASHES BURIAL	\$225
SUNDAY/HOLIDAY CHAPEL OR ASHES BURIAL	\$325
SERVICES AFTER 3 PM	
PER MAN, PER HOUR INCREMENTS	\$ 60
<b><u>FOUNDATIONS:</u></b>	
SINGLE	\$125
DOUBLE	\$200
MONUMENTS PER CUBIC FOOT	\$ 30
<b><u>TRANSFER OF BURIAL RIGHT:</u></b>	\$ 30
ANNUAL CARE	
ONE GRAVE SPACE	\$ 25
EACH ADDITIONAL GRAVE SPACE	\$ 15
PERPETUAL CARE CONVERSION	
PER SQUARE FOOT	\$ 4.75
SPECIAL MAINTENANCE AND SERVICES OF ANY TYPE, CHARGE TIME AND MATERIALS AS DETERMINED BY THE CEMETERY SUPERINTENDENT.	

BE IT FURTHER RESOLVED that two thirds of the amount charged for sale of lots and second burial rights shall be reserved for perpetual care and be placed in the Cemetery Perpetual Care Fund.

\* \* \* \* \*



City Clerk

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

April 1, 2010

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Angela Arnold, Deputy City Clerk *Angela Arnold*  
**RE:** Establishment of Public Hearings for Special Assessment Roll Nos. 4189 through 4194

Attached please find resolutions to establish May 11, 2010 as a public hearing date on the following special assessment rolls:

Roll No. 4189 – Delinquent Miscellaneous General Fund Accounts Receivable (alarms, weed mowing, hazardous material clean-up, and barricade removal)

Roll No. 4190 – Delinquent Miscellaneous Building Department Fund Accounts Receivable (dangerous structure and demolition fees)

Roll No. 4191 - Delinquent Miscellaneous Community Development Block Grant Fund Accounts Receivable (code enforcement inspection fees)

Roll No. 4192 – Delinquent Miscellaneous Wastewater Fund Accounts Receivable (industrial pre-treatment program monitoring and composite samples)

Roll No. 4193 – Delinquent Miscellaneous Water Fund Accounts Receivable (water meter replacements and overtime service calls)

Roll No. 4194 – Delinquent Miscellaneous Public Works Fund Accounts Receivable (property clean-up, board up, and snow removal)

If Council adopts the resolutions, a letter announcing the public hearing will be sent to each property owner included on the rolls and a notice will be placed in the Jackson Citizen Patriot. Please place this item on the April 13<sup>th</sup> City Council agenda for adoption.

Thank you.

Attachments

C: Christopher Lewis, Interim City Manager

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous General Fund accounts receivable totaling, \$13,071.24; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4189 covering delinquent miscellaneous General Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Building Department Fund accounts receivable totaling, \$4,193.51; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4190 covering delinquent miscellaneous Building Department Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Community Development Block Grant Fund accounts receivable totaling, \$5,423.36; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4191 covering delinquent miscellaneous Community Development Block Grant Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Wastewater Fund accounts receivable totaling, \$386.41; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4192 covering delinquent miscellaneous Wastewater Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Water Fund accounts receivable totaling, \$2,250.50; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4193 covering delinquent miscellaneous Water Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Public Works Fund accounts receivable totaling, \$17,610.20; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4194 covering delinquent miscellaneous Public Works Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 11th day of May, 2010, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

\* \* \* \* \*

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

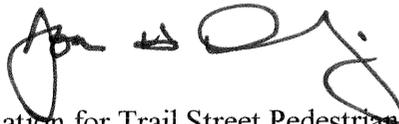
I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 13th day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14th day of April, 2010.

\_\_\_\_\_  
Lynn Fessel, City Clerk



April 7, 2010

**TO:** Christopher W. Lewis, Interim City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer   
**RE:** Federal Local Safety Program Application for Trail Street Pedestrian  
and Bicycle Crossing

---

The Michigan Department of Transportation is calling for Fiscal Year 2012 Federal Local Safety Program projects. The Department of Engineering is planning to submit Trail Street as a project for the Safety Funds.

In 2004, the Trail Street crossing of the Norfolk Southern railroad was eliminated and the road was dead-ended on both sides of the tracks. Many pedestrians and bicyclists continue to use Trail Street, crossing the tracks without the benefit of a proper crossing. They also cross the Grand River Bridge which recent inspections have shown to have hazardous sidewalk. It is expected that the proposed Center for Family Health on N. Jackson Street will generate additional non-motorized traffic.

The Department of Engineering proposes to construct a new non-motorized railroad crossing as shown in the attached diagram and to repair the bridge sidewalk. The total estimated construction cost for the project is \$62,500 with \$50,000 coming from the Federal Local Safety Program and \$12,500 from the Local Street Fund.

With your concurrence, please submit the attached resolution to the City Council for their approval.

If you have any questions, please contact me.

RTM:sms

RESOLUTION

WHEREAS, many pedestrians and bicyclists cross the Norfolk Southern railroad tracks at Trail Street without the benefit of a railroad crossing; and

WHEREAS, sidewalk repairs are needed on the Trail Street Bridge sidewalk; and

WHEREAS, the Department of Engineering proposes to construct a new non-motorized railroad crossing and to repair sidewalk on the Trail Street Bridge; and

WHEREAS, the Department of Transportation has a call for Fiscal Year 2012 Federal Local Safety Program projects; and

WHEREAS, the engineering estimate for the construction on Trail Street is \$62,500, with the Federal share being \$50,000, and the City share being \$12,500.

NOW, THEREFORE, BE IT RESOLVED that the City Council does approve the proposed construction on Trail Street; and

BE IT FURTHER RESOLVED that the City Council does authorize the City Engineer to apply for a Fiscal Year 2012 Federal Local Safety Program grant on behalf of the City.

\* \* \* \* \*

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 13<sup>th</sup> day of April, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 14<sup>th</sup> day of April, 2010.

---

Lynn Fessel, City Clerk

SALCO  
ENGINEERING

CONSUMERS  
ENERGY

NORTHFOLK  
SOUTHERN RAILROAD

TRAIL ST.

EXISTING  
PARKING LOT

Driveway, Nonrein Conc. 8 inch, Modified

EXISTING SIDEWALK TO REMAIN  
EXISTING DRAINAGE  
STRUCTURE TO REMAIN

Driveway, Nonrein  
Conc. 8 inch, Modified

EXISTING DRIVEWAY, FENCE  
AND GATE TO REMAIN

EXISTING SIDEWALK TO REMAIN

Concrete Ballard, TYP.

CAUTION: EXISTING  
GAS LINE

RAILROAD R.O.W.

RAILROAD R.O.W.

EXISTING UTILITY POLE TO REMAIN

Seeding Mixture T.V.E. TYP.

Barrier Fencing, TYP.

Sidewalk, Conc. 4 inch, Modified

GAS

EXISTING RAIL LINES TO REMAIN

EXISTING UTILITY POLE TO REMAIN

RAILROAD R.O.W.

Seeding Mixture T.V.E. TYP.

Barrier Fencing, TYP.

Concrete Ballard, TYP.

EXISTING DRIVE APPROACH TO REMAIN

EXISTING OVERHEAD LINES AND GUYED  
WIRES TO REMAIN

EXISTING SIDEWALK TO REMAIN

CAUTION: OVERHEAD  
ELECTRICAL LINES AND  
GUYED WIRES

SCALE:	N.T.S.
DATE:	03/29/2010
DRAWN BY:	MGB
CITY OF JACKSON DEPARTMENT OF ENGINEERING	

# TRAIL STREET PEDESTRIAN & BICYCLE IMPROVEMENTS CROSSING CONCEPT



**Julius A. Giglio**  
*City Attorney*

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

**OFFICE OF THE**



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

**CITY ATTORNEY**

**MEMORANDUM**  
April 7, 2010

**TO:** Honorable Mayor and City Council

**FROM:** Julius A. Giglio, City Attorney

**RE:** Charter Amendment Resolutions

Attached please find five proposed resolutions addressing possible amendments to our City Charter. Council will remember that at the July 7, 2009 Council meeting, Council adopted two resolutions for City Charter amendments that were subsequently submitted to the City electorate at the November 2009 election. At the July 2009 meeting, Council also directed the City Attorney to “prepare ballot language for the next election after November 3, 2009” for four additional Charter amendments. Specifically, Council voted for four possible amendments that were previously approved by the Charter Review Committee. The Charter Review Committee proposed amendments addressed the following Charter sections:

- 1) Proposal No. 11 addressed Charter Section 8.8 – Quorum;
- 2) Proposal No. 16 addressed Charter Section 11.1 – Departments;
- 3) Proposal No. 17 addressed Charter Section 11.4 – City Clerk; and
- 4) Proposal No. 20 addressed Charter Section 13.8 – Independent Audit.

