



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

AGENDA – CITY COUNCIL MEETING

November 23, 2010

7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Robert Howe, 2nd Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Citizen Comments. (3-Minute Limit)**
6. **Presentations/Proclamations.**
 - A. Presentation by Mr. Jeff Kirkpatrick of Lodise Bail Bonds, donating a Taser to the Jackson Police Department.
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of November 9, 2010.
 - B. Approval of the request from the Downtown Development Authority to conduct the annual Eve on the Ave New Year's Eve event in downtown Jackson on Friday, December 31, 2010, from 11:00 p.m. to Saturday, January 1, 2011, 12:30 a.m., with various downtown street closures. (Approval recommended by the Police, Fire, Parks/Forestry, Public Works, and Engineering Departments, and the Downtown Development Authority. A Liability Pool Fireworks Application has also been approved by the Michigan Municipal League, upon recent additional requirements.)
 - C. Approval of the payment of the Region 2 Planning Commission invoice in the amount of \$5,352.70 for planning services for the month of October 2010, in accordance with the recommendation of the City Manager.
 - D. Receipt of the CDBG and HOME Financial Summary Report through October 31, 2010.
 - E. Receipt of the Dangerous Building Report through October 31, 2010.
 - F. Receipt of the City Treasurer's Report July through September, 2010.
 - G. Referral of the request to rezone the John George Home, 1501 E. Ganson Street, and the former Firth Middle School property from R-2 (one-and two-family residential) to R-4 (high-density apartment and office) to the City Planning Commission for their recommendation.
 - H. Establishment of December 14, 2010, at the City Council meeting as the time and place to hold a public hearing for the consideration of a Brownfield Plan for 212 West Michigan Avenue (former Consumers Energy Headquarters), as recommended by the Jackson Brownfield Redevelopment Authority (JBRA).

8. **Committee Reports.**
 - A. Receipt of the Rules and Personnel Committee Report.
 1. Consideration of a recommendation that the City retain the Michigan Municipal League for the City Manager search under the terms of their proposal.
9. **Appointments.**
10. **Public Hearings.**
11. **Resolutions.**
 - A. Consideration of a resolution establishing City Council meeting dates for 2011.
 - B. Consideration of a resolution from the Liquor Control Commission regarding the request to transfer ownership of a 2010 Class C licensed business with dance permit, located at 1110 Page, (Pinetree Tavern), from Eugene Wilson to Joshua Soper and James A. Zentgraf.
 - C. Consideration of a resolution from the Liquor Control Commission regarding the request to transfer ownership of a 2010 Class C licensed business with dance permit, located at 300 Burr Street, from Lagow and Lagow Enterprises, Incorporated to Lee and Lee Enterprises, Inc.
 - D. Consideration of a resolution amending the 2010-2011 Drug Law Enforcement Fund (DLEF) budget, and establishment of the 2010-2011 JNET Conspiracy Continuation Project Grant budget in the amount of \$48,105.00, and a local match of \$48,105.00.
 - E. Consideration of a resolution suspending enforcement of Ordinances that would prohibit the possession and use of fire arms within the City as it applies to employees and agents of Aaron's Nuisance Animal Control during said deer harvest within Ella Sharp Park during the months of January and/or February 2011.
 1. Authorization for the Superintendent of Ella Sharp Park to close Ella Sharp Park and designated streets on an as-needed basis during the dates and times the Deer Harvest occurs within the park.
12. **Ordinances.**
 - A. Consideration of a request to approve a Development Agreement between Excel-New Urban Jax LDHA LP, and the City for reimbursement of City development costs in the amount of \$150,000.00 in two installments of \$75,000.00 each, and authorization for the Mayor and City Clerk to execute the appropriate document(s), and for the City Attorney to make minor modification to the Agreement, in accordance with the recommendation of the City Manager, City Attorney and Community Development Director.
 1. Final adoption of Ordinance No. 2010.11, adding Article VI of Chapter 24, City Code, to provide that Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership be granted tax exempt status subject to a Payment In Lieu Of Taxes (PILOT). (City Affairs Committee recommends approval contingent upon the final passage of an appropriate Development Agreement.)

13. **Other Business.**
 - A. Consideration of a Request for Extension of Final Site Plan from Excel-New Urban Jax LDHA LP for Phase 1 of the Armory Arts Village PUDD, (the City Planning Commission and staff recommend approval for a three-year extension).
 - B. Consideration of the request to approve an Agreement for Economic Development Services between the City and The Enterprise Group in the amount of \$100,000.00, in three installments of \$33,333.00 each, for a one-year contract, terminating on June 30, 2011, and authorization for the Mayor and City Clerk to execute the appropriate document(s), and for the City Attorney to make minor modifications to the Agreements, in accordance with the recommendations of the City Manager, City Attorney and Community Development Director.

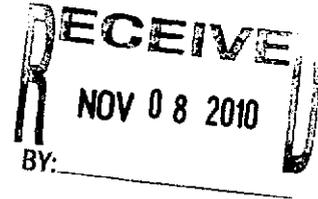
14. **New Business.**
 - A. Discussion of the City's street plan (time permitting).

15. **City Councilmembers' Comments.**

16. **Manager's Comments.**

17. **Adjournment.**

City of Jackson Police Department
216 East Washington Avenue
Jackson, Michigan 49201
(517) 788-4127



MEMORANDUM

DATE: November 3, 2010

TO: Warren Renando
City Manager

FROM: Matthew R. Heins *MRH*
Chief of Police

SUBJECT: City Council Presentation

Jeff Kirkpatrick of Lodise Bail Bonds will be donating one Taser to the Jackson Police Department. In doing so, he requests to be placed on the November 23, 2010, Council agenda to present a few words to the Council.

Either I or a representative from the Jackson Police Department will be at the Council meeting to answer any questions which may arise from Mr. Kirkpatrick's comments.

MRH/kyp

JACKSON CITY COUNCIL MEETING

MINUTES

NOVEMBER 9, 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, Daniel P. Greer, Kenneth E. Gaiser, Andrew R. Frounfelker and John R. Polaczyk—7. Absent: none.

Also Present: City Manager Warren D. Renando, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, City Assessor David Taylor, City Engineer Jon Dowling, Police Chief Matt Heins, Fire Chief Mike Beyerstedt and Community Development Director Carol Konieczki.

AGENDA.

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

CITIZEN COMMENTS.

Michelle LaVoy-Foster spoke in support of City Treasurer Randy Wrozek and spoke in opposition to the proposed Charter Amendment that would make the Treasurer's position appointed as of December 1, 2015.

Kim Jaquish discussed crime and fire statistics and spoke in opposition to cuts in police and fire personnel.

Stephen McLaren, Hydro Designs, Inc., stated he was available to answer questions on the bid award for a cross connections control program – Item B under New Business.

PRESENTATIONS/PROCLAMATIONS.**A. PRESENTATION GIVEN BY SCOTT AMBS, COORDINATOR OF THE JACKSON COUNTY GEOGRAPHIC INFORMATION SERVICES, REGARDING THE 2011 JACKSON COUNTY AERIAL IMAGERY ACQUISITION PROJECT.**

Mr. Ambs discussed the planned Aerial Imagery Acquisition Project, including the need for updated information, the collaboration with local governmental units, the quality of the imagery and the proposed timeline.

Motion was made by Councilmember Greer and seconded by Councilmember Howe that on the Letter of Intent, the box stating "We are more than likely to partner in this project, but will require a formal decision from the City Council before signing a Memorandum of Understanding," be checked and that the Mayor be authorized to sign the document on behalf of the City. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Howe, Greer, Gaiser and Polaczyk—5. Nays: Councilmembers Breeding and Frounfelker—2. Absent: 0.

CONSENT CALENDAR.

Councilmember Polaczyk requested Item B be removed for separate consideration. Councilmember Frounfelker requested Item A be removed for separate consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to approve the following Consent Calendar, with Items A and B removed for separate 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. *Removed for separate consideration.*
- B. *Removed for separate consideration.*
- C. Approval of the request from the Assistant City Attorney to write-off delinquent accounts receivable accounts in the amount of \$366.39.
- D. Approval of the request from Greater Jackson Habitat for Humanity to conduct their Run/Walk for Shelter on City Streets, with police assistance, on Saturday, November 20, 2010, from 9:00 a.m. to 10:30 a.m. (Approval recommended by the Police, Fire, Parks/Forestry, Public Works, and Engineering Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)
- E. Approval of Traffic Control Order (TCO) No. 2076, allowing southeastbound traffic on Wildwood Avenue at the intersection of Daniel Road to turn either left or right, and rescinding TCO No. 2000.
- F. Approval of Traffic Control Order (TCO) No. 2077, requiring southbound traffic on Allen Road to yield right-of-way to east and westbound traffic on Maguire Street.
- G. Approval of Final Change Order No. 1, to the contract with Concord Excavating & Grading, Inc., Concord, in the decreased amount of \$4,697.03, and extending the contract completion date, for the Blackstone, Euclid and Hibbard Sewer Construction project, and authorization for the City Manager and City Engineer to execute the appropriate document(s).

CONSENT CALENDAR ITEM A.

Approval of the minutes of the regular City Council meeting of October 26, 2010.

Regarding Traffic Control Order No. 2075 (Consent Calendar Item J.), Councilmember Frounfelker clarified his October 26, 2010, motion as follows. Approve the Traffic Control Order. Leave the overhead traffic control devices at the intersection for at least 6 months in case there are any changes or until we can better sign that intersection and that any other change that may happen to this intersection after the TCO is approved doesn't happen until after January 1. The remainder of the motion was correct. In addition, have the City Engineer make that a four-way stop starting as soon as tomorrow. Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the minutes, with the above changes. 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 B.

Approval of the payment of the Region 2 Planning Commission invoice in the amount of \$11,989.18, for planning services for the month of September 2010, in accordance with the recommendation of the City Manager.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to approve the payment and request that the detailed information, as provided with this invoice, be included with future invoices. 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. RECEIPT OF THE CITY AFFAIRS COMMITTEE REPORT.

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

APPOINTMENTS.

None.

PUBLIC HEARINGS.

A. PUBLIC HEARING REGARDING A PAYMENT IN LIEU OF TAXES (PILOT) APPLICATION FROM EXCEL-NEW URBAN JAX LDHA LP, FOR THE DEVELOPMENT OF PHASE 1B OF THE ARMORY ARTS PROJECT.

Mayor Dunigan opened the public hearing. Scott Fleming spoke in support of the PILOT for the development of Phase 1B and asked the Council for their support. John Wilson had questions regarding the financing of this project and asked what economic growth has come about because of the Armory Arts Project. The Mayor closed the public hearing.

- 1. CONSIDERATION OF AN ORDINANCE ADDING ARTICLE VI OF CHAPTER 24, CITY CODE, TO PROVIDE THAT EXCEL-NEW URBAN JAX LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP BE GRANTED TAX EXEMPT STATUS SUBJECT TO A PAYMENT IN LIEU OF TAXES (PILOT). (STAFF HAS MET AND A PRELIMINARY DEVELOPMENT**

AGREEMENT SHOULD BE PRESENTED AT THE NEXT CITY COUNCIL MEETING. CITY AFFAIRS COMMITTEE RECOMMENDS APPROVAL CONTINGENT UPON THE FINAL PASSAGE OF AN APPROPRIATE DEVELOPMENT AGREEMENT.)

Motion was made by Councilmember Greer and seconded by Councilmember Howe to concur with the City Affairs Committee recommendation and approve the ordinance and place it on the November 23 Council meeting agenda for adoption, contingent upon formalization of an appropriate development agreement at the next meeting. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Howe, Greer and Polaczyk—4. Nays: Councilmembers Breeding, Gaiser and Frounfelker—3. Absent: 0.

Councilmember Howe was ill and left the meeting at 7:50 p.m.

RESOLUTIONS.

None.

ORDINANCES.

- A. FINAL ADOPTION OF ORDINANCE NO. 2010.10, AMENDING CHAPTER 23, SECTION 23-58, CITY CODE, TO PROVIDE THAT STREET NUMBERS ARE ASSIGNED BY THE CITY ASSESSOR'S OFFICE RATHER THAN THE CHIEF BUILDING OFFICIAL.**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to adopt Ordinance No. 2010.10. The motion was adopted by the following vote. Yeas: Mayor Dunigan and Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: Councilmember Howe—1.

OTHER BUSINESS.

None.

NEW BUSINESS.

- A. APPROVAL OF THE REQUEST TO APPROVE THE BID AWARD TO ALPHA & OMEGA CONSTRUCTION, IN THE AMOUNT OF \$33,980.00, TO REHABILITATE THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT AT 1021 S. MILWAUKEE, IN ACCORDANCE WITH THE RECOMMENDATION OF THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

- B. CONSIDERATION OF THE REQUEST TO APPROVE THE CONTRACT BID AWARD TO HYDRO DESIGN, INC., TROY, IN THE AMOUNT OF \$129,996.00, FOR A WATER DISTRIBUTION CROSS CONNECTIONS CONTROL PROGRAM,**

AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER.

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, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: Councilmember Howe—1.

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Gaiser announced he will conduct a 4th Ward Neighborhood meeting on Tuesday, November 16 at 7:00 p.m. in City Hall.

Councilmember Frounfelker announced the Rules & Personnel Committee will meet on November 16 regarding the City Manager search.

Councilmember Polaczyk stated that Councilmember Howe asked him to remind everyone that this is the birth date of the United States Marine Corps and to thank the City Manager for his service to the Corps. He also announced that on Thursday, November 11 at 11:00 a.m. there will be a ceremony in Withington Park honoring our Veterans.

MANAGER'S COMMENTS.

None.

ADJOURNMENT.

No further business being presented, a motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 7:55 p.m.