I submitted the four proposed Charter Amendment Resolutions and ballot language to Assistant Attorney General George Ellworth for his “unofficial” review of proposed ballot language. Previously, Mr. Ellworth conducted a similar review prior to my submission to Council for the November 2009 election. Mr. Ellworth provided guidance and suggested some changes to the proposed ballot language. Additionally, Mr. Ellworth suggested that the resolution addressing Charter Section 11.1 be dealt with through two separate ballot questions. The Charter Review Committee’s recommendation actually addressed two issues, i.e., (1) Acknowledgment that the City may enter into agreements with neighboring jurisdictions to provide municipal services; and (2) That the police and fire departments will not be combined into a public safety department unless specifically authorized by a vote of the City electorate. (City Charter ballot proposals may only address one specific item and/or issue.) Accordingly, I have drafted a resolution that creates Section 11.1.5 to the Charter, which addresses metropolitan

departments. It should be noted that under current state law, the City may enter into agreements with neighboring jurisdictions to provide municipal services irregardless of whether there is charter language to that effect. There are now five proposed resolutions with accompanying ballot language addressing amendments to our City Charter. Council will need to decide whether you wish to adopt the resolutions and submit the proposed ballot language to the electorate. Under state law, the resolution must be adopted by a three-fifths vote of Council.

Finally, if Council adopts any of the attached resolutions, you will also need to decide which election you wish to have the charter amendments submitted to the City electorate. Under the Home Rule Cities Act, amendments to a charter proposed by the legislative body must be submitted to the electors at the “next regular municipal or general state election, or at a special election.” MCL 117.21(1) The only elections scheduled for this year are the August 3, 2010 primary and the November 2, 2010 general election. If Council wishes to submit any of the proposed amendments to the electorate at the August primary election, you will also need to establish that date as a “special election” to be held in conjunction with the August primary. A state primary election does not satisfy the statutory requirement of a “regular municipal or general state election.”

This matter will be submitted to Council at the April 13, 2010 Council meeting. For any resolution approved by Council, the City Clerk will be required to provide the adopted resolution to both the Governor’s office and the Attorney General’s office for review and approval.

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

JG/cr  
Enc.

cc w/enc.: Christopher Lewis, Interim City Manager  
Lynn Fessel, City Clerk

RESOLUTION

BY THE JACKSON CITY COUNCIL:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that Section 8.8 of the Charter of the City of Jackson be amended to read as follows:

**Section 8.8. Quorum.**

A majority of council members then serving shall be a quorum for meetings.

Provisions of existing Section 8.8 of the Charter of the City of Jackson to be altered or abrogated by such proposal, if adopted, now read as follows:

**Section 8.8. Quorum.**

Four members of the council present in person shall be a quorum for meetings.

2. The purpose of the proposed amendment is as follows:

The proposed change addresses the quorum requirement for City Council action. Currently, the Charter requires "four members of council" constitute a quorum. The proposed change modifies the required quorum to "a majority of council members then serving". This would address situations where there might not be a full complement of seven council members serving.

3. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for her approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

4. The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at an election to be held in the City of Jackson on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the City Clerk is hereby directed to give notice of the election and notice of

registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

5. The proposed amendment shall be submitted to the electors in the following form, to-wit:

PROPOSED AMENDMENT TO SECTION 8.8 OF THE CHARTER OF THE CITY OF JACKSON, TO CHANGE THE NUMBER OF COUNCIL MEMBERS REQUIRED TO CONSTITUTE A QUORUM.

This amendment reduces the quorum requirement for meetings of the city council from four members of the city's seven-member council to a majority of council members then serving on the council.

Shall Section 8.8 of the City Charter be so amended?

[ ] YES  
[ ] NO

6. The proposed amendment shall be published in full together with the existing charter provisions altered or abrogated thereby as part of the notice of election.

7. The canvass and determination of the votes of said question shall be made in accordance with the law of the State of Michigan and the Charter of the City of Jackson.

STATE OF MICHIGAN )  
COUNTY OF JACKSON )  
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 \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE JACKSON CITY COUNCIL:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that Section 11.1 of the Charter of the City of Jackson be amended to read as follows:

**Section 11.1. Departments.**

The City Council shall (through ordinances) establish such departments of the city determined to be necessary and advisable, and prescribe their organization and functions. The existing police and fire departments shall not be combined in a public safety department unless specifically authorized by a majority of the vote of the city voters voting on the issue at a regular or special city election.

Provisions of existing Section 11.1 of the Charter of the City of Jackson to be altered or abrogated by such proposal, if adopted, now read as follows:

**Section 11.1. Departments.**

There shall be a police department and a fire department. In addition, the council shall establish by ordinance such other departments of the city as it determines necessary and advisable, and shall prescribe their organization and functions by ordinance.

2. The purpose of the proposed amendment is as follows:

The current Section 11.1 specifically requires a police and fire department. The proposed amendment would broaden council's powers to achieve budgetary efficiencies through departmental combinations. However, a vote of the electorate would be required to combine police and fire services under a "public safety department".

3. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for

her approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

4. The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at an election to be held in the City of Jackson on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the City Clerk is hereby directed to give notice of the election and notice of registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

5. The proposed amendment shall be submitted to the electors in the following form, to-wit:

PROPOSED AMENDMENT TO SECTION 11.1 OF THE CHARTER OF THE CITY OF JACKSON, TO PROVIDE THAT THE EXISTING POLICE DEPARTMENT AND FIRE DEPARTMENT SHALL NOT BE COMBINED INTO A PUBLIC SAFETY DEPARTMENT WITHOUT AN APPROVING VOTE OF THE MAJORITY OF CITY VOTERS VOTING ON THE ISSUE.

This amendment will amend Section 11.1 of the charter of the city of Jackson, to provide that the existing police and fire departments will not be combined into a public safety department without an approving vote of the majority of city voters voting on the issue.

Shall Section 11.1 of the City Charter be so amended?

[    ] YES  
[    ] NO

6. The proposed amendment shall be published in full together with the existing charter provisions altered or abrogated thereby as part of the notice of election.

7. The canvass and determination of the votes of said question shall be made in accordance with the law of the State of Michigan and the Charter of the City of Jackson.

STATE OF MICHIGAN )  
COUNTY OF JACKSON )  
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 July 14, 2009.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Lynn Fessel, City Clerk

X:DDrive/RESOLUTION-CHARTER AMENDMENT 16

RESOLUTION

BY THE JACKSON CITY COUNCIL:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that Section 11.1.5 of the Charter of the City of Jackson be added to read as follows:

**Section 11.1.5. Metropolitan Departments.**

The City Council may enter into agreements with neighboring jurisdictions for the establishment of metropolitan departments for the purpose of providing services required by this charter or state law.

2. The purpose of the proposed amendment is as follows:

The proposed amendment acknowledges council's ability to achieve budgetary efficiencies through the establishment of metropolitan departments. The city has authority, under state law, to enter into multi-jurisdictional agreements with neighboring jurisdictions to establish metropolitan departments.

3. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for her approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

4. The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at an election to be held in the City of Jackson on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the City Clerk is hereby directed to give notice of the election and notice of registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

5. The proposed section shall be submitted to the electors in the following form, to-wit:

PROPOSED SECTION 11.1.5 OF THE CHARTER OF THE CITY OF JACKSON, TO ACKNOWLEDGE THAT STATE LAW ALLOWS THE CITY COUNCIL TO ENTER INTO AGREEMENTS WITH NEIGHBORING JURISDICTIONS TO PROVIDE SERVICES.

This amendment will add Section 11.1.5 to the charter of the city of Jackson, to acknowledge that state law allows the city to enter into agreements with neighboring jurisdictions to provide services through the creation of metropolitan departments.

Shall Section 11.1.5 of the City Charter be so adopted?

[ ] YES  
[ ] NO

6. The proposed amendment shall be published in full together with the existing charter provisions altered or abrogated thereby as part of the notice of election.

7. The canvass and determination of the votes of said question shall be made in accordance with the law of the State of Michigan and the Charter of the City of Jackson.

STATE OF MICHIGAN )  
COUNTY OF JACKSON )  
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 \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Lynn Fessel, City Clerk

RESOLUTION

BY THE JACKSON CITY COUNCIL:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that Section 11.4 of the Charter of the City of Jackson be amended to read as follows:

**Section 11.4. City Clerk.**

The clerk shall be appointed by the council and shall serve at the pleasure of the council. The city clerk shall be the clerk of the city council, the chief elections and voter registration officer of the city, and the custodian of city records and the city seal. The clerk, who has been duly sworn in by the mayor, shall administer and record the oath of office for all appointed and elected city officials.