Lynn Fessel
City Clerk



Downtown Development Authority (DDA)

Memorandum

Date: November 17, 2010
To: Honorable Mayor and City Council
From: Jonathan Greene, Executive Director
RE: Special Event Request: DDA – Eve on the Ave

Please find the attached Special Event Application from the Downtown Development Authority requesting approval to conduct the annual Eve on the Ave New Year's Eve event Downtown Jackson on Friday, December 31st from 11pm to Saturday, January 1st at 12:30am. Recommended approval has been received from the Police, Fire, Parks/Forestry, Public Works, and Engineering Departments, and the Downtown Development Authority. Insurance coverage has also been received and approved for this event. A Liability Pool Fireworks Application has also been approved by the Michigan Municipal League, upon recent additional requirements. The event is expected to have an economic impact of \$1135.34 on the mentioned City departments.

att: Special Event Application: DDA – Eve on the Ave
Eve on the Ave event map

JG/jt



**CITY OF JACKSON
SPECIAL EVENT APPLICATION**

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

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

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

Sponsoring Organization's Legal Name: Downtown Development Authority

Organization Address: 161 W. Michigan Ave.

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: Eve on the Ave

Please give a brief description of the proposed special event: Eve on the Ave is a free, family-oriented New Year's Eve street party packed with DJ music, giveaways and a countdown to midnight complete with a New York City-style ball drop and a spectacular fireworks display!

Event Day(s) & Date(s): Friday, December 31st & Saturday, January 1st Event Time(s): 11:00 pm-12:30 am

Set-Up Date & Time: 10:30 pm Tear-Down Date & Time: 1:00 am

Event Location: Throughout Downtown

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 10

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: Friday, December 31st 11 pm through Date/ Time: Saturday, Friday, January 1st 1:30 am

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? 2,000

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.)

See attachment for street closures. Use of City's bandstand. Placement and removal of snow fence/ barrels for fireworks area.

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.

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.

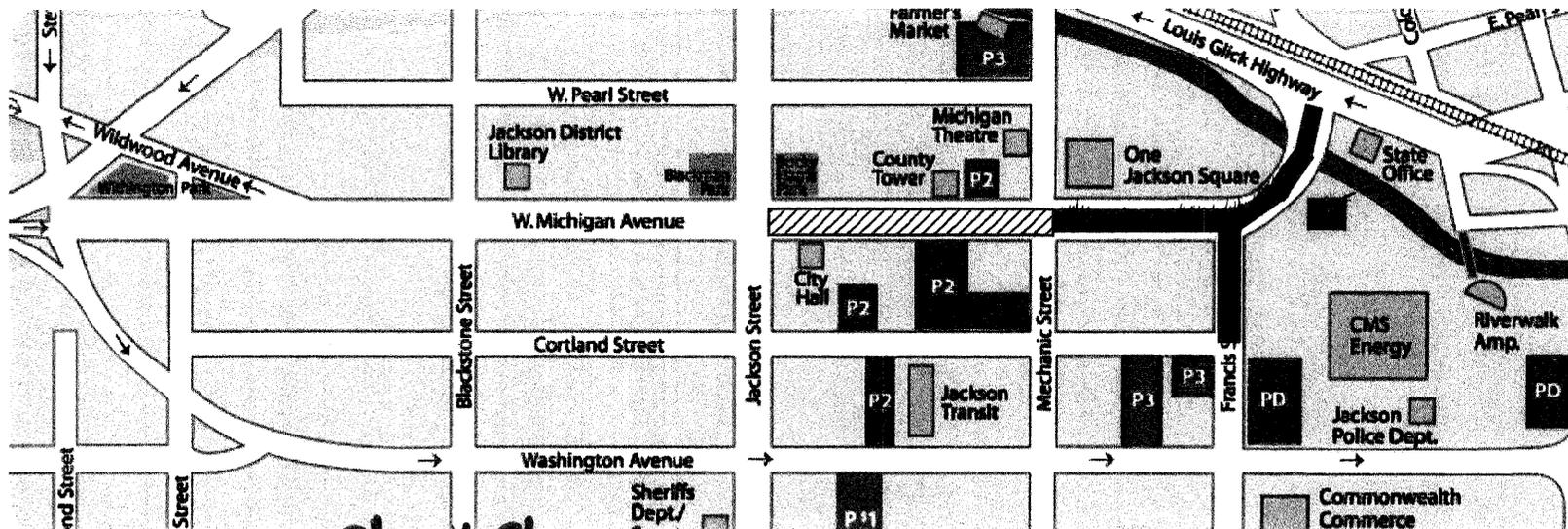
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

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.

Date

Signature of Sponsoring Organization's Agent

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



Street Closures



Eve on the Ave:
Friday, December 31st 11 pm until
Saturday, January 1st 12:30 am
 Ball Drop/DJ Site

Michigan Ave. (Jackson St. to Mechanic St.)



Friday, December 31st 11:30 pm until
Saturday, January 1st 1:30 am
Saturday, January 1st 1:30 am

Michigan Ave. (Louis Glick Hwy. to Mechanic St.)
 Francis St. (Michigan Ave. to Cortland St.)
 Fireworks Site

Planned Entertainment: Music on Downtown Sound System 11 pm-12:30 am



CITY OF JACKSON

SPECIAL EVENT APPLICATION, Page 3

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

Event Title: Eve on the Ave

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 reasonability of their department have been met.

Police Dept.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$300.00

Fire Dept.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$0

Traffic Eng.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$335.34

Dept. Pub. Serv.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$500.00

DDA: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$0

Have businesses been notified of street closures?: YES NO N/A

Parks/Forestry: _____ Recommend Approval: YES NO Est. Economic Impact:\$ \$0

Reason for disapproval: _____

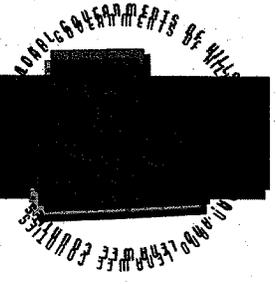
Any special requirements/conditions:

None.

Insurance / Indemnification Received: covered under City's policy **Insurance Approved:** yes

City Council Approved: _____ **Denied:** _____ **Approval/ Denial Mailed:** _____

Region 2 Planning Commission



INVOICE NO. 3113

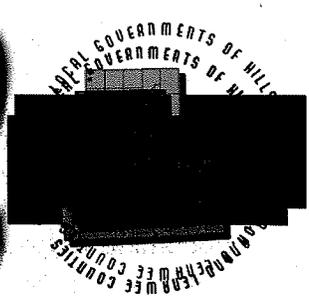
DATE: November 15, 2010

Warren Rehando, City Manager
City of Jackson (364 J)
161 W. Michigan Avenue
Jackson, MI 49201

cc: Phil Hones, CPA

DESCRIPTION		
Planning Services for October		
Zoning Administration		\$ 2,735.67
Zoning Ordinance Rec/Information		2,331.31
Zoning Appeals/Variances		285.72
Balance Due Region 2 Planning Commission.		\$ 5,352.70

Meeting 2



To: Jackson City Council

From: Grant E. Bauman, AICP
R2PC Principal Planner

Date: November 15, 2010

Re: **Work Log for October 2010**

The following is my estimated log of work performed on behalf of the City of Jackson for the month of October:

City Planning Commission (CPC)

- Staffed the October 6th meeting of the CPC
- Prepared and mailed the site plan approval letter for 145 Monroe Street (PC 10-10)
- Prepared the conditional use permit public notices for 936 Fleming Avenue (PC 10-11) and 1315-1319 Page Avenue (PC 10-12); they were mailed on 10/15/10 and published in the Jackson Citizen Patriot on 10/17/10
- Preparation of the CPC meeting and application deadline schedules for 2011

Zoning and Sign Boards of Appeal (Z/SBA)

- Prepared variance request public notices for 340 Bates Street (ZB 10-07) and 1512 Pringle Avenue (ZB 10-08); they were mailed on 10/12/10 and published in the Jackson Citizen Patriot on 10/13/10
- Prepared staff reports/recommendations for ZB 10-07 and ZB 10-08
- Prepared the Z/SBA meeting and application deadline schedules for 2011
- Prepared and sent the agenda packet for the 10/28/10 Z/SBA meeting
- Prepared a variance request public notice for 539 N. Blackstone Street (ZB 10-09); it was mailed on 10/22/10 and published in the Jackson Citizen Patriot on 10/24/10.

Zoning and Sign Ordinance Administration (assisted the Chief Zoning Official)

- Made a recommendation on a sign permit request for 123 W. Porter Street
- Made a recommendation on a sign permit request for 936 Fleming Avenue
- Made a recommendation on an administrative site plan review for 2335 Research Drive
- Made a recommendation on a sign permit request for 137 N. Jackson Street
- Made a recommendation on an administrative site plan review for 539 N. Blackstone Street
- Responded to zoning questions regarding 936 Fleming Avenue

- Sent email to pertinent city staff regarding medical marihuana and responded to an email from Ypsilanti regarding the subject
- Met with the operators of 1315-1319 Page Avenue and sent emails regarding an upcoming CUP application
- Made a recommendation on a sign permit request for 1904 Goodrich Street
- Researched the average cost of a parking space
- Met with pertinent people and exchanged emails regarding upcoming variance and CUP requests for a child care center in the Commonwealth Commerce Center

I also answered a wide variety of questions asked by Community Development staff or referred to me by Community Development staff.



Community Development

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

November 16, 2010

TO: Warren D. Renando, City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: CDBG and HOME Financial Summaries through October 2010

Attached is a Financial Summary for CDBG and HOME funds through October 2010.

Please place this item for consideration on the November 23, 2010 City Council agenda.

Cc: Heather Soat, Financial Analyst
Michelle Pultz, Project Coordinator

**City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Four Months Ended October 31, 2010**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Public Services</u>							
1 Family Services & Children's Aid							
FY 2009/2010	10,000	7,263	-	2,737	10,000	-	100.0%
FY 2010/2011	7,000	-	-	-	-	7,000	0.0%
2 JAHC - Homeownership Training	8,000	-	670	670	670	7,330	8.4%
3 MLK Summer Program	40,000	-	-	-	-	40,000	0.0%
4 Center for Family Health	20,000	-	-	-	-	20,000	0.0%
5 Partnership Park-After School Programs							
FY 2009/2010	5,000	4,485	-	515	5,000	-	100.0%
FY 2010/2011	5,000	-	-	-	-	5,000	0.0%
6 United Way - 211 Services							
FY 2009/2010	12,000	9,000	-	3,000	12,000	-	100.0%
FY 2010/2011	10,000	-	2,500	2,500	2,500	7,500	25.0%
7 Salvation Army - Heating Assistance	70,000	-	-	-	-	70,000	0.0%
8 AWARE	15,000	-	-	-	-	15,000	0.0%
<u>Administration</u>							
9 Administration & Planning							
FY 2009/2010	216,425	125,853	15,759	68,796	194,649	21,776	89.9%
FY 2010/2011	249,700	-	-	-	-	249,700	0.0%
<u>Code Enforcement</u>							
10 City Code Enforcement Division							
FY 2009/2010	450,000	373,952	-	76,048	450,000	-	100.0%
FY 2010/2011	503,345	-	40,899	74,871	74,871	428,474	14.9%
11 City Attorney Office	63,000	-	7,007	7,007	7,007	55,993	11.1%
<u>Housing Rehabilitation Projects</u>							
12 Owner Occupied Housing Rehabilitation							
FY 2007/2008	259,035	206,871	16,522	44,914	251,785	7,250	97.2%
FY 2008/2009	58,980	-	-	-	-	58,980	0.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
FY 2009/2010	88,000	-	-	-	-	88,000	0.0%
FY 2010/2011	60,000	-	-	-	-	60,000	0.0%
13 City Emergency Hazard Repair Program							
FY 2009/2010	125,000	81,944	1,404	37,852	119,796	5,204	95.8%
FY 2010/2011	125,000	-	-	-	-	125,000	0.0%
14 New Neighbor Program (FY 2005/2006)	80,000	64,216	-	4,819	69,035	10,965	86.3%
15 World Changers							
FY 2008/2009	46,250	16,231	-	29,707	45,938	312	99.3%
FY 2010/2011	45,585	-	-	-	-	45,585	n/a
16 Cleanup	10,000	-	-	-	-	10,000	n/a
17 City Rehab Administration (Denied Loans)							
FY 2008/2009	3,000	1,947	22	22	1,969	1,031	65.6%
FY 2009/2010	1,000	-	-	-	-	1,000	0.0%
FY 2010/2011	1,000	-	-	-	-	1,000	0.0%
18 John George Home - building repairs	10,000	-	-	-	-	10,000	0.0%
19 DDA - Façade Loans (FY 2008/2009)	18,000	5,026	-	-	5,026	12,974	27.9%
20 Grace Haven - shelter repairs (2008/2009)	18,000	-	-	-	-	18,000	0.0%
<u>Street Projects</u>							
21 Mason - Jackson to Mechanic (FY 2009/2010)	91,000	12,120	90	389	12,509	78,491	13.7%
22 Mason - Mechanic to Francis (FY 2009/2010)	72,000	6,718	-	-	6,718	65,282	9.3%
23 Loomis - Leroy to North (FY 2009/2010)	90,000	12,393	-	-	12,393	77,607	13.8%
24 Loomis - North to Argyle (FY 2009/2010)	47,000	-	-	-	-	47,000	0.0%
25 Monroe Street Sidewalk (FY 2009/2010)	30,000	-	-	-	-	30,000	0.0%
26 Special Assessments (FY 2009/2010)	22,718	-	-	-	-	22,718	0.0%
27 Wilkins - Jackson to Williams	103,000	-	-	-	-	103,000	0.0%
28 Wilkins - Williams to Mechanic	106,000	-	-	-	-	106,000	0.0%
29 Wilkins - Mechanic to Francis	136,000	-	-	-	-	136,000	0.0%
30 Special Assessments	10,000	-	-	-	-	10,000	0.0%
<u>Other Projects</u>							
31 Public Works - curb ramps							
FY 2008/2009	40,000	33,337	-	6,663	40,000	-	100.0%
FY 2009/2010	67,523	-	3,396	29,913	29,913	37,610	44.3%
FY 2010/2011	20,000	-	-	-	-	20,000	0.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
32 Tree Removal/Replacement							
FY 2009/2010	25,000	18,751	-	-	18,751	6,249	75.0%
FY 2010/2011	14,000	-	-	-	-	14,000	0.0%
<u>Economic Development</u>							
33 Job Creation Loans	50,000	-	-	-	-	50,000	0.0%
<u>Public Improvements</u>							
34 Grand River Arts Walk (FY 2008/2009)	328,906	300,530	-	28,376	328,906	-	100.0%
35 JPD Equipment	7,752	-	-	-	-	7,752	0.0%
36 Demolition	38,000	-	-	-	-	38,000	0.0%

NOTE: All funds are FY 2010/2011 allocations unless otherwise indicated

X:\SANDY\Agenda Items\11-23-10\Heather\2010-10-31_CC Distribution (3).xlsx]Sheet1

**City of Jackson
HOME
Monthly Financial Summary
For the Three Months Ended October 31, 2010**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2009/2010	547,129	52,568	96,186	96,186	148,754	398,375	27.2%
FY 2010/2011	180,707	-	-	-	-	180,707	0.0%
2 HOME Administration							
FY 2009/2010	30,000	-	-	30,000	30,000	-	100.0%
FY 2010/2011	30,400	-	-	-	-	30,400	0.0%
3 JAHC - Downpayment Assistance							
FY 2009/2010	25,000	7,405	-	-	7,405	17,595	29.6%
FY 2010/2011	40,000	-	-	-	-	40,000	0.0%
4 JAHC - CHDO Operating Expenses							
FY 2008/2009	12,000	10,458	1,542	1,542	12,000	-	100.0%
FY 2009/2010	15,000	-	275	275	275	14,725	1.8%
FY 2010/2011	18,000	-	-	-	-	18,000	0.0%
5 JAHC - CHDO Acquisition/Rehab/Resale							
FY 2008/2009	60,000	43,306	9,389	16,694	60,000	-	100.0%
FY 2009/2010	55,477	-	39,609	39,609	39,609	15,868	71.4%
FY 2010/2011	90,000	-	-	-	-	90,000	0.0%
6 JAHC - Administration							
FY 2009/2010	5,000	2,102	1,722	1,722	3,824	1,176	76.5%
FY 2010/2011	6,000	-	-	-	-	6,000	0.0%
7 CAA - New Construction (FY 2006/2007)	75,000	35,750	-	-	35,750	39,250	47.7%
8 Habitat for Humanity (FY 2008/2009)	69,800	56,533	-	-	56,533	13,267	81.0%



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: November 16, 2010

To: Building Code Board of Examiners and Appeals Members

From: Frank Donovan, Chief Building Official

Subject: Dangerous Building Report

The Dangerous Building Report summarizes the current status of dangerous or unsafe structures as referenced in Chapter 17 of the City Code of Ordinances.

Page 1	Dangerous Building Report Summary Sheet
Page 2 – 14	Condemned Properties (Dangerous and Unsafe) 2010
Page 15 – 18	Condemned Properties (Dangerous and Unsafe) 2009
Page 19 – 20	Condemned Properties (Dangerous and Unsafe) 2008
Page 21-22	Hazardous Properties (Secured and Released)
Page 23	Unfit for Human Habitation (Notice to Vacate)

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

FD/smp



**CITY OF JACKSON
DANGEROUS BUILDING REPORT SUMMARY SHEET**

CONDEMNED PROPERTIES (DANGEROUS AND UNSAFE) 2010

Jan-10	Feb-10	March-10	April-10	May-10	June-10	July-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	YTD Total
1	5	7	4	4	3	5	4	3	5			41
(4) CONDEMNED PROPERTIES (DANGEROUS AND UNSAFE) CARRIED OVER FROM 2009 (1 scheduled for BCBA hearings, 1 owner has filed in court to stop demolition, 1 has been released and 1 is awaiting demolition) (2) CONDEMNED PROPERTIES (DANGEROUS AND UNSAFE) CARRIED OVER FROM 2008 (1 has a new owner who plans on repairing, 1 is now owned by the County of Jackson)												6

This table reflects the number of properties that have been condemned and posted as dangerous and unsafe

CONDEMNED PROPERTIES THAT HAVE BEEN REPAIRED/RELEASED

Jan-10	Feb-10	March-10	April-10	May-10	June-10	July-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	YTD Total
0	0	0	5	0	0	3	2	3	1			14

CONDEMNED PROPERTIES THAT HAVE BEEN DEMOLISHED

Jan-10	Feb-10	March-10	April-10	May-10	June-10	July-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	YTD Total
0	4	2	3	2	0	0	3	0	1			15

HAZARDOUS PROPERTIES (OPEN AND ACCESSIBLE)

Jan-10	Feb-10	March-10	April-10	May-10	June-10	July-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	YTD Total
4	7	5	4	7	4	6	6	3	10			56

This table reflects the number of properties that were posted open and accessible, secured and released from the Dangerous Building Report.

UNFIT FOR HUMAN HABITATION (NOTICE TO VACATE)

Jan-10	Feb-10	March-10	April-10	May-10	June-10	July-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	YTD Total
2	1	0	0	0	0	0	0	1	0			4

This table reflects the number or properties that were posted unfit for human habitation and the occupants were ordered to vacate.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
614 Backus St (2-1558) Earl Dutton House	3/26/2010 North second story roof system has collapsed. Large voids throughout roof. Rafters, decking and shingles water damaged.	03/26/2010 Condemned house. 03/29/2010 Notice and Order mailed to owner(s). Owner given 60 days to complete repairs. 06/01/2010 Reinspection conducted; no progress. 06/17/2010 Staff recommended UPHOLDING Notice and Order. 06/17/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order. Bids for demolition awarded 09/17/2010.
937 Chittock Ave (5-0648) James Caddell Etal Garage	10/14/2010 Garage falling and fire damaged. New this month	10/14/2010 Condemned garage. 10/20/2010 Notice and Order mailed to owner(s). Owner given 14 days to pull permit and 45 days to demolish. 12/06/2010 Reinspection scheduled. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals on 12/16/2010 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
939 Chittock Ave (5-0649) Kyle Bamm Garage	10/14/2010 Garage falling and fire damaged. New this month	10/14/2010 Condemned garage. 10/20/2010 Notice and Order mailed to owner(s). Owner given 14 days to pull permit and 45 days to demolish. 12/06/2010 Reinspection scheduled. Permit Information: Demolition permit issued 11/02/2010; no inspections. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals on 12/16/2010 if the owner does not comply with the Notice and Order.
816 Eaton St (2-1703) Fletcher Hall Garage	08/12/2010 Garage is deteriorated and decayed; roof system collapsed.	08/12/2010 Condemned garage. 08/17/2010 Notice and Order mailed to owner(s). Owner given 45 months to complete repairs. 11/03/2010 Reinspection conducted; no progress. Permit Information: No permits issued to date. Current Status: Publication required. Scheduled for the November Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
915 Everhard St (5-0496) Katrina Foster House	03/01/2010 House is deteriorated and decayed. Chimney collapsed, open and accessible, hole in flooring, foundation crumbling.	03/01/2010 Condemned house. 03/03/2010 Notice and Order mailed to owner(s). Owner given 45 days to complete repairs. 05/03/2010 Reinspection conducted; no progress being made on repairs. 05/27/2010 Staff recommended UPHOLDING Notice and Order. 05/27/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition awarded 08/03/2010.
119 Francis Ct (5-1478) Steve Simokaitis Garage/House	05/27/2010 Garage roof system rotted and has holes and is collapsing.	05/27/2010 Condemned garage/house. 05/27/2010 Notice and Order mailed to owner(s). Owner given 45 days to complete repairs. 09/01/2010 Reinspection conducted, no work or permits issued. 09/30/2010 Staff recommended UPHOLDING the Notice and Order. 09/30/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition requested 10/25/2010.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
928 Francis St (5-0636) Connie Earl Garage	09/10/2010 Garage destroyed by fire.	09/10/2010 Condemned garage. 09/15/2010 Notice and Order mailed to owner(s). Owner given 2 months to complete demolition. 11/03/2010 Reinspection conducted revealed garage has fallen/collapsed. Permit Information: No permits issued to date. Current Status: Property demolished by owner, released from condemnation.
703 E Ganson St (7-0701) Candy Moffitt Garage/Porch	05/04/2010 Garage/porch deteriorated and decayed. Roof has holes in it and is collapsing.	05/04/2010 Condemned house. 05/05/2010 Notice and Order mailed to owner(s). Owner given 3 months to demolish. 09/01/2010 Reinspection conducted, no work or permits issued. 09/30/2010 Staff recommended UPHOLDING the Notice and Order. 09/30/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition requested 10/25/2010.
630 1/2 W Ganson St (2-1089) Kimberly Scholl Stair System	09/20/2010 Garage destroyed by fire.	09/20/2010 Condemned garage. 09/22/2010 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and duration of permit to complete repairs. Permit Information: 09/24/2010 Building permit issued; no inspections. Current Status: Per Building Inspector monitor repairs through active permit.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1113-15 Greenwood Ave (4-1294) PC Real Estate LLC House	10/18/2010 Car struck home. Foundation walls collapsed. Interior flooring buckled. New this month	10/18/2010 Condemned house. 10/20/2010 Notice and Order mailed to owner(s). Owner given 60 days to repair. 12/27/2010 Reinspection scheduled. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in January 2011 if the owner does not comply with the Notice and Order.
520 Hallett St (2-1468) Bobbie Dean House	10/06/2010 Fire damage throughout 1 st and 2 nd floors of home. New this month	10/06/2010 Condemned house. 10/07/2010 Notice and Order mailed to owner(s). Owner given 6 months to complete. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals on 12/16/2010 if the owner does not comply with the Notice and Order.
407 Homewild Ave (7-0319) Brandy Ekins Garages	08/12/2010 Garages are deteriorated and decayed. Roof's have holes in them and are collapsing.	08/12/2010 Condemned garages. 08/17/2010 Notice and Order mailed to owner(s). Owner given 28 days to complete. 09/17/2010 Reinspection conducted; no progress. 10/28/2010 Staff recommended UPHOLDING Notice and Order. 10/28/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 11/22/2010.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
334 N Horton St (8-0163) Kassie Elliott Garage	02/01/2010 Garage deteriorated and collapsing.	02/01/2010 Condemned garage. 02/10/2010 Notice and Order mailed to owner(s). Owner given 1 month to complete repairs. 03/10/2010 Reinspection conducted; owner is working on making repairs. Permit Information: Roofing permit issued 03/22/2010; no inspections. Current Status: Per Chief Building Official monitor permit for compliance.
1212 S Jackson St (4-1135) James/Grace Sparks House	06/16/2010 Foundation wall collapsed.	06/16/2010 Condemned house. 07/02/2010 Notice and Order mailed to owner(s). Owner given 60 days to complete repairs. 09/01/2010 Reinspection conducted. Building permit will be issued week of 09/13/2010 and then work to be completed within 1 month. Timeline extended accordingly to allow for stated dates. Permit Information: 10/21/2010 Building permit issued; no inspections. Current Status: Building permit has been issued, per Building Inspector monitor repairs through active permit.
Per County Treasurer – 2009 taxes owing		