Provisions of existing Section 11.4 of the Charter of the City of Jackson to be altered or abrogated by such proposal, if adopted, now read as follows:

**Section 11.4. City Clerk.**

The clerk shall be appointed by the council and shall serve at the pleasure of the council. The city clerk shall be the clerk of the city council, the chief elections and voter registration officer of the city, and the custodian of city records and the city seal. The clerk shall administer the oath of office to all appointed and elected city officials.

2. The purpose of the proposed amendment is as follows:

The charter does not designate an official with the authority to swear in the city clerk. The amendment assigns the duty of swearing in the clerk to the mayor, and specifies that the clerk is to administer and record the oath of office for all appointed and elected city officials.

3. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for

her approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

4. The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at an election to be held in the City of Jackson on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the City Clerk is hereby directed to give notice of the election and notice of registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

5. The proposed amendment shall be submitted to the electors in the following form, to-wit:

PROPOSED AMENDMENT TO SECTION 11.4 OF THE CITY CHARTER OF JACKSON, TO PROVIDE THAT THE CITY CLERK SHALL BE SWORN IN BY THE MAYOR, AND THAT THE CLERK SHALL KEEP A RECORD OF THE OATHS OF OFFICE FOR ALL APPOINTED AND ELECTED CITY OFFICIALS.

Section 11.4 of the charter of the city of Jackson currently provides that the city clerk shall administer the oath of office to all elected and appointed city officials. This amendment provides that the city clerk shall be sworn in by the mayor, and that the clerk shall keep a record of the oaths of office for all appointed and elected city officials.

Shall Section 11.4 of the City Charter be so amended?

[ ] YES  
[ ] NO

6. The proposed amendment shall be published in full together with the existing charter provisions altered or abrogated thereby as part of the notice of election.

7. The canvass and determination of the votes of said question shall be made in accordance with the law of the State of Michigan and the Charter of the City of Jackson.

STATE OF MICHIGAN )  
COUNTY OF JACKSON )  
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 \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Lynn Fessel, City Clerk

X:DDrive/RESOLUTION-CHARTER AMENDMENT 17

RESOLUTION

BY THE JACKSON CITY COUNCIL:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that Section 13.8 of the Charter of the City of Jackson be amended to read as follows:

**Section 13.8. Independent Audit.**

An independent audit shall be made of all funds of the city government at the close of each fiscal year. Special independent audits may be made at any time that the council may designate. All audits shall be made by certified public accountants experienced in municipal accounting. The results of all audits shall be provided directly to the council. The results of such audits shall be made public. They shall be available for inspection at the office of the clerk. No person or firm shall conduct the independent audit of the City's funds for more than four years in succession.

Provisions of existing Section 13.8 of the Charter of the City of Jackson to be altered or abrogated by such proposal, if adopted, now read as follows:

**Section 13.8. Independent Audit.**

An independent audit shall be made of all funds of the city government at the close of each fiscal year. Special independent audits may be made at any time that the council may designate. All audits shall be made by certified public accountants experienced in municipal accounting. The results of all audits shall be provided directly to the council. The results of such audits shall be made public. They shall be available for inspection at the office of the clerk.

2. The purpose of the proposed amendment is as follows:

The current section requires that an independent audit be made of all funds for the city government on an annual basis. The proposed language would require that

the city change auditors so that no auditing person or firm can conduct the audit more than four years in succession.

3. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for her approval, and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for his approval, as required by law.

4. The proposed charter amendment shall be, and the same is hereby ordered to be, submitted to the qualified electors of this city at an election to be held in the City of Jackson on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the City Clerk is hereby directed to give notice of the election and notice of registration therefor in the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

5. The proposed amendment shall be submitted to the electors in the following form, to-wit:

PROPOSED AMENDMENT TO SECTION 13.8 OF THE CHARTER OF THE CITY OF JACKSON, TO PROVIDE THAT NO PERSON OR FIRM SHALL CONDUCT THE INDEPENDENT AUDIT OF THE CITY'S FUNDS FOR MORE THAN FOUR YEARS IN SUCCESSION.

This amendment will amend Section 13.8 of the City Charter to provide that no person or firm shall conduct the independent audit of the City's funds for more than four years in succession.

Shall Section 13.8 of the City Charter be so amended?

[ ] YES  
[ ] NO

6. The proposed amendment shall be published in full together with the existing charter provisions altered or abrogated thereby as part of the notice of election.

7. The canvass and determination of the votes of said question shall be made in accordance with the law of the State of Michigan and the Charter of the City of Jackson.

STATE OF MICHIGAN )  
COUNTY OF JACKSON )  
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 \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Lynn Fessel, City Clerk

X:DDrive/RESOLUTION-CHARTER AMENDMENT 20



City Clerk

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

March 30, 2010

**TO: Honorable Mayor and City Councilmembers**

**FROM: Angela Arnold, Deputy City Clerk** *Angela*

**RE: Final Adoption of Ordinance No. 2010.05**

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Attached is Ordinance No. 2010.05, which amends Chapter 5, adding Article VIII to designate the Building Official as the enforcing agency to discharge the floodplain management responsibility of the City of Jackson. This Ordinance was approved by City Council on March 23, 2010.

Please place this item on the Council's April 13th agenda for final adoption.

Attachment

- C: Christopher Lewis, Interim City Manager
- Julius Giglio, City Attorney
- Susan Murphy, Deputy City Attorney
- Carol Konieczki, Director of Community Development
- Frank Donovan, Building Official
- Jon Dowling, Director of Engineering & Public Works

ORDINANCE 2010 - \_\_\_\_\_

An Ordinance amending Chapter 5, Code of Ordinances, City of Jackson, Michigan to add Article VIII to designate the Building Official as the enforcing agency to discharge the floodplain management responsibility of the City of Jackson, Jackson County, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

The City adopted a Flood Damage Prevention Ordinance in 1977 under Code of Ordinances, Chapter 11. Federal regulations have changed over the years and may require additional provisions that are contained in the Michigan Building Code, more formally known as the Stille-DeRossett-Hale Single State Construction Code, Act 230 of the Public Acts of 1972, MCL 125.1501 et seq. The City has previously adopted the Stille-DeRossett-Hale Single State Construction Code and accepted the responsibility to be the enforcing agency of that code. See Chapter 5, Article III, re-adopted on January 24, 2006. However, to ensure that the City has accepted the responsibility as it applies to floodplain management, this Article is adopted.

Section 2. That Chapter 5, Article VIII of the Code of Ordinances, City of Jackson, Michigan be added and to read as follows:

**ARTICLE VIII – FLOODPLAIN MANAGEMENT**

**Sec. 5-141. Assumption of Responsibility.**

The City of Jackson hereby expressly assumes responsibility for the administration and enforcement of the Michigan Building Code related to floodplain management as contained within the Stille-DeRossett-Hale Single State Construction Code Act, Act 230 of Public Acts of 1972, MCL 125.1501 et seq (State Construction Code) including all of its references, incorporations, supplements, and appendices and any amendment to the State Construction Code as may occur from time to time. The City assumes this responsibility for the administration and enforcement of said Act through out the corporate limits of the City of Jackson.

The Building Official of the City of Jackson is designated as the enforcing agency to discharge the responsibility of the City of Jackson under the State Construction Code.

**Sec. 5-142. Code Appendix Enforced**

Pursuant to the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code will be enforced by the Building Official for the City of Jackson.

**Sec. 5-143. Designation of Regulated Flood Prone Hazard Areas.**

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled Flood Insurance Study Jackson County, Michigan (All Jurisdictions) with an effective date of May 3, 2010 and the Flood Insurance Rate Map(s) (FIRMS) with an effective date of May 3, 2010 as follows:

Panel Number	Panel Number
26075C0193D	26075C0194D
26075C0215D	26075C0306D
26075C0307D	26075C0308D
26075C0309D	26075C0326D

are adopted by reference, together with any future FEMA amendment to each of these FIRMS, for the purposes of administration of the Michigan Building Code and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the contents of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

**Sec. 5-144. Copies to be made available for public inspection.**

Copies of the State Construction Code and Michigan Building Code shall be available for public inspection during normal business hours in the department of community development offices.

Copies of the FEMA Flood Insurance Study and Flood Insurance Rate Maps shall be available for public inspection during normal business hours in the department of engineering office.

**Sec. 5-145. Fees.**

Pursuant to the authority contained in Section 22 of the State Construction Code as last amended, the fees for this Article shall be as established by resolution of the City Council.