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
421 Jefferson St (1-0694) Davonne Pierce House	04/05/2010 Fire damage throughout house.	04/05/2010 Condemned house. 04/07/2010 Notice and Order mailed to owner(s). Owner given 90 days to complete repairs. 07/12/2010 Reinspection conducted, no progress. Owner is awaiting Insurance settlement. 07/29/2010 Staff recommended tabling until the August meeting to see if owner is able to settle with insurance company. 07/29/2010 Board tabled until the August Board meeting. 08/26/2010 Staff recommended tabling until the October meeting to allow owner time to attend hearing regarding insurance settlement. 08/26/2010 Board tabled until the October Board meeting. 10/28/2010 Staff recommended continuing until the November meeting. Owner still waiting on insurance settlement. 10/28/2010 Board continued until the November Board meeting. Permit Information: No permits issued to date. Current Status: Scheduled for the November Building Code Board of Appeals meeting.
1223 Maple Ave (4-0939) Elisabeth McKinch House/Garage Per County Treasurer – 2009 taxes owing	08/18/2010 Property open and accessible three times in the past two years.	08/18/2010 Condemned house/garage. 08/25/2010 Notice and Order mailed to owner(s). Owner given 60 days to complete repairs. 10/25/2010 Reinspection conducted; no progress. Permit Information: No permits issued to date. Current Status: Scheduled for the November Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
611 W Morrell St (3-2064) Christopher Mullins House/Garage	08/30/2010 Fire, smoke and water damage.	08/30/2010 Condemned house/garage. 09/01/2010 Notice and Order mailed to owner(s). Owner given 5 days to get permit. 09/06/2010 Reinspection conducted; no progress. 09/30/2010 Staff recommended UPHOLDING the Notice and Order. Owner does have contract to demolish and should be done by 11/02/2010. 09/30/2010 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Owner has signed agreement with contractor to have property demolished.
603 Oakhill Ave (2-1037) Mark Deneka House	07/02/2010 Fire damage throughout house.	07/02/2010 Condemned house. 07/07/2010 Notice and Order mailed to owner(s). Owner given 120 days to complete repairs. 11/08/2010 Reinspection scheduled. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals on 12/16/2010 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
502 Page Ave (6-0736) Hector Trujillo Garage	09/28/2010 Garage roof is collapsing.	09/28/2010 Condemned garage. 10/05/2010 Notice and Order mailed to owner(s). Owner given 180 days to complete repairs. 04/05/2011 Reinspection scheduled. Permit Information: 10/12/2010 Demolition permit issued; no inspections. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in May 2011 if the owner does not comply with the Notice and Order.
112 W Prospect St (5-1543) John Powell Garage Per County Treasurer – parcel is in forfeiture 2008 and 2009 taxes delinquent	06/23/2010 Tree fell on rear detached garage.	06/23/2010 Condemned garage. 07/02/2010 Notice and Order mailed to owner(s). Owner given 90 days to complete repairs. 08/11/2010 Publication required. 10/08/2010 Reinspection conducted; garage has fallen. Will have DPW clean up. Permit Information: No permits issued to date. Current Status: Garage has fallen, debris on ground. Owner issued citation to clean in 7 days, if not cleaned will refer to DPW for clean up and then release.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
220 E Robinson St (5-1466) Ronald Austin Sr House/Garage	07/06/2010 Garage deteriorated and decayed. Garage roof has collapsed. House roof is deteriorated and decayed; rotted.	07/06/2010 Condemned house/garage. 07/15/2010 Notice and Order mailed to owner(s). Owner given 90 days to complete repairs. 08/11/2010 Publication required. 10/18/2010 Reinspection conducted; no progress. Permit Information: No permits issued to date. Current Status: Publication required. Scheduled for the 11/18/2010 Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
523 Seymour Ave (8-0731) Angela Union House	03/05/2010 Fire damage throughout house.	03/05/2010 Condemned house. 03/11/2010 Notice and Order mailed to owner(s). Owner given 120 days to complete repairs. 07/12/2010 Reinspection conducted, no work performed just settled with the insurance company. 07/29/2010 Staff recommended tabling until the August meeting in order for inspector to try and contact owner. 07/29/2010 Board tabled until the August Board meeting. 08/26/2010 Staff recommended tabling until the September meeting to contact insurance company regarding ACT 495 funds. 08/26/2010 Board tabled until the September Board meeting. 09/30/2010 Staff recommended tabling until the October meeting for the owner to get a signed contract for repairs. 09/30/2010 Board tabled until the October Board meeting. 10/28/2010 Staff recommended tabling until the November meeting, owner has hired contractor who has applied for permit. 10/28/2010 Board tabled until the November Board meeting. Permit Information: No permits issued to date. Current Status: Scheduled for the November Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
412 Third St (3-0196) Hugh Hiller House	02/01/2010 Fire damage to house.	02/01/2010 Condemned house. 02/10/2010 Notice and Order mailed to owner(s). Owner given 4 months to complete repairs. 06/10/2010 Reinspection conducted, no progress. 07/29/2010 Staff recommended UPHOLDING Notice and Order. 07/29/2010 Board UPHELD Notice and Order, bids for demolition awarded 09/17/2010. Permit Information: Electrical permit issued 07/12/2010; finalized 07/20/2010. Current Status: Owner has filed in Circuit Court to stop demolition, hearing scheduled for March 2011.
781 Tomlinson St (6-1322) John Babchook Garage Per County Treasurer – 2009 taxes delinquent	05/04/2010 Roof system rotted and caving in.	05/04/2010 Condemned garage. 05/05/2010 Notice and Order mailed to owner(s). Owner given 4 months to complete repairs. 08/11/2010 Publication required. 10/01/2010 Reinspection conducted; no progress. 10/28/2010 Staff recommended tabling until the November meeting for owner to get prices for repair vs. demolition. 10/28/2010 Board tabled until the November Board meeting Permit Information: No permits issued to date. Current Status: Scheduled for the November Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
803 E Washington Ave (6-1548) Rudy/Dorothy Meyers House/Garage	07/28/2010 Foundation deteriorated and decayed. Garage pushed off foundation.	07/28/2010 Condemned house/garage. 07/29/2010 Notice and Order mailed to owner(s). Owner given 60 days to complete repairs or demolish. 11/03/2010 Reinspection scheduled.
Per County Treasurer – 2009 taxes delinquent		Permit Information: No permits issued to date.
		Current Status: Publication required. Scheduled for the November Building Code Board of Appeals meeting.
221 N Webster St (2-0198) Norman/Kimberly Corts Garage/Porch Foundation	10/19/2010 Garage roof and walls falling. Structure likely to collapse. Porch foundation crumbling. New this month	10/19/2010 Condemned garage and porch foundation. 10/20/2010 Notice and Order mailed to owner(s). Owner given 30 days to complete repairs. 11/22/2010 Reinspection scheduled.
		Permit Information: No permits issued to date.
		Current Status: Owner did not comply with Notice and Order (was given 7 days to pull permit). Scheduled for the November Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2009

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1501 S Jackson St (4-1559) Kenneth Zaggy Commercial Per County Treasurer – 2009 taxes owing	11/24/09 Fire damage throughout structure.	11/24/09 Condemned commercial building. 12/02/09 Notice and Order hand delivered to owner(s). Owner given 7 days to install a fence, provide a timeline for repairs/demolition and pull permit. 180 days from the date of permit to complete. 12/18/09 Staff recommended tabling until the January meeting. Owner looking at selling property to someone who will clean up and rehabilitate. 12/18/09 Board tabled until the January Board meeting. 01/28/2010 Staff recommended continuing until the June meeting. Owner has provided performance agreement and should be done by end of May. 01/28/2010 Board continued until the May Board meeting. 03/25/2010 Building Board granted variance to allow owner to leave the concrete walls as is. Variance will be granted allowing the roof system to remain an “open air” system as long as the owner supplies a statement from an engineer stating they have inspected it. 05/27/2010 Staff recommended tabling until the July meeting. Owner making progress. 05/27/2010 Board continued until the July Board meeting. 07/29/2010 Staff recommended tabling until the September meeting. Owner is working on repairs. 07/29/2010 Board continued until the September Board meeting. 09/30/2010 Staff recommended tabling until the October meeting. Owner continues to make repairs. 09/30/2010 Board continued until the October Board meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2009

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1501 S Jackson St (4-1559) (CONTINUED)		10/28/2010 Staff recommended tabling until the January 2011 meeting for owner to get certified letter from Engineer. 10/28/2010 Board continued until the January 2011 Board meeting. Permit Information: Demolition permit issued 01/27/2010; no inspections. Fence permit issued 12/23/2009; no inspections. Electrical permit issued 04/06/2010; service approved 05/27/2010. Current Status: Property scheduled for the October Building Code Board of Appeals meeting.
902 Maple Ave (4-0857) Anthony Gittens House Per County Treasurer – parcel is in forfeiture 2008 and 2009 taxes delinquent	10/05/09 Fire and smoke damage.	10/05/09 Condemned house. 10/28/09 Notice and Order mailed to owner(s). Owner given 4 months to complete repairs. 03/01/2010 Reinspection revealed temporary tarp and boarded up to north fire damaged roof. Recheck in 1 month and if no progress schedule for building board. 04/29/2010 Staff recommended UPHOLDING Notice and Order. 04/29/2010 Board UPHELD Notice and Order, bides for demolition awarded 08/03/2010. Permit Information: Building permit issued 02/04/2010; no inspections. Current Status: 08/24/2010 Owner filed in Circuit Court. Demolition order put on hold.

CITY OF JACKSON

CONDEMNED PROPERTIES 2009

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1421 E Michigan Ave (6-0566) Hakim/Chaudhri Bashir LLC House	08/06/09 Open and accessible. Porch rotted with open holes through floor system.	08/06/09 Condemned house. 08/14/09 Notice and Order mailed to owner(s). Owner was given 45 days to complete repairs. 11/19/09 Reinspection conducted, no change in status of property. 12/18/09 Staff recommended UPHOLDING Notice and Order. 12/18/09 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Bids for demolition awarded 03/10/2010. Contractor to come in first week of November to pull permit to start demolition.

CITY OF JACKSON

CONDEMNED PROPERTIES 2009

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
326 W Wesley St (4-0300) Wells Fargo Bank (new owner) Garage	06/23/09 Tree has fallen onto southwest corner of garage breaking hip rafters. West side garage open with holes through roof and weather damaged rafters.	06/23/09 Condemned garage. 07/01/09 Notice and Order mailed to owner(s). Owner was given 90 days to complete repairs. 10/14/09 Reinspection conducted, no progress. 11/20/09 Staff recommended continuing until December to allow bank time to compare the cost of demolition vs. cost of repairing. 11/20/09 Board continued until the December meeting. 12/18/09 Staff recommended UPHOLDING Notice and Order. 12/18/09 Board UPHELD Notice and Order, bids for demolition to be requested. 12/31/09 Received letter from owner requesting reconsideration. Placed on January agenda. 01/28/2010 Staff recommended continuing until the February meeting. Bank attempted repairs but repairs are unacceptable. 01/28/2010 Board continued until the February BCBA meeting. 02/25/2010 Staff made no recommendation. 02/25/2010 Board denied request for reconsideration. 06/09/2010 Bids for demolition awarded. Permit Information: Demolition permit issued 07/14/2010; no inspections. Building permit issued to owner 08/18/2010; finalized 10/19/2010. Current Status: As of 10/20/2010 property has been repaired by owner, released by inspector.

CITY OF JACKSON

CONDEMNED PROPERTIES 2008

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
320 W Biddle St (4-0549) Teri Pedersen (new owner 1/2010) County of Jackson (new owner 5/2009) MoHawk United LLC Deutsche Bank Natl Trust Single Family Dwelling	10/17/08 Open front and back door and broken windows. Interior unfit for human habitation.	10/17/08 Condemned house. 10/24/08 Emergency Order signed. 10/27/08 Property secured by DPW. 10/29/08 Notice and Order mailed to owner(s). 12/08/08 Reinspection conducted; property is secured and roof is tarped. 01/23/09 Staff recommended UPHOLDING Notice and Order. 01/23/09 Board UPHELD Notice and Order, bids to be requested for demolition. Permit Information: Roofing permit issued 03/04/2010; no inspections. Alternation permit issued 04/30/2010; no inspections. Current Status: 11/02/2010 Property being repaired by owner; released into permit status.

Per County Treasurer – 2009 taxes owing

CITY OF JACKSON

CONDEMNED PROPERTIES 2008

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
800 S Mechanic St (4-0600) Gregory Cole Multi Family Dwelling New owner Jackson County Treasurer	08/06/08 Open doors and windows, damaged walls and floor in back bathroom on first floor.	08/06/08 Condemned house. 08/08/08 Emergency Order signed. 08/08/08 Property secured by DPW. 08/13/08 Notice and Order mailed to owner(s). 09/17/08 Reinspection conducted; no change in status. 02/20/09 Staff recommended continuing until March. 02/20/09 Board continued until the March Board meeting. 03/20/09 Staff recommended UPHOLDING Notice and Order. 03/20/09 Board UPHELD Notice and Order, bids to be requested for demolition. 06/19/09 Staff recommended UPHOLDING Notice and Order. 06/19/09 Board UPHELD Notice and Order, bids to be requested for demolition. 07/03/09 Owner filed Circuit Court action. 01/19/2010 Circuit Court action dismissed. Permit Information: Electrical permit issued 12/23/08; 01/14/09 rough approved. Building permit reinstated 04/22/09, no inspections. Current Status: Bids for demolition awarded 03/10/2010. Contractor to pull demolition permit first week of November.

CITY OF JACKSON

HAZARDOUS PROPERTIES

(Secured and Released)

Property Address (Stencil #)	Date of Compliant	Date Referred to DPW or Contractor	Date Secured
230 W Biddle St (4-0460) Maria Jimenez House	10/26/2010	10/26/2010	10/28/2010
364 Cooper St (7-0316) Hall Humble Abodes LLC House	10/28/2010	11/01/2010	
816 Eaton St (2-1703) Fletcher Hall House	09/22/2010	09/24/2010	10/11/2010
827 Everhard St (5-0481) Jared Phillips House	10/06/2010	10/07/2010	10/08/2010
1013 First St (4-1247) Ralph Morgan House	09/28/2010	09/30/2010	10/11/2010
116 W Mason St (4-0122) Alexander Bodo Jr House	10/26/2010	10/26/2010	10/28/2010
304 Summit Ave (6-0540) Marlon/Sherrie Fairweather House/Garage	10/06/2010	10/07/2010	10/15/2010
221 N Webster St (2-0198) Norman/Kimberly Corts House	10/19/2010	10/22/2010	10/22/2010
325 W Wesley St (4-0317) Susan Bolhouse House	10/04/2010	10/07/2010	10/08/2010

CITY OF JACKSON

HAZARDOUS PROPERTIES

(Secured and Released)

Property Address (Stencil #)	Date of Compliant	Date Referred to DPW or Contractor	Date Secured
1013 Williams St (4-0903) Enroy Tomlinson House	10/12/2010	10/14/2010	10/14/2010

CITY OF JACKSON

UNFIT FOR HUMAN HABITATION

(Notice to Vacate)

Property Address (Stencil #)	Reason Vacated	Date of Complaint	Date Vacated	Reported by	Vacated by	Date Released
=====						

11/16/10

Honorable Mayor and City Council:

It is my duty to report to you on a quarterly basis, the investments of the City of Jackson. This report will cover the first quarter of the fiscal year 2010/2011.

The financial picture is still pretty bleak for the City of Jackson. The Stock Market is still recovering and is having a positive effect on our pension funds. The interest rates are a bit lower and still dismal. Our funds are in highly liquid Cd's, Money Funds, Overnight Sweep Accounts and Government bond Accounts. Interest rates are anywhere near zero and one percent. We're searching for higher rates that maintain the integrity of the funds. We have been trying to go out a few more months to capture a higher rate and still be liquid when we need the funds for payroll and payables.

It is the policy of the City of Jackson to invest funds in a manner which will provide the highest investment return with the maximum security, while meeting the daily cash flow demands of the City and conforming to all state statutes and local ordinances governing the investment of the funds. Every dollar we have is invested and earning interest daily. All investments are invested in accordance with Michigan Public Act 20 of the Public Acts of 1943, as amended.

Sincerely,
Andrew J. Wrozek, Jr.
City Treasurer

Pooled Cash and Investments

City of Jackson						
Treasurer Office						
Daily Investment Balances						
Pooled Account Jul-10						
(Exclude Interest)						
	Beg	Investment	Investment	Rolled Over	End	
	Balance	Buys	Maturities	Interest	Balance	
Investments	19,691,163.34					19,691,163.34
1			500,000.00			19,191,163.34
2						19,191,163.34
3						19,191,163.34
4		502,900.76	502,900.76	2,536.83		19,193,700.17
5			500,000.00			18,693,700.17
6						18,693,700.17
7						18,693,700.17
8						18,693,700.17
9						18,693,700.17
10						18,693,700.17
11						18,693,700.17
12						18,693,700.17
13						18,693,700.17
14						18,693,700.17
15		1,005,591.67	1,005,591.67	3,284.93		18,696,985.10
16						18,696,985.10
17						18,696,985.10
18						18,696,985.10
19						18,696,985.10
20						18,696,985.10
21						18,696,985.10
22						18,696,985.10
23						18,696,985.10
24	Fifth Third			264.53		18,697,249.63
25	Bank of Michigan			2,416.11		18,699,665.74
26	Bank of Michigan			890.47		18,700,556.21
27	Citizens MM			42.13		18,700,598.34
28	County National			2,209.34		18,702,807.68
29	Comerica			0.06		18,702,807.74
30						18,702,807.74
31						18,702,807.74
		1,508,492.43	2,508,492.43	11,644.40		

Pooled Cash and Investments

City of Jackson						
Treasurer Office						
Daily Investment Balances						
Pooled Account						
Aug-10						
(Exclude Interest)						
	Beg	Investment	Investment	Rolled Over	End	
	Balance	Buys	Maturities	Interest	Balance	
Investments	18,702,807.74				18,702,807.74	
1					18,702,807.74	
2					18,702,807.74	
3					18,702,807.74	
4		883,326.48	883,326.48	4,446.88	18,707,254.62	
5					18,707,254.62	
6					18,707,254.62	
7					18,707,254.62	
8					18,707,254.62	
9					18,707,254.62	
10					18,707,254.62	
11					18,707,254.62	
12					18,707,254.62	
13					18,707,254.62	
14					18,707,254.62	
15					18,707,254.62	
16		3,500,000.00			22,207,254.62	
17					22,207,254.62	
18		1,071,043.08	1,071,043.08	1,380.75	22,208,635.37	
19					22,208,635.37	
20	Fifth Third			264.59	22,208,899.96	
21	Bank of Michigan			2,970.96	22,211,870.92	
22	Bank of Michigan			891.22	22,212,762.14	
23	Citizens MM			768.75	22,213,530.89	
24	County National			2,357.79	22,215,888.68	
25	Comerica			0.06	22,215,888.74	
26					22,215,888.74	
27					22,215,888.74	
28					22,215,888.74	
29					22,215,888.74	
30					22,215,888.74	
31					22,215,888.74	
		5,454,369.56	1,954,369.56	13,081.00		

Pooled Cash and Investments

City of Jackson						
Treasurer Office						
Daily Investment Balances						
Pooled Account						
Sep-10						
(Exclude Interest)						
	Beg	Investment	Investment	Rolled Over	End	
	Balance	Buys	Maturities	Interest	Balance	
Investments	22,215,888.74				22,215,888.74	
1		889,565.35	889,565.35	2,900.23	22,218,788.97	
2			750,000.00		21,468,788.97	
3					21,468,788.97	
4					21,468,788.97	
5					21,468,788.97	
6					21,468,788.97	
7					21,468,788.97	
8					21,468,788.97	
9					21,468,788.97	
10		1,021,051.21	1,021,051.21	3,328.91	21,472,117.88	
11					21,472,117.88	
12					21,472,117.88	
13					21,472,117.88	
14					21,472,117.88	
15					21,472,117.88	
16					21,472,117.88	
17					21,472,117.88	
18					21,472,117.88	
19					21,472,117.88	
20					21,472,117.88	
21		1,028,669.66	1,028,669.66	1,950.19	21,474,068.07	
22					21,474,068.07	
23					21,474,068.07	
24					21,474,068.07	
25	Fifth Third			250.65	21,474,318.72	
26	Bank of Michigan			863.21	21,475,181.93	
27	Bank of Michigan			2,877.57	21,478,059.50	
28	Citizens MM			1,389.92	21,479,449.42	
29	County National			2,211.59	21,481,661.01	
30	Comerica				21,481,661.01	
31					21,481,661.01	
		2,939,286.22	3,689,286.22	15,772.27		



City Planning Commission

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

November 23, 2010

Honorable Mayor and City Council
City of Jackson, Michigan

Subject: PC 10-14 – City initiation of a rezoning request to R-4 (high-density apartment and office) from R-2 (one- and two-family residential)

Dear Mayor and Councilpersons:

The City Planning Commission (CPC) passed a resolution at its October 6, 2010 meeting to initiate the process to rezone the former Firth Middle School property, located at 205 Seymour Avenue, to R-4 if and when a rezoning application is submitted by the John George Home and that the resolution be processed as if it was an application for a zoning change. The John George Home submitted an application to rezone 1501 E. Ganson Street on November 1, 2010. Accordingly, the process to concurrently rezone the former Firth Middle School property is also initiated. Mr. Daniel M. Evans, Superintendent of Jackson Public Schools, was informed of the initiation of the rezoning process on two occasions and voiced no objections. The rezoning of the John George Home and the Firth Middle School properties will be considered by the City Planning Commission on December 1, 2010 and City Council on December 14, 2010. Attached to this memo are the application to rezone the John George Home to R-4, the CPC resolution passed on October 6, 2010, the staff memo provided to the CPC, and the minutes of the October 6, 2010 meeting of the CPC. This item is placed on your November 23, 2010 City Council agenda for the referral of both rezoning requests to the December 1, 2010 CPC meeting.

Please contact me at 768-6711 if you have any questions.

Sincerely,

Grant E. Bauman, AICP
Principal Planner



Application for District Change (Rezoning)
Before the City Planning Commission
City of Jackson, Michigan

1. Application PC 10-14 Date Filed: 11/1/10
To be filled out by R2PC Staff To be filled out by R2PC Staff

2. John George Home (occupant) City of Jackson (owner)
Name(s)

1501 E. Ganson Street
Street Address

Jackson ' MI 49202 (517) 783 - 4134 **Owners** **Occupants** **Buyers**
City State Zip Phone Number Status of the Applicant* (Circle One)

of the property located at: 1501 E. Ganson Street , 49202
Street Address Zip Code

property identification #: 7-101000000

I (we) respectfully request a determination be made by the City Planning Commission on the following change of zoning as provided in §28-183 of the Zoning Ordinance:

3. Current zoning: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2 PUDD
Circle One
 Proposed zoning: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2
Circle One

The proposed use is: to resolve an illegal non-conforming use issue and to expand the facility.

5. I certify that the information provided above is correct to the best of my belief and knowledge.

Carrie A. Good, Occupant
Name & Title

Signature

Frank Donovan =Owner
Name & Title

Signature

6. **City Clerk Use Only:**
 Date: 11/1/10 Fee: \$ 310.00 Receipt #: 90266299 RK

* If the applicant is not the owner of the property, a letter of consent from the property owner must accompany this application.

Note. 1.17 Acre Parcel

City of Jackson
City Planning Commission

**Rezoning of 205 Seymour Avenue
Resolution of Initiation**

WHEREAS, the John George Home located at 1501 E. Ganson Street is an important institution which has provided a safe and independent living arrangement for elderly gentleman since 1949; and

WHEREAS, the John George Home is a Class A legal non-conforming land use due to its current R-2 (one-and two-family) zoning; and

WHEREAS, the City's zoning ordinance states that "no nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land" (Sec. 28-121 (c)(1)); and

WHEREAS, the John George Home would like to enlarge its dining room and possibly add resident rooms as it has a waiting list of 30 people; and

WHEREAS, in order to expand, the John George Home property must be zoned R-4 (high-density apartment and office) which permits and "institution for children or the aged" as a conditional use (Sec. 28-71 (76)); and

WHEREAS, the John George Home property is surrounded by other lots zoned R-2, and rezoning the John George Home property to R-4 could result in spot zoning; and

WHEREAS, R-4 zoning exists on the south side of Homewild Avenue, and the only property between the John George Home and the R-4 district is the former Firth Middle School located at 205 Seymour Avenue; and

WHEREAS, school districts are not controlled by local zoning ordinances; and

WHEREAS, the City's zoning ordinance allows the city planning commission to initiate a change in zoning by adopting a resolution by a majority vote (Sec. 28-183 (2)).

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission resolves to initiate the process to rezone the former Firth Middle School property to R-4 if and when a rezoning application is submitted by the John George Home, and that this Resolution be processed as if it was an application for a zoning change.

* * * * *

I, Ryan Doll, Chair, do hereby certify that the foregoing is a true and original copy of an October 6, 2010 Resolution approved by a majority vote of the full membership of the City Planning Commission.



City Planning Commission Chair
City of Jackson, Michigan

10/6/10

Date



City Planning Commission

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

MEMORANDUM

To: City Planning Commissioners

From: Grant E. Bauman, AICP
R2PC Principal Planner

Date: October 6, 2010

Re: **Potential rezonings associated with the John George Home**

The City was recently informed that the John George Home is considering enlarging its dining room and possibly adding resident rooms given that it has a waiting list of 30 people. The Home is currently a legally non-conforming land use given that it is zoned R-2 (one- and two-family residential). An "institution for children or the aged" is limited as a conditional use in the R-4 district (Sec. 28-71 (76)) "No nonconforming use [can] be enlarged or increased, nor extended to occupy a greater area of land" (Sec. 28-121 (c)(1)). Accordingly, the property must be rezoned to R-4 (high-density apartment and office).

Unfortunately, the John George Home property is surrounded by other lots zoned R-2. Consequently, any attempt to rezone just that property to R-4 could result in "spot" zoning, which is poor planning practice. However, R-4 zoning is located nearby on the south side of Homewild Street. The only property located between the John George Home and the R-4 district is the former Firth Middle School property. Rezoning both the John George Home and Firth Middle School properties to R-4 will resolve any potential "spot" zoning issue. A school is not required to follow city zoning codes, so rezoning would have no impact on the school operation.

The City's zoning ordinance allows the City Planning Commission to initiate amendments by resolution to change zoning areas when supported by a majority of its members (see Sec. 28-183 (2)). Accordingly, staff drafted the following resolution for you to consider which will initiate the process of rezoning the Firth Middle School property if and when the John George Home submits a rezoning application for its property.



City Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 768-6711 • Fax (517) 788-4635

MEETING MINUTES Wednesday, October 6, 2010 Council Chambers, City Hall

Members present: Patrick Colligan; Ryan Doll, Chair; Karen Dunigan, Mayor; John Guidinger, Vice-Chair; Clyde Mauldin; John Polaczyk, City Council; Warren Renando, City Manager, and Sheila Troxel

Members absent: Jeanne Kubish

Staff present: Grant Bauman, R2PC Principal Planner; Frank Donovan, Chief Zoning Official; and Susan Murphy, Deputy City Attorney

Item 1 Call to order

Chairman Doll called the meeting to order at 7:00 p.m.

Item 2 Pledge of allegiance

Those in attendance rose for the pledge of allegiance.

Item 3 Consideration of approval of the September 1, 2010 meeting minutes

A motion was made by Comm. Dunigan, and supported by Comm. Polaczyk, to approve the City Planning Commission meeting minutes for September 1, 2010 as presented.

The motion passed by unanimous voice vote.

Item 4 PC 10-10 — Consideration of a site plan for a building, located in an industrial district and closer than 100 feet to a residential district, proposed for 145 W. Monroe Street and --- Hobart Street

Mr. Bauman presented the staff recommendation for site plan approval, with the following condition, for the construction of a pole barn to be used by Independent Engineering Lab, Inc., for storage:

Screen the northeastern, eastern and southern property lines of the Hobart Street lot in accordance with the requirements of Sec. 28-117 (c) and to the satisfaction of the City Forester.

A motion was made by Comm. Dunigan, and seconded by Comm. Guidinger, to enter the staff recommendation into the record as if read (please see the staff report).

The motion passed by unanimous voice vote.

Chairman Doll opened the public hearing. Bruce Giller, the owner of Independent Engineering Lab, Inc., spoke in favor of the request. Celia Garcia-Johnson, who resides at 121 W. Monroe Street and owns 127 W. Monroe Street and 128 Hobart Street, spoke in opposition to the proposal. She is concerned that the proposed pole barn will adversely affect the residential setting of the area and property values because it will be too large and high. Ms. Garcia-Johnson showed pictures to commissioners and cited the denial of a rezoning request for one of her properties from R-1 (one-family residential) to R-2 (one- and two-family residential) as a reason to deny the site plan. Commissioners asked Mr. Giller and Ms. Garcia-Johnson a few questions.

A motion was made by Comm. Renando, and supported by Comm. Dunigan, to approve the conditional use permit with the condition recommended by staff.

The motion passed by the following vote: Yeas – 7 (Colligan, Dunigan, Guidinger, Mauldin, Polaczyk, Renando, and Troxel), Nays -1 (Doll), Abstain – 0, Absent – 1 (Kubish).

Item 5 City Initiated Rezoning

Mr. Bauman summarized the memo which informed commissioners that the John George Home is considering enlarging its facility which requires that the property be rezoned to R-4 (please see the memo). In order to prevent a possible “spot zone,” staff is recommending that the Firth Middle School property also be rezoned to R-4 (high-density apartment and office). The passage of a resolution of the majority of all planning commissioners is needed in order to initiate the rezoning process. Such a resolution was attached to the memo, conditioned upon the John George Home applying for a change in zoning.

A motion was made by Comm. Polaczyk, and seconded by Comm. Troxel, to approve the resolution (see the resolution).

The motion passed by the following vote: Yeas – 8 (Colligan, Doll, Dunigan, Guidinger, Mauldin, Polaczyk, Renando, and Troxel), Nays -0, Abstain – 0, Absent – 1 (Kubish).

Item 6 Other Business

There was no other business before the City Planning Commission.

Item 7 Adjournment

The meeting was adjourned at 7:30 p.m.