**Sec. 5-146. Repeals.**

This Ordinance does not repeal Chapter 11 (Flood Damage Prevention) or Chapter 28 (Zoning) of the Code of Jackson; however, if any inconsistency arises between Chapter 11 or Chapter 28 and this Ordinance, this Ordinance and the State Construction Code will govern the issue subject to any necessary review required of the Planning Commission under Chapter 11 or Chapter 28. In all other respects, any ordinance that is inconsistent with this Ordinance is repealed.

**Sec. 5-147. Severability**

If any provision of this Ordinance is unenforceable, the remainder is unaffected.

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

OFFICE OF THE



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

**Julius A. Giglio**  
*City Attorney*

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

**CITY ATTORNEY**

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Susan G. Murphy, Deputy City Attorney

RE: City of Jackson Floodplain Management

DATE: March 31, 2010

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Attached for your consideration is the Resolution for the Federal Emergency Management Agency (FEMA). Please recall this proposed Resolution was included in your March 16<sup>th</sup> agenda packet as part of the Floodplain Management Ordinance. The final reading of the Floodplain Management Ordinance, Ordinance No. 2010.05, is on your April 13, 2010 meeting agenda.

Please place this Resolution on your April 13, 2010 Agenda following action on Ordinance 2010.05 for:

Consideration of a Resolution to Manage Floodplain Development For the National Flood Insurance Program.

Please call me with questions.

cc: Julius A. Giglio, City Attorney  
Christopher W. Lewis, Interim City Manager  
Jon Dowling, Director of Engineer & Public Works  
Carol Konieczki, Director of Community Development  
Frank Donovan, Building Official

**CITY OF JACKSON RESOLUTION TO**  
**MANAGE FLOODPLAIN DEVELOPMENT**

**FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

**WHEREAS**, the Community of City of Jackson, Jackson, Michigan currently participates in the Federal Emergency Management Agency's (FEMAs) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

**WHEREAS**, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions, which also apply for the purposes of this resolution:

1. Flood or Flooding means:
  - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
  - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the FEMA, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E. (This is to be included only if the FEMA has issued a FHBM for the community).
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

**WHEREAS**, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G if adopted by the community)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3; and

**WHEREAS**, by an ordinance adoption action dated January 24, 2006 and April 13, 2010, the community accepted the responsibility to administer, apply, and enforce the provisions of the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all construction within its community boundaries;

**NOW THEREFORE**, to maintain eligibility and continued participation in the NFIP,

1. The community directs its designated enforcing agent for the construction code act, the City of Jackson Building Official, to administer, apply, and enforce the floodplain management regulations as contained in the state construction code (including Appendix G, if adopted) and to be consistent with those regulations by:
  - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area and areas with potential flooding.
  - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
  - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the construction code act enforcing agent shall implement the following applicable codes according to their terms:
    1. Floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.
    2. Floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.
    3. Appendix G of the current Michigan Building Code, if adopted.
  - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.

- e. Assisting in the delineation of flood hazard areas; providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining floodproofing and lowest floor construction records, cooperating with other officials, agencies, and persons for floodplain management.
  - f. Advising FEMA of any changes in community boundaries, including appropriate maps.
  - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevations to which structures have been floodproofed.
2. The community assures the Federal Insurance Administrator (Administrator) that it intends to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to continue to participate in the program.
  3. The community further assures the Administrator that it has adopted the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation. See Ordinance 2010.05.

Community: City of Jackson Date Passed: \_\_\_\_\_

Officer Name: Karen Dunigan Title: Mayor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: Lynn Fessel Title: City Clerk

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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 \_\_\_\_ day of \_\_\_\_\_, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
 City Clerk



## 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: March 17, 2010  
FROM: Carol L. Konieczki, Community Development Director  
SUBJECT: Building Inspection Division Fee Adjustment Request 2010

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At the February 9, 2010 City Council meeting, action was taken to refer the proposed revision of the Building Inspection permit and ordinance related activity fee schedule to the Council Finance Committee for review and recommendation.

Council is clearly aware of the fiscal strain on the general fund budget. Each year the Building Inspection Division has benefited from a substantial contribution from the General Fund in order to continue to operate and provide services to City residents. Building Inspection staff has conducted a critical analysis of the permit fee schedule as well as Ordinance related activities. The fees to be considered are "user fees" that will be paid by the individual(s) receiving the service. Currently, every taxpayer in the City is subsidizing a portion of the cost of a permit for a property owner to improve their property or the cost of an ordinance enforcement action. By adjusting the fee schedule, the individual property owner will bear the full responsibility of the permit and inspection fees.

The Community Development Department/Building Inspection Division is committed to providing residents and businesses with a high level of customer service, whether it is a property improvement or an ordinance related activity. Furthermore, it is the goal of the Department to reduce the impact on the General Fund for the cost of delivering these services.

On March 16, 2010, the Finance Committee considered the Building Inspection Division Fee Adjustment request, and recommended it be referred back to City Council for action at the March 23, 2010 regularly scheduled Council meeting.

Please find attached a copy of the Building Inspection Division Fee Adjustment Schedule. Action requested by City Council is to adopt the revised fee schedules with an effective date of April 1, 2010.

Cc: Frank Donovan, Building Code Official



# 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

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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
<b>TOTAL ESTIMATED INCREASE IN REVENUE</b>	<b>\$178,004.00</b>

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>
<b>MEETING</b>						
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
<b>COMPLAINT INVESTIGATIONS</b>						
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
<b>CITATIONS ISSUED</b>						
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
<b>AHB</b>						
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
<b>NUISSANCE PROPERTIES (Number of Inspectors)</b>						
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
<b>TOTAL</b>	3984	2,215.00	1,685.75	\$187,130	\$78,110	
<b>Current Revenue Generating Services</b>						
<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	
<b>TOTAL</b>	539	\$310	\$390	\$38,075	\$43,870	
<b>GRAND TOTALS</b>				\$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
<b>Building</b>							
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
<b>Average Building Permits</b>	806	N/A	N/A	N/A	\$167,904	\$226,897	\$58,993
<b>Electrical</b>							
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
<b>Average Electrical Permits</b>	391	N/A	N/A	N/A	\$53,983	\$66,872	\$12,889
<b>Mechanical</b>							
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
<b>Average Mechanical permits</b>	343	N/A	N/A	N/A	\$36,162	\$46,880	\$10,719
<b>Plumbing</b>							
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
<b>Average Plumbing Permits</b>	313	N/A	N/A	N/A	\$21,358	\$32,857	\$11,499
<b>Other</b>							
Sale of Property	5	\$280	\$280	\$0	\$1,400	\$1,400	\$0
<b>Grand Total</b>	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
	<b>Total Permit and Ordinance Services</b>	<b>355,280.00</b>	-	<b>52,410.54</b>	<b>32,869.46</b>	<b>61.46%</b>
249-000-000-699.101	Contribution from General Fund	132,248.00	-	-	132,248.00	0.00%
	<b>Total Revenue</b>	<b>487,528.00</b>	-	<b>169,626.74</b>	<b>317,901.26</b>	<b>34.79%</b>

**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%
	<b>Total Personal Services</b>	<b>352,203.00</b>	-	<b>168,535.46</b>	<b>183,667.54</b>	<b>47.85%</b>
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%
	<b>Total Materials &amp; Supplies</b>	<b>9,255.00</b>	-	<b>3,513.89</b>	<b>5,741.11</b>	<b>37.97%</b>
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%
	<b>Total Contractual &amp; Other</b>	<b>124,570.00</b>	<b>24,820.00</b>	<b>38,798.73</b>	<b>60,951.27</b>	<b>31.15%</b>
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
	<b>Total Capital Outlay</b>	<b>1,500.00</b>	-	-	<b>1,500.00</b>	<b>0.00%</b>
	<b>Total Expenditures</b>	<b>487,528.00</b>	<b>24,820.00</b>	<b>210,848.08</b>	<b>251,859.92</b>	<b>43.25%</b>

**Julius A. Giglio**  
*City Attorney*

**Susan G. Murphy**  
*Deputy City Attorney*

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

**OFFICE OF THE**



**CITY ATTORNEY**

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

**MEMORANDUM**

**TO:** Honorable Mayor and City Council

**FROM:** Julius A. Giglio, City Attorney

**DATE:** April 1, 2010

**SUBJECT:** Carnegie District Option, Purchase, and Development Agreements

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Attached please find Carnegie District Option, Purchase, and Development Agreements which have been executed by Patrick Gillespie on behalf of Carnegie Place, LLC. As Council will remember, these documents were approved by Council at the February 9, 2010 Council meeting. Thereafter, all documents were forwarded to Mr. Gillespie for his review and execution. Mr. Gillespie requested some changes to the documents originally approved by Council. Accordingly, we thought it best to resubmit the final executed documents to Council for your final review and approval.