Grant E. Bauman
Recording Secretary



Community Development

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 768-5832

November 16, 2010

TO: Warren D. Renando, City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: **Request to Establish the December 14, 2010 City Council meeting as the time and place to hold a Public Hearing for the Consideration of a Brownfield Plan for 212 West Michigan Avenue (former Consumers Energy Headquarters) as recommended by the Jackson Brownfield Redevelopment Authority (JBRA)**

At their regularly scheduled meeting on November 10, 2010, the JBRA accepted a Brownfield Plan for **212 West Michigan Avenue (former Consumers Energy Headquarters)**, and moved to recommend the plan to City Council for approval.

The Property included in the Plan is located at 212 W Michigan Avenue in the City of Jackson, Jackson County, Michigan. The Property includes one vacant building that the City intends to demolish to prepare the site for redevelopment. The eligible property for the plan consists of one parcel approximately 0.8 acres in size.

The site was previously used for commercial purposes as the former headquarters for Consumer's Energy. The building has been vacant since 2002. Redevelopment of this Property is a key element to the overall redevelopment of the downtown area. Demolition will allow the City to market a development ready site in the heart of downtown. The City has recently discussed this location with various prospective developers. It is currently anticipated that predemolition asbestos abatement will begin in January of 2011 and demolition activities will begin in the Spring of 2011. Personal property will be included as part of the eligible property and the value of the personal property is an eligible investment for the purpose of calculating the amount of any future Michigan Business Tax Credit for the project.

The Property is considered Eligible Property as defined by Part 201 of Act 451, because (a) the Property was previously utilized for commercial purposes; (b) it is located within the City of Jackson, a qualified local governmental unit under Act 381; and (c) the Property is determined to be a facility.

Requested action at this time is to establish the December 14, 2010 City Council meeting as the time and place to hold a Public Hearing to consider the Brownfield Plan for 212 West Michigan Avenue (former Consumers Energy Headquarters) as recommended by the JBRA. Please place this item on the November 23, 2010 agenda for consideration.

CK/bh

cc: Barry Hicks, Economic Development Project Manager

Att': Legal Description

ATTACHMENT – LEGAL DESCRIPTION

Legal Description for 212 West Michigan Avenue, Jackson, MI 49201

LOTS 3, 4, 5 & 6 B1N R1W OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG

MEMORANDUM
Rules and Personnel Committee
Councilmember Frounfelker, Chairman
Councilmembers Breeding and Greer

November 17, 2010

TO: Honorable Mayor and City Councilmembers
FROM: Councilmember Frounfelker, Chairman
SUBJECT: City Manager Search Recommendation

On October 26, 2010, the City Council referred the correspondence from the Michigan Municipal League regarding the City Manager search to the Rules & Personnel Committee for review and a recommendation.

On November 16, 2010, the Rules & Personnel Committee met, with Councilmembers Frounfelker and Greer in attendance, and voted 2-0 to recommend that the City retain the Michigan Municipal League for the City Manager search, under the terms of their proposal.

ARF/lf

MEMORANDUM

Lynn Fessel, City Clerk

Lynn

November 16, 2010

TO: Honorable Mayor and City Councilmembers

SUBJECT: Resolution Establishing City Council Meeting Dates for 2011

Following for your consideration is a 2011 calendar and a draft resolution establishing City Council meeting dates for 2011.

Thank you.

C: City Manager

DRAFT

RESOLUTION

BY THE CITY COUNCIL:

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson, Michigan hereby declares that it will meet in the Council Chambers on the second floor of City Hall, 161 West Michigan Avenue, Jackson, Michigan during 2011 on the following dates:

January 11	July 19
January 25	
February 8	August 16
February 22	
March 8	September 13
March 22	September 27
April 12	October 11
April 26	October 25
May 10	November 15
May 24	November 29
June 14	December 6
June 28	December 20

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on November 23, 2010.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on the 24th day of November, 2010.

_____ Lynn Fessel, City Clerk

2011

January 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
52						1	2
1	3	4	5	6	7	8	9
2	10	11	12	13	14	15	16
3	17	18	19	20	21	22	23
4	24	25	26	27	28	29	30
5	31						

February 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
5		1	2	3	4	5	6
6	7	8	9	10	11	12	13
7	14	15	16	17	18	19	20
8	21	22	23	24	25	26	27
9	28						

March 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
9		1	2	3	4	5	6
10	7	8	9	10	11	12	13
11	14	15	16	17	18	19	20
12	21	22	23	24	25	26	27
13	28	29	30	31			

April 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
13					1	2	3
14	4	5	6	7	8	9	10
15	11	12	13	14	15	16	17
16	18	19	20	21	22	23	24
17	25	26	27	28	29	30	

May 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
17							1
18	2	3	4	5	6	7	8
19	9	10	11	12	13	14	15
20	16	17	18	19	20	21	22
21	23	24	25	26	27	28	29
22	30	31					

June 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
22			1	2	3	4	5
23	6	7	8	9	10	11	12
24	13	14	15	16	17	18	19
25	20	21	22	23	24	25	26
26	27	28	29	30			

July 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
26					1	2	3
27	4	5	6	7	8	9	10
28	11	12	13	14	15	16	17
29	18	19	20	21	22	23	24
30	25	26	27	28	29	30	31

August 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
31	1	2	3	4	5	6	7
32	8	9	10	11	12	13	14
33	15	16	17	18	19	20	21
34	22	23	24	25	26	27	28
35	29	30	31				

September 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
35				1	2	3	4
36	5	6	7	8	9	10	11
37	12	13	14	15	16	17	18
38	19	20	21	22	23	24	25
39	26	27	28	29	30		

October 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
39						1	2
40	3	4	5	6	7	8	9
41	10	11	12	13	14	15	16
42	17	18	19	20	21	22	23
43	24	25	26	27	28	29	30
44	31						

November 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
44		1	2	3	4	5	6
45	7	8	9	10	11	12	13
46	14	15	16	17	18	19	20
47	21	22	23	24	25	26	27
48	28	29	30				

December 2011

Week	Mon	Tue	Wed	Thu	Fri	Sat	Sun
48				1	2	3	4
49	5	6	7	8	9	10	11
50	12	13	14	15	16	17	18
51	19	20	21	22	23	24	25
52	26	27	28	29	30	31	



City Clerk

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

Lynn Fessel, City Clerk

November 16, 2010

TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

RE: Local Approval Notice/Resolution from the Liquor Control Commission regarding the request to transfer ownership of 2010 Class C Licensed Business with Dance Permit, located at 1110 Page, (Pinetree Tavern) Jackson, MI from Eugene Wilson to Joshua Soper & James A. Zentgraf.

I received the attached Local Approval Notice/Resolution from the State Liquor Control Commission regarding the subject request, distributed it to various departments and received the following responses.

The City Police, Fire and Building Inspection Departments have no objections. The Jackson County Health Department also has no objections.

Therefore, I recommend the resolution be adopted with the request considered for Approval.

Thank you.

LF/rk

Attachment

C: City Manager

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2010 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 1110 PAGE, JACKSON, MI 49203, JACKSON COUNTY, FROM EUGENE WILSON TO JOSHUA R. SOPER & JAMES A. ZENTGRAF.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

Mailed 7-1-10 PCZ



Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
Request ID # <u>561764</u>
Business ID # <u>224131</u>

LOCAL APPROVAL NOTICE
[Authorized by MCL 436.1501]

JUNE 25, 2010

TO: JACKSON CITY COUNCIL
ATTN: CLERK
161 W MICHIGAN AVE
JACKSON, MI 49201-1303

APPLICANT: JOSHUA R. SOPER & JAMES A. ZENTGRAF

Home Address and Telephone No. or Contact Address and Telephone No.:

JOSHUA R. SOPER, 749 S PLEASANT STREET, JACKSON, MI 49203, B(517) 782-3731, H(517) 795-8322
JAMES A. ZENTGRAF, 230 AMOS STREET, JACKSON, MI 48203, B(517) 782-3731, H(517) 812-6488

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**



City Clerk

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

Lynn Fessel, City Clerk

November 16, 2010

TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn*

RE: Request to Transfer Ownership of a 2010 Class C Licensed Business with Dance Permit, located at 300 Burr St., Jackson, from Lagow and Lagow Enterprises, Incorporated to Lee and Lee Enterprises, Inc.

I received the attached Local Approval Notice/Resolution from the State Liquor Control Commission regarding the subject request, distributed it to various departments and received the following responses.

The City Police, Fire, Building Inspection and Treasury Departments have no objections. The Jackson County Health Department also has no objections.

Therefore, I recommend the resolution be adopted with the request considered for Approval.

Thank you.

LF/rk

Attachment

C: City Manager

715

Request ID # 563114

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2010 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 300 BURR, JACKSON, MI 49201, JACKSON COUNTY, FROM LAGOW AND LAGOW ENTERPRISES, INCORPORATED TO LEE AND LEE ENTERPRISES, INC.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
Request ID # <u>563114</u>
Business ID # <u>224232</u>

LOCAL APPROVAL NOTICE
 [Authorized by MCL 436.1501]

June 29, 2010

TO: JACKSON CITY COUNCIL
 ATTENTION CLERK
 161 WEST MICHIGAN AVENUE
 JACKSON, MI 49201-1303

RECEIVED
 CITY of JACKSON
 JUL 15 2010
 CLERK'S OFFICE

*Tom
 SCHMIAT
 269-330-2478*

BY _____

APPLICANT: LEE AND LEE ENTERPRISES, INC.

Home Address and Telephone No. or Contact Address and Telephone No.:
 PAULA LEE, 710 RICE STREET, LESLIE, MI 49251 H(517)589-9490
 PHILLIP LEE, 710 RICE STREET, LESLIE, MI 49251 H(517)589-9490

RECEIVED
 CITY of JACKSON
 JUL 19 2010
 CLERK'S OFFICE

BY _____

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**



Police Department

216 E. Washington Avenue - Jackson, MI 49201
Telephone: (517) 788-4100 — Facsimile: (517) 788-4129

November 3, 2010

MEMO TO: Warren D. Renando
City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: 2010/2011 JNET Grant

The Michigan Office of Drug Control Policy through the Department of State Police has awarded the Jackson Police Department a grant to partially fund two JNET officer positions. The JNET Conspiracy Continuation Project's top priority is to reduce and prevent drug use, trafficking, and crime.

This grant requires a local match of \$48,105, which will come from the Drug Law Enforcement Fund (DLEF). The DLEF is totally funded with drug forfeiture monies. The Police Department is now requesting the City Council adopt the attached resolution amending the 2010/2011 budget.

Please place this as an agenda item for the November 23, 2010 City Council meeting. I or a representative will be present to answer any questions.

MRH/AP/ap/c:JNETResolution

RESOLUTION

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

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

NOW, THEREFORE, BE IT RESOLVED, in order to meet the above requirement, the 2010/2011 JNET Conspiracy Continuation Project grant budget be established and the 2010/2011 Drug Law Enforcement Fund budget be amended as follows:

	Increase
REVENUES:	
270-333-211-501.000 Federal Grant	48,105
270-333-211-699.265 Cont. Drug Law Enforcement	48,105
	<u>96,210</u>
EXPENDITURES:	
270-333-211-706.000 Salaries	73,197
270-333-211-715.000 FICA	1,061
270-333-211-719.000 Heath Insurance	14,483
270-333-211-719.678 RX Coverage	2,765
270-333-211-724.000 Unemployment	360
270-333-211-724.001 Workers' Compensation	1,097
270-333-211-725.000 Other Fringe Benefits	1,787
270-333-211-919.001 Physical Agility	1,460
	<u>96,210</u>
<u>Drug Law Enforcement Fund</u>	
	<u>Increase</u>
EXPENDITURES:	
265-333-999-270.000	48,105

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

I, Lynn Fessel, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a Resolution by the Jackson City Council on November 23, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 24th day of November 2010.

City Clerk

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
November 9, 2010

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney

RE: Deer Harvest in Ella Sharp Park

In November 2007, the City entered into a three-party contract between Summit Township, City of Jackson, and Aaron's Nuisance Animal Control in reference to the harvesting of deer in Ella Sharp Park and Summit Township. Under the terms of the agreement, the contract was subject to five one-year renewals contingent upon approval of all parties. Further, if the parties agreed to renew the contract, it was to remain the same unit bid price as the original contract.

It is my understanding all parties wish to renew the contract for deer harvesting. The harvesting will occur in January and/or February of 2011. As part of the harvesting process, the City Council will need to suspend enforcement of Ordinance 18-184 addressing the discharge of weapons within the City. In that regard, I have prepared the attached resolution for adoption by City Council. If Council has any questions, please contact me.

JAG/dr
Enc.

cc Warren Renando, City Manager
Brandon Ransom, Director of Parks and Recreation
Kelli Hoover, Deputy Director of Parks and Recreation
Eric Terrian, Parks Department

RESOLUTION
SUSPENDING ENFORCEMENT OF FIREARMS DISCHARGE

BY THE CITY COUNCIL:

WHEREAS, the Ella Sharp Park Board, in conjunction with the Michigan Department of Natural Resources and Summit Township, have been working toward the resolution of the overpopulation of deer in and around Ella Sharp Park; and

WHEREAS, after exploring all options, the Ella Sharp Park Board determined that the safest and best method to control the deer population was through utilizing an animal control company; and

WHEREAS, after obtaining bids pursuant to the requirements of the Jackson Purchasing Policy, the City awarded the deer harvesting contract to Aaron’s Nuisance Animal Control of Rives Junction, Michigan; and

WHEREAS, the deer harvesting contract was subject to five one-year renewals; and

WHEREAS, the parties wish to renew the deer harvesting contract; and

WHEREAS, it is anticipated that Aaron’s Nuisance Animal Control will be harvesting deer in Ella Sharp Park during the months of January and February, 2011; and

WHEREAS, the City Council wishes to suspend enforcement of ordinances that would prohibit the use of firearms in Ella Sharp Park.