The changes to the documents are as follows:

Option Agreement

1. Changed title to "Exclusive" Option Agreement.
2. Paragraph 1 of the Agreement now indicates the City is granting an "exclusive" option to purchase and acquire the property.
3. Paragraph 11. We added language that states Purchasers are informed the City entered into a parking agreement on October 19, 2005 with MiraMed Properties, LLC, and that the MiraMed Agreement pertains to a portion of the property to be acquired by Purchasers. New language further provides that if Purchaser exercises option, City will terminate the MiraMed Parking Agreement pursuant to the terms contained therein.

The last paragraph of the Option provided that, "This Option shall be in effect until February 9, 2015, contingent upon annual renewal by Seller," (Emphasis added). Even though the Option Agreement was for a five year duration, the Purchaser was required to renew the option annually. At the Purchaser's request, we have deleted the annual renewal requirement. (Purchaser informed us they did not realize this provision was in the Option).

The other real estate documents contain minor changes pertaining to dates being corrected. However, we thought that the changes to the Option Agreement were such that we should resubmit all documents to Council for final approval prior to execution by the Mayor and Clerk.

The requisite action is to approve the amended Option, Purchase, and Development Agreements between the City and Carnegie Place, LLC, authorize the Mayor and Clerk to sign the Agreements, and allow staff to make minor modifications and take all other actions necessary to effectuate a closing on the property.

If you have any questions, please contact me.

JAG/dn

Enc.

cc: Christopher Lewis  
Acting City Manager

Carol Konieczki  
Director of Community Development

## EXCLUSIVE OPTION AGREEMENT

This Agreement is made on 9th 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 Exclusive 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 9, 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 9, 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 has been provided a copy of a certain Parking Agreement dated October 19, 2005, between Seller and MiraMed Properties, LLC, that pertains to a portion of the Property. In the event Purchaser exercises its option to purchase the portion of the Property affected by said Parking Agreement, Seller will terminate the Parking Agreement, pursuant to the terms contained therein. 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".

SELLER  
City of Jackson

\_\_\_\_\_  
By:  
Its:

PURCHASER  
Carnegie Place, LLC

*Patrick K. Gillespie*  
\_\_\_\_\_  
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 <sup>00</sup>/<sub>100</sub> 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 31<sup>st</sup> 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.

8. 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 *for the purchase price paid for the property.*

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.

9. 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.

10. 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.

11. 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.

12. DEFAULT SELLER. In the event of default by Seller of any terms herein, Purchaser may, at is option, declare the Purchase Agreement terminated, or elect to enforce the terms hereof.

13. "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.

14. 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.

15. 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 MDNRE.

Purchaser's obligation to close this transaction is expressly conditioned upon Purchaser's receipt of the MDNRE's approval of the Baseline Environmental Assessment to be submitted to the MDNRE, pertaining to the Property and the MDNRE'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 MDNRE, 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 MDNRE.

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 MDNRE 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.

16. TIME. The Parties specifically declare and agree that time is of the essence in this Agreement.

17. 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.

18. AMENDMENT. Neither this Agreement nor any provisions hereof may be changed, amended, modified, waived or discharged 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.

19. 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.



WITNESSES

\_\_\_\_\_

PURCHASER

CARNEGIE PLACE, LLC

By: Patrick K. Gillespie

Patrick K. Gillespie

Its: Member

STATE OF MICHIGAN }  
                                  } ss.  
COUNTY OF JACKSON }

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2009, 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:

F:/jbrooks/Gillespie/Carnegie/5.12.08 draft purchase 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 9, 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 for the purchase price paid for the property .

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 five(5) 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 February 9, 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  
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 \_\_\_\_\_



## 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: April 7, 2010

SUBJECT: Furlough Days – Closure of City Hall

As you know, all employees are now taking unpaid furlough days and will continue to do so in FY2011. This will range from five days for non-union employees to as many as 21 days for MAPE members. This significant reduction in “man-hours” will obviously impact the delivery of services. To ease the strain of scheduling these days, I have discussed the possibility of closing City Hall and the Department of Public Works on designated “furlough” days, and there is strong support for doing so among department heads. Non-essential personnel at Water and Wastewater would also participate in these designated furlough days. This would also save utility and fuel costs in addition to sending a message to the public that budget constraints are impacting city services.

I propose that the City Council approve the closure of City Hall on the following days:

Friday, July 9, 2010

Friday, August 6, 2010

Friday, September 17, 2010

Friday, October 15, 2010

Friday, April 15, 2011



## 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: April 7, 2010  
SUBJECT: Authorization for the Fire Department to accept the "Assistance to Fire Fighters" Grant from the Federal Emergency Management Agency (FEMA)

The Fire Department has been awarded a FEMA grant in the amount of \$140,778 to purchase new self-contained breathing apparatus' (SCBA). There is a required ten percent (10%) match by the City which is \$14,077. Chief Beyerstedt plans to sell the old apparatus' to cover a portion or all of this cost.

I ask that the Council authorize the Fire Department to accept this grant.

CWL:skh

Attachment

U.S. Department of Homeland Security  
Washington, D.C. 20472



# FEMA

Chief Michael Beyerstedt  
City of Jackson Fire Department  
518 N. Jackson Street  
Jackson, Michigan 49201-1223

Re: Grant No.EMW-2009-FO-05825

Dear Chief Beyerstedt:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2009 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$140,778.00. The Federal share is 90 percent or \$126,701.00 of the approved amount and your share of the costs is 10 percent or \$14,077.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you request and receive any of the Federal grant funds awarded to you.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval from FEMA.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the awards process or how to request your grant funds, please call the helpdesk at 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Manning".

Timothy W. Manning  
Deputy Administrator for National Preparedness and Protection

Agreement Articles



**FEMA**

U.S. Department of Homeland Security  
Washington, D.C. 20472

**AGREEMENT ARTICLES**

**ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Operations and Safety program**

**GRANTEE: City of Jackson Fire Department**

**PROGRAM: Operations and Safety**

**AGREEMENT NUMBER: EMW-2009-FO-05825**

**AMENDMENT NUMBER:**

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Article I	Project Description
Article II	Grantee Concurrence
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Article IV	Amount Awarded
Article V	Financial Guidelines
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**Article I - Project Description**

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the grantee's project submitted as part of the grantee's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the program's purpose and worthy of award. Therefore, the grantee shall perform the work described in the approved grant application as itemized in the request details section of the application and further described in the grant application's narrative. These sections of the application are made a part of these grant agreement articles by reference. The grantee may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval from FEMA.

**Article II - Grantee Concurrence**

By requesting and receiving Federal grant funds provided by this grant program, the grantee accepts and agrees to abide by the terms and conditions of the grant as set forth in this document and the documents identified below. By receiving funds under this grant, grantees agree that they will use the funds provided through the Fiscal Year 2009 Assistance to Firefighters Grant Program in accordance with these Articles of Agreement and the program guidelines provided in the Fiscal Year 2009 Assistance to Firefighters Grants program guidance. All documents submitted as part of the application are made a part of this agreement by reference.

**Article III - Period of Performance**

The period of performance shall be from **19-MAR-10 to 18-MAR-11**.

**Article IV - Amount Awarded**

The amount of the award is detailed on the Obligating Document for Award attached to these articles. Following are the budgeted estimates for each object classes of this grant (including Federal share plus grantee match):

Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$140,778.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
Total	\$140,778.00

**NEGOTIATION COMMENTS IF APPLICABLE** (max 4000 characters)

The Program Office has made the following reductions to the grant:

SCBAs are approved at \$5,250 each. Therefore, the recommended award is: Total Budget - \$140,778; Federal Share - \$126,701; and Applicant Share - \$14,077.

**Article V - Financial Guidelines**

The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to FEMA grants are listed below:

*A. Administrative Requirements*

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110)

*B. Cost Principles*

1. 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Cost Principles for Nonprofit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

*C. Audit Requirements*

1. OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations

**Article VI - Prohibition on Using Federal Funds**

Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.

**Article VII - GPD Allocations**

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2009 Assistance to Firefighters Grant Program guidance and application kit.

**Article VIII - Financial Reporting**

The grantee must complete an on-line, semiannual financial status report to meet FEMA requirements. Semiannual financial reports are due within 30 days of the end of every six month period for the life of the grant. At the end of the performance period, or upon completion of the grantee's final program narrative, the grantee must complete an on-line final financial status report that is required to close out the grant. If a grantee's performance period is extended beyond the initial 12-month period, a periodic performance report is due every six month increment until closeout.