NOW, THEREFORE, BE IT RESOLVED that Ordinance No. 18-184 of the Jackson City Code addressing the discharging of weapons within the City shall be suspended during the harvesting of deer within Ella Sharp Park; and

BE IT FURTHER RESOLVED that suspension of the above ordinance shall only apply to agents and employees of Aaron’s Nuisance Animal Control for the harvesting of deer within Ella Sharp Park during the months of January and February, 2011.

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 _____, 2010.

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

Lynn Fessel, City Clerk



Parks, Recreation and Grounds

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

(517) 788-4040 · Facsimile (517) 768-5860

www.cityofjackson.org

To: Warren Renando, City Manager
From: Brandon Ransom, Director of Parks, Recreation and Grounds
Eric Terrian, Superintendent of Ella Sharp Park
Date: November 9, 2010
Subject: Agenda Item-Consent Calendar: Deer Harvest in Ella Sharp Park

The City of Jackson and Summit Township are in the fourth year of a five-year contract with Aaron's Nuisance Animal Control to harvest deer in Ella Sharp Park and Summit Township. The previous three years have been successful with 240 deer harvested and approximately 8,000 pounds of venison distributed to needy families in our community.

On October 27th, 2010 a request was made for a Wildlife Damage Investigation and Control Permit from the Michigan Department of Natural Resources to harvest 80 deer. MDNRE Wildlife Biologist Kristen Bissel will meet with the Department of Natural Resources' staff to determine guidelines for the upcoming deer harvest. We anticipate having the control permit by December 31st.

This harvest will take place in January and February of 2011. The Beef Barn once again is willing to process the venison at a minimal cost. Funding for the deer processing will be provided by the Michigan Sportsman Against Hunger Organization. The Immanuel Lutheran Church is again willing to distribute the venison through their food pantry.

Ella Sharp Park:	\$5,887 (will be paid from Golf Course Revenue)
Summit Township:	<u>2,939</u>
TOTAL COST:	\$8,826 (total deer: 80)

At their Meeting of Thursday, October 7th the Ella Sharp Park Board approved continuing forward with the Contract with Aaron's Nuisance Animal Control on a unanimous vote. We are requesting the City Council waive the City Ordinance pertaining to the discharge of firearms within the City Limits (*see attached resolution*).

Since we are not sure of the exact dates when the harvest will occur, we request the City Council authorize the Superintendent of Ella Sharp Park to close Ella Sharp Park and the following streets on an as-needed basis during the dates and times the deer harvest occurs within the park.

- West Hickory
- Birchwood Drive
- Maplewood Drive
- Corner of Oakwood Drive and Stonewall Road
- Oakwood Drive at Rotunda Drive

Thank you for your consideration.



Parks, Recreation and Grounds

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

(517) 788-4040 · Facsimile (517) 768-5860

www.cityofjackson.org

To: Dave Dominic, SCMU Wildlife Unit Supervisor, DNR
From: Eric Terrian, Superintendent of Ella Sharp Park
Date: Thursday, October 27, 2010
Subject: Request for a Wildlife Damage Investigation and Control Permit

As you know, the City of Jackson at Ella Sharp Park along with Summit Township has partnered in an ongoing evaluation of our current deer population. Staff, plus community input has determined that our current deer population far exceeds normal levels. Last year's harvest was very successful, with in Ella Sharp Park, yet yielded minimal results in Summit Township. We would like to continue with our deer management program.

Our population objective is 15 deer per square mile, Ella Sharp Park/Summit Township has committed our resources to a 5-year deer management program to reach this goal. Based on conversations with your staff, we are hopeful you will allow us to harvest 80 deer this season. The reasons for this deer harvest are as follows:

- Deer population will multiply over the next few years within this area
- Increase deer/car accidents within Summit Township
- Community out-cry over deer damage
- Increase of deer/human contact
- Deer roaming into populated residential and downtown neighborhoods
- Reduce chances of deer/school incident
- Hunting is prohibited

The Ella Sharp Park Board of Trustees has agreed on using sharpshooters as the method to reduce the deer population. Summit Township also agrees with the decision to use sharpshooters. This conclusion was based on the following:

- Sharpshooters are able to drop the deer humanely and quickly
- City of Jackson/Summit Township liability requirements
- Limited amount of land to harvest the deer
- Numerous residential neighborhoods that boarder Ella Sharp Park/Summit Township
- Sharpshooters have proven effective in other communities similar to ours
- Sharpshooters share our goals and objectives
- Sharpshooters are experienced in this process

The following items are requests and information for the Wildlife Damage Investigation and Control Permit:

- Duration of permit: January 3, 2011 to March 1, 2011
- Authorized sharpshooters are associated with Aaron's Nuisance Animal Control (2155 E. Territorial Road / Rives Junction, Michigan 49277 / 517-589-0050 work / 517-795-0521 cell)
- Authorized shooters are: Please see attachment. All shooters will have on their persons at all times, personal picture identification and a copy of the Damage Control Permit
- Shooting from a platform and acceptable blinds. NOTE: Only two vehicles would be used on a closed park road.
- Permittee authorized to take up to 80 deer. The focus of this effort is to reduce the population by taking primary antlerless deer. Antlered deer may be taken when part of a group of antlerless deer.
- The use of centerfire rifle is allowed.
- Shooting is allowed during daylight hours or at night with the use of lights or night vision optics.
- The use of bait at shooting locations is permitted and we request 8 to 10 days pre-bait to focus the deer.
- Please provide direction as to specific biological data required.
- All deer will be field dressed offsite and taken to: The Beef Barn (3095 Cooper Road / Jackson, Michigan 49201). The deer carcasses will be properly disposed of by Aaron Blackford.
- All deer taken will be tagged using the provided MDNR OSK tags
- Permittee will provide a weekly report of shooting activities
- Permittee will provide a copy of data collected, if needed
- Local Law Enforcement (Jackson Central Dispatch) will be notified of cull activity times and dates.
- According to Michigan Hunting and Trapping Digest (page 33) there are special permits for shooting from vehicles. We would like to be considered for a special exemption to be able to shoot from stopped and standing vehicles.

The City Council of Jackson and Summit Township Board will perform the final step by suspending the firearm ordinances to allow the deer harvest to go forward. Local law enforcement agencies have offered their support during the deer harvest. They will be informed with all available information.

Thank you and your staff for your guidance and professionalism throughout this deer harvest process.

EWT:sw

cc: Mr. Warren Renando
Mr. Brandon Ransom
Mrs. Kelli Hoover

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
November 17, 2010

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney

RE: Development Agreement between Excel-New Urban Jax LDHA LP and City of Jackson for reimbursement of City development costs.

Attached is a proposed Development Agreement between the City and Excel-New Urban Jax LDHA LP (“Excel-New Urban”) in reference to development of a 49-unit senior citizen project at the Armory Arts property. As Council is aware, Excel-New Urban requested a payment in lieu of taxes (PILOT) ordinance regarding the project. The PILOT ordinance was advanced to the November 23, 2010 Council meeting for final adoption.

The City staff met with Mr. Peter Jobson, Managing Member of Excel-New Urban, to discuss terms and conditions of the Development Agreement. The Agreement identifies costs the City incurred for the Armory Arts Project (Recital C). Mr. Jobson has agreed to pay \$150,000.00 to the City to help defray some of the costs incurred by the City. The Agreement provides for payment of the \$150,000.00 in two installments of \$75,000.00 each (Section 2). Additionally, the Agreement provides that the City will not issue a certificate of occupancy for the project until all payments have been made (Section 2).

The City Manager and the Community Development Department Director have reviewed and approved the proposed Agreement. Accordingly, it is my recommendation that Council approve the Agreement between the City and of Excel-New Urban, authorize the Mayor and Clerk to sign same, and authorize the City Attorney to make minor modifications to the Agreement.

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

JAG/dr
Enc.

cc w/enc.: Warren D. Renando, City Manager
Carol Konieczki, Director of Community Development

DEVELOPMENT AGREEMENT

This Development Agreement is entered into on _____, 2010 by and between Excel-New Urban Jax LDHA LP, a Michigan limited partnership, whose address is 23549 Shaker Boulevard, Shaker Heights, Ohio 44122 (“Partnership”), and the City of Jackson, a Michigan municipal corporation, whose address is 161 W. Jackson Ave. Jackson, MI 49201 (“City”).

RECITALS

A. The Partnership intends to develop a 49 unit senior housing project for low and moderate-income senior citizens, to be known as Armory Arts Commons Senior Residence (“Project”), on land legally described on Exhibit A.

B. The City has adopted a Payment in Lieu of Taxes ordinance effective _____, 2010, (a copy of which Ordinance is attached as Exhibit B) that exempts the Project from property taxes in lieu of a service charge, commonly referred to as “Payment in Lieu of Taxes” (“PILOT”).

C. The City has incurred costs for its Grand River Artswalk Project (“Artswalk Project”) that were not reimbursable by either the Michigan Department of Transportation (MDOT) or the Michigan Department of Natural Resources (MDNR). Costs incurred by the City are as follows:

1. Riverwalk development and utility main construction to serve and benefit the Project site in the amount of \$165,671.00; and
2. Design, construction, and engineering costs incurred in Fiscal Year 2009-2010 and 2010-2011 in the amount of \$275,564.00.

D. The City’s Artswalk Project will directly benefit the Partnership’s Project.

E. In connection with the Project, the Partnership has agreed to make a monetary contribution to the City in the sum of \$150,000.00, as a development and construction reimbursement charge, to help defray some of the costs incurred by the City for the Artswalk Project.

F. City and Partnership wish to set forth their understandings with respect to the payment of the monetary contribution to the City.

In connection with the matter described above, and the mutual benefits and obligations set forth in this Agreement, the parties agree as follows:

Section 1. *Recitals.* The above recitals are true and correct and are hereby incorporated into the body of this Agreement as fully set forth herein.

Section 2. *Payment of Contribution.* The Partnership shall pay to the City a total of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) as follows: SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) at closing of the tax credit equity investment, construction loan and start of Project construction; and thereafter SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) at issuance of a certificate of occupancy for the Project. In no way shall this agreement obligate the Partnership to pay a contribution to the City unless and until the Partnership closes with its financing sources and begins construction of the Project. However, it is understood and agreed between the parties that the City shall not be obligated to issue a certificate of occupancy for the Project until all contribution payments have been made pursuant to this section.

Section 3. *Applicability.* This Agreement only applies to the Project, to the Partnership, and to the City, and their successors and assigns.

Section 4. *Maintenance.* Upon completion, the Project and its surrounding property shall be maintained in accordance with all City municipal codes.

Section 5. *Amendments.* The terms of this Agreement may not be varied or modified in any manner, except in a subsequent writing executed by an authorized representative of both parties.

Section 6. *Integration.* This Agreement, together with any affixed Exhibits, constitutes the entire agreement between the parties with respect to the subject matter of this Agreement and supersedes any prior discussions, negotiations, agreements and understandings.

Section 7. *Notice.* All notices and other communications required or permitted under this Agreement shall be in writing and shall be deemed given when delivered personally or by registered or certified mail or by overnight courier with tracking capability addressed as follows (or any other address that is specified in writing by either party):

If to the City: Warren Renando, City Manager
City of Jackson
161 W. Michigan Ave.
Jackson, MI 49201

With a copy to: Julius A. Giglio, City Attorney

If to the Partnership: Excel-New Urban Jax LDHA LP
23549 Shaker Blvd.
Shaker Heights, OH 44122

Attention: Peter Jobson

With a copy to: Thomas Lapka, Esq.
Mallory Cunningham & Lapka
605 S. Capitol Ave.
Lansing, MI 48933

Section 8. *Counterparts.* This Agreement may be executed in one or more counterparts, each of which shall be deemed an original Agreement, but all of which shall be considered one instrument and shall become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other.

Section 9. *Binding Agreement.* This Agreement shall be binding upon the successors, assigns and subsequent transfers of the Project.

Section 10. *Severability.* The various sections and provisions of this Agreement shall be deemed to be severable, and should any section or provision of this Agreement be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Agreement as a whole or any section or provision of this Agreement other than the section or provision so declared to be unconstitutional or invalid.

Section 11. *Venue and Governing Law.* Venue for all proceedings in connection with this Agreement shall be Jackson County, Michigan, and the laws of the State of Michigan shall govern all aspects of the Agreement.

Section 12. *Headings.* The sections and paragraph headings contained in the Agreement are for reference purposes only and shall not affect in any way the interpretation of the Agreement.

Section 13. *Legal Representation.* Is acknowledged that each party to this Agreement had the opportunity to be represented by counsel in the preparation of this Agreement, and accordingly, the rule that a contract shall be interpreted strictly against the party preparing same shall not apply due to the joint contribution of both parties.

Section 14. *Indemnification.* The Partnership shall defend, indemnify, and hold harmless the City from and against all losses, costs, claims, damages, and expense, including but not limited to reasonable attorney's fees, which the City may incur, arising out of either this Agreement or the intentional or negligent act, error, or omission of the Partnership or any person or organization for whom the Partnership is responsible. The Partnership shall be solely responsible for all payments and contributions provided under this Agreement and for the completeness and accuracy of all documents and supporting data prepared by the Partnership, regardless of the City's approval of same. The Partnership shall be held responsible for any damage to property or injury to persons occurring by reason of the Partnership's activities on the Project. Upon completion of all obligations and duties provided for in this Agreement, or in the event of termination of this Agreement for any reason, the terms and conditions of this section shall survive.

Section 15. *No Third Party Beneficiaries.* It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to City and Partnership, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person or entity other than City or Partnership receiving benefits under this Agreement shall be deemed to be an incidental beneficiary only.

Section 16. *Time of the Essence.* Time is of the essence. If any payment or any other condition, obligation, or duty is not timely made, tendered or performed by either party, then this Agreement, at the option of the party who is not in default, may be terminated by the non-defaulting party, in which case, the non-defaulting party may recover such damages as may be proper.