**Article IX - FEMA Officials**

**Program Officer:** Tom Harrington is the Program Officer for the Assistance to Firefighters Grant Program. The Program Officer is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application.

**Grants Assistance Officer:** Andrea Gordon is the Assistance Officer for this grant program. The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters.

**Grants Management Division POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1a. AGREEMENT NO. EMW-2009-FO-05825	2. AMENDMENT NO. 0	3. RECIPIENT NO. 38-6004701	4. TYPE OF ACTION AWARD	5. CONTROL NO. W468977N
6. RECIPIENT NAME AND ADDRESS City of Jackson Fire Department 518 N. Jackson Street Jackson Michigan, 49201-1223	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 POC: Andrea Gordon	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER Michael Beyerstedt	PHONE NO. 5177884150	10. NAME OF PROJECT COORDINATOR Tom Harrington	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 19-MAR-10	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:19-MAR-10 To:18-MAR-11	

Budget Period  
From:01-OCT-09 To:30-SEP-10

15. DESCRIPTION OF ACTION  
a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMMULATIVE NON-FEDERAL COMMITMENT
AFG	97.044	2010-M9-3120GF-25000000-4101-D	\$0.00	\$126,701.00	\$126,701.00	\$14,077.00
TOTALS			\$0.00	\$126,701.00	\$126,701.00	\$14,077.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) N/A	DATE N/A
--	-------------

18. FEMA SIGNATORY OFFICIAL (Name and Title) Andrea Gordon	DATE 15-MAR-10
---	-------------------

[Go Back](#)



## Community Development

161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

April 7, 2010

**TO:** Christopher W. Lewis, Interim City Manager

**FROM:** Carol L. Konieczki, Community Development Director  
Tom Steiger, Superintendent of Forestry and Grounds

**RE: City of Jackson Community/Urban Gardening Program**

---

On April 21, 2009, City Council approved the development of a City Urban Gardening Program to mirror a similar program ("Garden for Growth"), announced in the fall of 2008 by Governor Jennifer M. Granholm, enabling residents to use tax-reverted property to create urban gardens. The program not only encourages urban revitalization, but supports the Governor's urban food initiative by making fresh and healthy foods available to city dwellers.

Last year, after the program was announced, we had varying levels of interest, but no "takers." The potential participants said they would be interested, but expressed concern:

- Was the City going to prepare the soil for them?
- Was the City going to supply the water?
- How was the City going to keep people from stealing from the garden?

This year, there has been a more organized effort to develop community based gardens. Several new groups have approached the Community Development Department expressing interest in using the vacant city lots for the purpose of gardening. Each year, the City is responsible for maintaining these properties; the cost to mow all City owned properties, including vacant lots and properties with structures, was \$15,132 in FY 06/07, which was the last year lot maintenance was contracted out. In the last few years, DPW has provided maintenance on the City-owned properties, which was charged to the General Fund. By allowing these lots to be used for Community/Urban Gardening, it not only provides a means for residents to grow their own food, it is also a cost savings to the City by not having to maintain overgrown, weed-infested vacant lots.

The City owns many tax reverted properties; however, not all are candidates for the Community/Urban Gardening Program. We have identified 80 "tillable" vacant lots that could be put into "agriculture" production. Urban Gardening is a term that has been adopted throughout the country where vacant lots are put back to productive reuse in the community. It not only strengthens and stabilizes the neighborhood, it also creates an opportunity for neighborhood residents to bond and share their gardening experience, along with the fruits of their labor at harvest. Simply put, it improves the quality of life for many residents.

During these difficult economic times, this is a wonderful opportunity for the City to share the use of its excess property with residents wishing to supplement their food supply with home-grown fruits and vegetables. The program is growing from a grass roots effort of citizens interested in establishing a community gardening program. Currently, the group does not have an official title, but is being referred to as the Jackson Community Gardening Committee. The group meets the second Monday of each month at 224 W. Wilkins, (Make a Difference House) to discuss gardening issues. Several volunteer organizers have offered their support and

expertise to assist anyone interested in participating in an organic, sustainable, "back-to-the-earth" gardening program.

The Urban Gardening program proposes to transform vacant tax-reverted and often overgrown properties, into gardens that will beautify and strengthen local neighborhoods. The Community Development Department encourages and supports this effort, and requests permission once again for City residents to utilize vacant City lots for the purpose of developing an organic, chemical-free Community/Urban Gardening program.

Many cities have adopted similar programs and have had the assistance of a non-profit agency to administer the program. Currently, there is not an agency taking on this responsibility; therefore, we have developed program guidelines that will assist City gardeners in their quest to develop an urban garden. Until such time as a non-profit is willing to accept responsibility for the program, these guidelines will remain in place.

Again, the program will be advertised and on the City website with the list of available properties. Properties will be available to residents on a first-come, first-serve basis. Participants will be asked to complete an application form, and sign a lease for the growing season at a cost of \$30.00, which will be refundable at lease end after the lot has been cleaned of all planted vegetation. Community/Urban Gardening participants will be asked to have the soil tested for lead content (estimated cost of approximately \$20), accept responsibility for lot maintenance, liability, prohibit the use of toxic garden chemicals, and limit soil augmentation to organic materials

Successful gardeners may eventually choose to purchase their parcel, if they later decide that they want a permanent garden at a particular location. Any type of gardening or agricultural activities will qualify for the Community/Urban Gardening program, as long as the plants/flowers are not illegal and do not violate local zoning codes.

Since this program is still in the stage of formation, it is anticipated a few hiccups and bumps will occur, but the overall concept is strong, which is to put unused property back to useful production to benefit City residents.

The concept of Community/Urban Gardening has been embraced by the corporate world as well; ACO Hardware store Manager, Wayne Burns contacted the Community Development Department several weeks ago to donate items to the Community/Urban Gardening Program. We met with Mr. Burns last week to discuss their generous \$200.00 donation of goods that will include: hand tools, seeds, gloves, shovels, rakes, etc., to support the gardening groups efforts.

Additionally, the City provides one free cubic yard of compost to all City residents for their individual gardens. The compost is made from leaves collected from City streets each fall. Therefore, returning these leaves to vacant City lots is "recycling" at its best. We would literally be returning the leaves back to our neighborhoods, improve soils, create gardens, and improve upon our community.

Requested action by City Council is to provide, at no charge, an adequate amount of City compost to encourage organizations to adopt these vacant lots and develop community gardens, and to adopt the Community/Urban Gardening Program guidelines for vacant City-owned lots to be used by City residents, and authorize the City Attorney to make minor modifications to program documents if necessary.

CC: Julius Giglio

**City of Jackson, Michigan**  
**COMMUNITY/URBAN GARDENING PROGRAM**

**MANUAL FOR DEVELOPMENT**

**INTRODUCTION**

Congratulations! We are pleased that you would like to work with us to start a community garden in your neighborhood. The City of Jackson is helping to promote and expand the greening efforts in our city by providing valuable outdoor space for people in Jackson to garden together.

Designing, planting, and caring for a garden can yield very rewarding results. Gardening gives us opportunities to be active, creative and social, as well as to establish a direct connection with nature. Gardening promotes good overall fitness and health.

In order to form a community garden, the following five-step process must be completed by your group. Use this detailed manual as your guide along with the Checklist which outlines the five steps.

**DEFINITION**

A City of Jackson Community/Urban Gardening Program is defined as:

An assigned space that is reserved solely for the use of an organized group of community members or individuals for the purpose of growing ornamental or edible plants. The community gardening group or individual is solely responsible for all necessary maintenance of this space.

**STEP ONE: FORMING THE GROUP**

Creating a community garden is a grass-roots operation; in effect you will become garden developers. This is a long-term responsibility which will require support, and dedicated, on-going commitment by all members of the community gardening group.

Residents of Jackson who would like to develop a community garden in their neighborhood park should organize themselves as a garden club or group (Group). As a public agency, the City of Jackson requires inclusiveness; anyone interested in joining the Group is to be fairly considered.

The Group should appoint a liaison, or group leader, who will serve as the Group's representative to the City of Jackson and to the public. The liaison will be responsible for organizing and monitoring all garden activities, as well as scheduling, attending to present and discuss the proposed community garden. It would be beneficial for your group to participate in the Community/Urban Gardening Group monthly meeting that takes place at the second Monday of the month at 224 W. Wilkins, Make-A-Difference House.

**STEP TWO: DEFINING THE GARDEN TYPE & LOCATION**

**DEFINE THE GARDEN TYPE**

- 1 **Ornamental Gardens**: Includes annuals, perennials, small shrubs, etc., with no plants intended

for use as food. Ornamental gardens may be planted directly into existing soil.

2 **Edibles Gardens:** Includes plants for use as food and be planted in raised beds. \***Raised beds are new, clean soil, special liner, etc.**

3 **Combination Gardens:** Includes ornamental plants and plants intended for use as food. Combination gardens **must also be planted in raised beds.\***

**SELECTING THE LOCATION**

Consider these factors which must be used in identifying and defining a site for a proposed Community Garden:

- 1 Confirm with the Community Development Department that the specific location is owned by the City of Jackson.
- 2 Does the Group/Individual want to garden in **existing** garden beds or to create a **new** garden space?
- 3 Look for any under-utilized sections which will not interfere with existing uses.
- 4 Is the space large enough to accommodate the garden bed(s), if creating a new garden?
- 5 Consider sun exposure and shade from buildings, trees, etc. Full sun to mostly sunny is best.
- 6 Is it a reasonable distance to restroom facilities or water sources? **The use of fire hydrants is not an option.**
- 7 After deciding on a site, inform the Community Development Director of your selection.

**STEP THREE: APPLICATION**

Upon completion of Steps One and Two, submit an Application) to the designated department.

For an Ornamental community garden:	For an Edibles or Combination community garden:
<b>City of Jackson,</b> <b>Community Development Department</b> 161 W. Michigan Ave, 3rd Fl. Jackson, MI 49201  Attn: Community Garden Application	<b>City of Jackson,</b> <b>Community Development Department</b> 161 W. Michigan Ave, 3rd Fl. Jackson, MI 49201  Attn: Community Garden Application

- Please keep in mind that not all lots are available for community gardening.
- All application forms received will be reviewed on a first come, first serve basis.
- Group’s liaison will then receive an Application Approval Letter from the Community Development Director directing you to proceed to Step 4 **OR** a request for more information.

## **STEP FOUR: LETTER OF COMMITMENT**

The most important aspect of successful community gardening is an on-going community support and communication between the community and the city. Listed below are the responsibilities and guidelines the Group must adhere to:

### **GARDEN/PLOT MAINTENANCE**

The Group is entirely responsible for the maintenance of the garden. Keep in mind that the space allocated is on public land and must always be actively maintained. The Group or person is to provide the City of Jackson with a schedule outlining maintenance procedures, spring prepping, and fall winterizing.

Pathways and areas should be mulched and maintained by the group. The City of Jackson will not do any maintenance within the Community Garden itself.

Through the City of Jackson's independent observation, if the space is deemed unsightly, weedy or unkempt, the designated liaison will be given two separate warning notices both via two different means (for example, phone call and letter through the mail) each time. If the problem continues thereafter, the agreement will be revoked and the Group will be responsible for proposing a plan to restore the garden to the city's satisfaction.

### **WATER**

Please conserve water!!! The water supply the responsibility of the group/person engaged in gardening. Washing of cars or other personal non-garden related activities on the site is prohibited.

### **ORGANIC PRACTICES**

It is strongly recommended that all cultivating practices be organic; to the extent possible only organic fertilizers should be applied in edibles gardens.

### **PEST & DISEASE CONTROL AND CHEMICALS**

Only organic means of disease and pest control may be used.

### **COMPOSTING**

Composting is encouraged, but only that which is organic and will decompose (e.g. plant material, fruit peels/cores). Avoid rodent-attracting foods such as rice, bread, meat, or grease. Inorganic or non-plant materials such as plastic, metal, kitty litter, feces, or any large or thorny branches are not suitable for compost. The compost must be contained in a manner approved by the City of Jackson Composting Ordinance, such as a tumbler or open cage.

### **STRUCTURES AND SIZABLE LANDSCAPE MATERIAL**

Structures such as trellises, walls, and permanent fences, or sizable plant material are not allowed.

### **MONITORING THE COMMUNITY GARDEN**

The community, especially Group members, shall continually monitor the Community Garden for quality control and good management practices.

### **MANAGEMENT**

Frequent communication with the City of Jackson regarding management of the Community Garden is required. If problems occur, the City should be informed.

#### **NEW MEMBERS**

The Group shall inform new members of the Community Garden rules and regulations; stressing the importance of ongoing maintenance. The group must follow a transparent membership process open to all. As a public agency, City policy requires inclusiveness; anyone interested in joining the Group is to be fairly considered.

#### **LIABILITY**

The City of Jackson is not responsible for the garden itself; or to anything in or pertaining to the garden. Each member of the gardening group must sign a waiver of liability.

#### **FUNDRAISING**

The Group may organize fundraising events to finance needs of the Community Garden such as a compost bin, water hoses, plants, etc.

#### **SIGNAGE**

Each Community Garden will have a sign indicating the name of the Community Garden Group and other information as required by the City of Jackson. Signage to be provided by the City of Jackson.

#### **VEHICLES**

The parking or driving of motorized vehicles by any gardening group on walkways, restricted-access drives, lawn areas, under trees, or within landscaped areas of the garden lot is strictly forbidden.

#### **PROHIBITED ACTIVITIES**

- **Littering, dumping, alcohol consumption** and other unlawful activities.
- **Amplified sound**
- **Pets** are not allowed in the garden.
- **Ball playing** or other forms of active recreation.
- **Vehicular traffic** inside the garden lot.

#### **GARDEN TERMINATION**

If the Group decides to no longer maintain their space, they must immediately notify the City of Jackson Community Development Department. Group will be responsible for proposing a plan to restore the garden.

#### **QUALITY ASSURANCE**

A representative may attend a neighborhood association meeting to review the successes or challenges experienced by the Community Gardeners.

#### **SIGN LEASE**

Leases may be renewed annually.

#### **FINISH: INSTALLATION OF THE GARDEN**

After the City of Jackson has accepted your signed Letter of Commitment, Liability Waivers, and

approved application, it's time to install the garden.

**IMPORTANT:** Community Gardens are based annually and you must renew each year. Leases can be signed for longer terms, renewed annually.

This is a big responsibility and we are pleased to be in this venture together and wish your group great success. Congratulations on a successful Gardening endeavor.

**City of Jackson**  
**COMMUNITY/URBAN GARDENING PROGRAM**  
**APPLICATION FORM – NEW GROUP**

**PART 1:**

**Garden Group Name:** \_\_\_\_\_ **Date** \_\_\_\_\_

Is this a new garden group? YES or NO      How many active members to date? \_\_\_\_\_

Address: \_\_\_\_\_

**Liaison/Primary Organizer's Name:** \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

*\*The Primary & Alternate contacts may not be in the same immediate family and may not reside at the same address.*

**Alternate Contact's Name:** \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

**PART 2:**

Our Group would like to garden with (check one):

- Ornamentals only       Edibles only       Combination of Ornamentals & Edibles

Describe in detail, the location where your Group would like to garden. Example: "Our location of interest is at the corner of 61<sup>st</sup> St. & Cornell Ave,...." Parcel/Lot #: \_\_\_\_\_

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

**\*AN EXISTING WATER SOURCE IS KEY TO THE SUCCESS OF THE GARDEN. The use of fire hydrants is not an option.**

Describe type of water source and location: \_\_\_\_\_

\_\_\_\_\_

**PART 3**

Please make sure that all required documents are completely & accurately filled out to avoid a delay in processing. If necessary, we may require additional information upon request.

Please mail this completed form to:

City of Jackson  
Community Development Department  
Community/Urban Gardening Program  
161 West Michigan Avenue, 3<sup>rd</sup> Floor  
Jackson, MI 49201

**City of Jackson**  
**COMMUNITY/URBAN GARDENING PROGRAM**  
**Liability Waiver**

*The City of Jackson is not responsible for the garden itself; or to anything in or pertaining to the garden. Each member of the gardening group must sign this Waiver of Liability.*

**INDEMNIFICATION AND WAIVER OF PARTICIPANT**

I, \_\_\_\_\_, acting as a voluntary participant, and for no other purpose, in the City of Jackson Community/Urban Gardening Program ("Program"), do hereby attest that I have read the materials contained in the application packet and understand the contents thereof.

With this understanding, I hereby agree as follows:

That I, \_\_\_\_\_, shall save and hold harmless the City of Jackson, its officers, councilpersons, commissioners, employees, agents, volunteers, successors and assigns ("City") from any and all personal injuries (including death), property damages, losses, suits, costs (including reasonable attorneys' fees), claims, damages, expenses, judgments, liabilities, or liens, arising directly or indirectly from my participation in the Program during the term stated herein or any renewal thereof, from the conduct or management of the Program or my participation therein, from the parties' activities under this Agreement, or from any landscaping, gardening, planting, preparation or other work or labor performed at the location (as determined in conjunction with the terms outlined in the program manual) caused to be performed by any other participant in the Program unless the above mentioned injuries, damages or losses result from the sole negligence of the City.

I further understand that my participation in the Program is voluntary and conducted in concert with the rules and regulations of the City of Jackson Community/Urban Gardening Program and failure to follow the terms contained in the attached Program documents shall result in my immediate dismissal from the Program. I hereby waive any and all claims and causes of action resulting from my failure to follow the rules and procedures governing the Program.

\_\_\_\_\_  
Community/Urban Garden Participant (signed)

\_\_\_\_\_  
Community/Urban Garden Participant (printed)

\_\_\_\_\_  
Date

# City of Jackson

## COMMUNITY/URBAN GARDENING PROGRAM

### Site & Usage Survey

#### INSTRUCTION

This survey will determine the existing conditions near the proposed Community Garden site by identifying site location and potential conflicting uses.

Please be informed that...

- City of Jackson must accompany you on the first survey visit to discuss your garden project.
- If any part of the required written proposal documents is incomplete and/or insufficient, you will be required to resubmit the documents. This will delay your group's application process.

All completed documents, as outlined in the Manual, should be sent as a package to:

**City of Jackson, Community Development Department**

161 W. Michigan Avenue, 3<sup>rd</sup> Floor

Jackson, MI 49201

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#### SURVEYOR'S INFORMATION

Garden Group: \_\_\_\_\_ Interested in: *Ornamentals garden or Edibles garden or Both*

Lot: \_\_\_\_\_ Street: \_\_\_\_\_

Garden Supervisor Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Zip \_\_\_\_\_

**THE PROPOSED GARDEN AREA**

**Location Description**

- Describe location of the proposed garden area (area) within the property (i.e., NW corner of Michigan and West, Lot/Parcel Number) \_\_\_\_\_

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**OTHER COMMENTS:** \_\_\_\_\_

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**City of Jackson**  
**COMMUNITY/URBAN GARDENING PROGRAM**  
**Letter of Commitment**

Congratulations! After agreeing to abide by the following Community/Urban Gardening Program terms, your group will be accepted and ready to begin. Please read this document carefully, making sure that all members of your group understand and agree to the terms listed below. Finally, sign this Letter of Commitment formalizing your agreement with the City of Jackson.

The most important aspect of successful community gardening in a park is ongoing community support and communication between the community and the City of Jackson. Listed below are the responsibilities and guidelines the group/individual must adhere to, and the community must support.

**GARDEN/PLOT MAINTENANCE**

The group/individual is entirely responsible for the maintenance of the Community Garden. Keep in mind that the space allocated is on public land and must always be actively maintained. The group/individual is to provide the City of Jackson with a schedule detailing routine maintenance procedures, spring prepping, and fall winterizing.

Pathways and areas between Garden Beds must be mulched and maintained. The City will not do any maintenance within the garden itself.

Through the City of Jackson's independent observation, if the space is deemed unsightly, weedy or unkempt, the designated liaison will be given two separate warning notices both via two different means (for example, phone call and letter through the mail) each time. If the problem continues thereafter, the agreement will be revoked and the group/individual will be responsible for proposing a plan to restore the garden to parkland to the satisfaction of the City of Jackson.

**WATER**

Please conserve water!!! The water supply is **ONLY** to be used by gardeners caring for their assigned areas. Washing of cars or other personal non-garden related activities is prohibited.

**ORGANIC PRACTICES**

It is strongly recommended that all cultivating practices be organic; to the extent possible only organic fertilizers should be applied in edibles gardens.

**PEST & DISEASE CONTROL AND CHEMICALS**

Only organic means of disease and pest control may be used.

**COMPOSTING**

Composting is encouraged, but only that which is organic and will decompose (e.g. plant material, fruit peels/cores). Avoid rodent-attracting foods such as rice, bread, meat, or grease. Inorganic or non-plant materials such as plastic, metal, kitty litter, feces, or any large or thorny branches are not suitable for compost. The compost must be contained in a manner approved by the City of Jackson, such as a tumbler or open cage

**STRUCTURES AND SIZABLE LANDSCAPE MATERIAL**

Structures such as trellises, walls, and permanent fences, or sizable plant material are not allowed, unless approved by the City of Jackson.

## **GARDEN BORDERS**

The garden boundaries must remain as submitted on the original design plans. Any proposed expansion must be reviewed and approved by the City of Jackson Community Development Department. **NO EXCEPTIONS**

## **MONITORING THE COMMUNITY GARDEN**

The group members/individuals, shall continually monitor the Community Garden for quality control and good management practices.

## **MANAGEMENT**

Frequent communication with the City of Jackson regarding management of the Community Garden is required.

## **NEW MEMBERS**

The Group shall inform new members of the Community Garden rules and regulations; stressing the importance of ongoing maintenance. The group must follow a transparent membership process open to all. As a public agency, City of Jackson policy requires inclusiveness; anyone interested in joining the Group is to be fairly considered.

## **LIABILITY**

The City of Jackson is not responsible for the garden itself; or to anything in or pertaining to the garden. Each member of the gardening group must sign a waiver of liability.

## **FUNDRAISING**

The Group may organize fundraising events to finance needs of the Community Garden such as a compost bin, water hoses, plants, etc.

## **SIGNAGE**

Each Community Garden will have a sign indicating the name of the Community/Urban Gardening Program Group and other information as required by the City of Jackson. Signage will be provided by the City of Jackson.

## **VEHICLES**

Park patrons are permitted to use motorized vehicles within a park **ONLY** on designated roadways, driveways and parking facilities. The parking or driving of motorized vehicles by any park patron on walkways, restricted-access drives, lawn areas, under trees, or within landscaped areas is strictly forbidden.

## **PROHIBITED ACTIVITIES**

- **Littering, dumping, alcohol consumption** and other unlawful activities
- **Amplified sound**
- **Pets** are not allowed in the garden per the Code of Ordinances of the City of Jackson
- **Ball playing** or other forms of activity recreation
- **Vehicular traffic** inside the park

## **GARDEN TERMINATION**

If the Group decides to no longer maintain their space, they must immediately notify the Community Development Department of the City of Jackson. Group will be responsible for proposing a plan to restore the garden to its original condition.

## **QUALITY ASSURANCE**

A City of Jackson representative may attend a neighborhood association meeting to review the successes or challenges experienced by the Community Gardeners. The City of Jackson will take appropriate action based on that assessment.

I, \_\_\_\_\_, (please print name) am the official liaison of the City of Jackson garden named \_\_\_\_\_ . Each current member of our group has read the above listed terms and agrees to abide by them and now enters into a commitment to maintain our garden at \_\_\_\_\_ .

Garden Group

Liaison Signature \_\_\_\_\_

Date: \_\_\_\_\_

# City of Jackson, Michigan

## Community/Urban Gardening Program

### CHECKLIST

Welcome Prospective Community Gardeners,

We are glad to hear that you're interested in starting a community garden in your local park. This is a long-term responsibility which will require community support and dedicated, ongoing commitment by all members of your community gardening group.

Use this checklist to guide you through the Manual for Community Garden Development.

<b>STEP 1</b>	<input type="checkbox"/> READ THE MANUAL detailing the development process  <input type="checkbox"/> FORM A GROUP of community gardeners & choose a group name
<b>STEP 2</b>	<input type="checkbox"/> DEFINE THE GARDEN TYPE ornamental, edibles, or combination (both)  <input type="checkbox"/> SELECT A LOCATION that would make a good garden space
<b>STEP 3</b>	<input type="checkbox"/> COMPLETE THE APPLICATION and submit by the deadline (Application Form from the Community Development Department)
<b>STEP 4</b>	<input type="checkbox"/> RECEIVE LETTER OF APPROVAL to move forward  <input type="checkbox"/> IDENTIFY THE RESPONSIBLE PARTIES that will develop and operate the garden  <input type="checkbox"/> COMPILE A WRITTEN PROPOSAL:     Group Membership Roster Maintenance Plan Plant List  <input type="checkbox"/> SUBMIT ALL THE PAPERWORK (the Proposal Package) by the deadline
<b>STEP 5</b>	<input type="checkbox"/> RECEIVE PROPOSAL ACCEPTANCE letter  <input type="checkbox"/> READ, SIGN & SUBMIT COMMITMENT Letter and Liability Waivers  <input type="checkbox"/> SIGN LEASE
<b>FINISH!</b>	<input type="checkbox"/> PREPARE THE GARDEN plot and plant the garden. Enjoy the experience.