Section 17. *Waiver.* Waiver by the City or the Partnership with respect to breach of this Agreement shall not be considered or treated as a waiver or the rights of the respective parties with respect to any other default or with respect to any particular default, except to the extent specifically waived by the City or the Partnership in writing.

This Development Agreement is executed as of the day and year first written above.

EXCEL-NEW URBAN JAX LIMITED
DIVIDEND HOUSING ASSOCIATION LIMITED
PARTNERSHIP, a Michigan limited partnership

Excel-New Urban Jax, LLC, a Michigan
limited liability company, General Partner

Peter Jobson, Managing Member

STATE OF _____)
) Ss
COUNTY OF _____)

This Agreement was acknowledged before me in _____ County on _____, 2010, by Peter Jobson, Managing Member of Excel-New Urban Jax, LLC, a Michigan limited liability company, General Partner of Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership, a Michigan limited partnership, for the limited partnership.

, Notary Public

EXHIBIT A
(Legal Description of Property)

MEMORANDUM
City Clerk's Office

November 16, 2010

TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk 
SUBJECT: Final Adoption of Ordinance No. 2010.11

Following is Ordinance No. 2010.11, which provides that Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership be granted tax exempt status subject to a PILOT. Council approved this ordinance on November 9.

C: City Manager

ORDINANCE NO. 2010- 11

An Ordinance adding Article VI of Chapter 24 of the Code of Ordinances, City of Jackson Michigan to provide that Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership be granted Tax Exempt status subject to a Payment In Lieu of Taxes.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Article VI of Chapter 24 of the Code of the City of Jackson be, and the same hereby is, added as follows:

ARTICLE VI. EXCEL-NEW URBAN JAX LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP TAX EXEMPTION ORDINANCE

Section 24-91. Title.

This article is the "City of Jackson Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership Tax Exemption Ordinance."

Section 24-92. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Act of 1966 (1966 PA 346, as amended, MCL 125.1401, et seq.). The City of Jackson is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act.

It is further acknowledged that such housing for persons of low income is a public necessity, and as the City of Jackson will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this article for tax exemption and the service charge in lieu of taxes during the period contemplated in this article are essential to the determination of economic feasibility of this housing development which will be constructed and financed in reliance on such tax exemption.

The Payment in Lieu of Tax ("PILOT") Policy enacted by the City of Jackson provides that the City's action on each application is within its discretion. The Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership ownership entity originally requested a 4% PILOT from the City during 2006 when the City's then existing Ordinance 2003.19, adopted November 25, 2003, provided for a 4% PILOT upon passage of a project specific resolution by the City Council. In 2009, the City Council adopted this PILOT Policy, which limits the terms of various PILOTs under certain criteria, but also retains the City Council's discretion to deviate from the PILOT Policy where appropriate.

In 2009, the City Council found that there was significant fairness to the Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership project and that ongoing support of this project, often referred to as the Armory Arts Commons Senior project was warranted. The City Council granted a 4% PILOT under Article IV of Chapter 24 granting a PILOT to Excel-New Urban Jax Limited Housing Dividend Association Limited Partnership for the ongoing senior housing project and considered it appropriate to evaluate the project under its original criteria in 2003.

The economy continues to place a significant impasse on the sale of tax credits while the ongoing support of the Armory Arts Commons Senior project is an important goal. The Chapter 24, Article IV expired in April 2010 without the acquisition of the necessary financing of the tax credits thereby prohibiting the start of construction.

The City Council continues to supports the Armory Arts Commons Senior project and recognizes that the adoption of a new PILOT for this 49-unit senior housing project is appropriate. As was true in 2009, the City Council determines that the application of the PILOT Policy, which by its terms applies to prospective PILOTs that have not yet begun construction or rehabilitation, is inappropriate based on the facts of this particular situation because as a matter of fairness this project should essentially be handled in a manner which will provide equivalent treatment as that which it would have been treated under its original Ordinance in 2003. Moreover, the City Council acknowledges that as a 4% PILOT, the Michigan State Housing Development Authority requires that the PILOT extend for the duration of the mortgage, which is traditionally 35 years. It is also imperative that Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership has sufficient time to acquire financing of this project and begin construction without the concern that the PILOT will expire within one year or the need to return within one year to seek an extension of time under the PILOT provisions.

It is under these criteria that a housing project, such as the Armory Arts Commons Senior project, can be economically feasible and appropriately financed. Accordingly, exercising the discretion provided under the City's PILOT Policy, the City Council adopts the following provisions to apply to Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership.

Section 24-93. Definitions.

All terms are defined as set forth in the State Housing Development Authority Act of 1966, being Public Act 346 of 1966, of the State of Michigan, as amended, except as follows:

Act means the State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, as amended.

Annual shelter rent means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.

Authority means the Michigan State Housing Development Authority.

Class means low or moderate income persons.

Construction means the foundation of the building has been completed.

Housing development means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improves the quality of the development as it relates to housing for persons of low income.

Persons of low income means persons and families having an income of 120% or less of medium income.

Sponsor means a person(s) or entities, which have applied to the authority for an allocation under the low-income housing tax credit program (LIHTC) to finance a housing development, more specifically in this Ordinance as Excel-New Urban Jax Limited Dividend Housing Association Limited Partnership or its successors.

Utilities means fuel, water, sanitary sewer services and/or electrical service, which are paid by the housing development.

Section 24-94. Class of housing developments.

It is determined that the class of housing developments to which the tax exemption and service charge in lieu of such taxes applies are multiple dwellings for persons of low income, which are financed or assisted by the authority or which are federal aided, as defined in the Act. The sponsor has a housing development at the property identified in the City of Jackson Tax Assessor's records as Parcel No. 8-2492.0600 and more specifically identified as that portion of the parcel that consists of:

A PARCEL OF LAND IN THE NE ¼ OF SECTION 34, T2S, R1W, CITY OF JACKSON, JACKSON COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34: THENCE S 00°09'38"W 1141.31 FEET (1141.27 R), ON THE EAST LINE OF SAID SECTION 34; THENCE N89°50'22"W 33.00 FEET, TO INTERSECTION OF THE SOUTH LINE OF NORTH STREET AND THE WEST LINE OF COOPER STREET; THENCE N89°36'04"W 129.71 FEET, ON THE SOUTH LINE OF NORTH STREET; THENCE S00°10'48"W 88.34 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S00°10'48"W 572.19 FEET; THENCE N89°55'37"W 332.65 FEET; THENCE NORTH 78.60 FEET; THENCE WEST 27.23 FEET; THENCE NORTH 247.91 FEET; THENCE WEST 75.39 FEET; THENCE NORTH 176.33 FEET; THENCE WEST 9.93 FEET; THENCE NORTH 21.40 FEET; THENCE WEST 37.25 FEET; THENCE NORTH 53.36 FEET; THENCE EAST 37.25 FEET; THENCE NORTH 32.04 FEET; THENCE EAST 77.24 FEET; THENCE NORTH 53.02 FEET; THENCE S89°36'04"E 33.00 FEET; THENCE SOUTH 63.30 FEET; THENCE EAST 31.23 FEET; THENCE SOUTH 27.39 FEET; THENCE EAST 305.53 FEET, TO THE POINT OF BEGINNING, EXCEPT THAT AREA CONTAINED WITHIN PARCEL TWO AS DESCRIBED BELOW, THE BALANCE CONTAINING 4.88 ACRES.

PARCEL TWO

A PARCEL OF LAND IN THE NE ¼ OF SECTION 34, T2S, R1W, CITY OF JACKSON, JACKSON COUNTY, MICHIGAN AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34: THENCE S 00°09'38"W 1141.31 FEET (1141.27 R), ON THE EAST LINE OF SAID SECTION 34; THENCE N89°50'22"W 33.00 FEET, TO INTERSECTION OF THE SOUTH LINE OF NORTH STREET AND THE WEST LINE OF COOPER STREET; THENCE N89°36'04"W 129.71 FEET, ON THE SOUTH LINE OF NORTH STREET; THENCE S00°10'48"W 88.34 FEET; THENCE S00°10'48"W 67.53 FEET; THENCE WEST 98.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST 186.48 FEET; THENCE SOUTH 85.00 FEET; THENCE EAST 101.48 FEET; THENCE SOUTH 42.99 FEET; THENCE EAST 85.00 FEET; THENCE NORTH 127.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.45 ACRES.

Referred to as Phase 1BA.

Section 24-95. Establishment of annual service charge.

Housing developments for persons of low income and the properties on which they are constructed are exempt from all property taxes from and after the commencement of construction. The City of Jackson, acknowledging that the sponsor and the authority, in the case of a sponsor receiving a mortgage loan from the authority, have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this article and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this article, and in consideration of the sponsor's offer, subject to receipt of an allocation under the LIHTC program, to construct, own and operate the housing development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charge is be equal to four (4) percent of the difference between the annual shelter rents actually collected and utilities.

Section 24-96. Limitation on the payment of annual service charge.

Notwithstanding section 24-64 above the service charge to be paid each year in lieu of taxes for the part of the housing development which is tax exempt and which is occupied by nonresidential uses is equal to the full amount of the taxes which would be paid on that portion of the housing development if the housing development were not tax exempt.

Section 24-97. Contractual effect of article.

This Ordinance granting tax exempt status, as provided in this article, must be adopted for each housing development qualified under the terms and provisions of this article. Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the City of Jackson and the sponsor with the authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

Section 24-98. Payment of service charge.

The annual service charge in lieu of taxes as determined under the article is payable in the same manner as general property taxes are payable to the City of Jackson except that the annual payment must be paid on or before May 1st of each year.

Section 24-99. Duration.

The tax exempt status of a housing development approved under this Ordinance remains in effect for 35 years from the date the certificates of occupancy for the housing development are issued; provided, the certificates of occupancy are issued within three years from the effective date of this Ordinance.

Section 24-100. Severability.

The various sections and provisions of this article are severable, and should any section or provision of this article be declared by any court of competent jurisdiction to be unconstitutional or invalid the same will not affect the validity of the article as a whole or any section or provision of this article other than the section or provision so declared to be unconstitutional or invalid.

Section 2. This Ordinance takes effect 30 days after its adoption.



City Planning Commission

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

November 23, 2010

Honorable Mayor and City Council
City of Jackson, Michigan

Subject: **PC 09-04c – Armory Arts Village Planned Unit Development District (PUDD) Three-year Extension**

Dear Mayor and Councilpersons:

The City Planning Commission recently considered a request to extend the final plan amendment to Phase 1 of the Armory Arts Village Planned Unit Development District (PUDD) adopted on May 26, 2009 for three years. The PUDD amendment replaced 4 town-house-style buildings with a building containing senior residential units along with a 1st floor art gallery and commercial space (another residential building is proposed at some point in the future). The three-year extension will allow for all of the financing details of the development to be settled given the current uncertain economic times.

The City Planning Commission (CPC) considered the request at its Wednesday, November 3, 2010 meeting. The CPC and its staff both recommend approval of the three-year extension. The request now comes to City Council for possible action. The memo provided to the CPC by the Deputy City Attorney, the original report submitted to City Council on April 21, 2009, and the minutes of the November 3, 2010 meeting of the City Planning Commission are attached to this memo.

Please contact me at 768-6711 if you have any questions.

Sincerely,

Grant E. Bauman, AICP
Principal Planner

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM

TO: City Planning Commissioners

FROM: Susan G. Murphy, Deputy City Attorney

RE: Armory Arts PUDD extension

DATE: October 28, 2010

On June 17, 2010 staff received a timely request to extend the approval of the Armory Arts Senior Project PUDD that was approved by the City Planning Commission and City Council in 2009 with an actual effective date of June 25, 2009 (final action taken at May 26, 2009 meeting with 30 days until effective.) The Historic District Commission also approved the projects reserving only the issue of brick color and size of the front door.

In short, the City's Zoning Ordinance provides that PUDD site plans are valid for one year from the effective date so long as construction is begun UNLESS the applicant files a request for extension before initial one-year period of time expires. Sec. 28-48(i)(2). Excel-New Urban LLC filed a timely request. The delay in bringing this matter forward was caused by some environmental issues that needed to be addressed before proceeding. Staff considers the request timely, and the City Council referred this matter to the Planning Commission for your review and recommendation.

Reviewing the materials that have been submitted, the PUDD site plan – building footprint – has not changed since the final approval with effective date of June 25, 2009. Mr. Jobson similarly confirms that the project is the same as was previously approved. The project continues to be a three-story 49 unit low-income senior housing complex with a small section on the first floor (approximately 3000 square feet) of commercial/retail space. We have included the materials that were forwarded to the City Council in April 2009 following the Planning Commission's prior approval.

Excel-New Urban LLC received Jackson County Brownfield Authority assistance in June 2010 to qualify for Michigan Business Tax credits towards the project. The request seeks to extend this PUDD site plan approval for three years to ensure that financing is adequately in place and construction is started without the need to return for additional extensions. Because there are no changes in the PUDD site plan, and there is no alternative project proposed for this site in the near future, staff recommends that the Planning Commission recommend approval of the three-year extension of the PUDD site plan.

cc: Julius A. Giglio, City Attorney
Grant Bauman, Region 2 Planning
Carol Konieczki, Director Community Development



City Planning Commission

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

April 21, 2009

Honorable Mayor and City Council
City of Jackson, Michigan

**Subject: PC 09-04 – Final Plan Amendment to Phase 1 of the Armory Arts Village
Planned Unit Development District (PUDD)**

Dear Mayor and Councilpersons:

Excel-New Urban LDHA LP (the applicant) requests an amendment to the final plan awarded to Phase 1 of the PUDD. The Armory Arts Village PUDD was approved by City Council on March 28, 2006 and final plan approval was also awarded to Phase 1 of the PUDD on that date. The Zoerman-Clark Building (Art 634) component of the PUDD was awarded final plan approval by Council on September 25, 2007. Council also approved the removal of the southeast portion of Phase 2 of the proposed development from the PUDD on that date when it was rezoned back to I-1 (light industrial) for use by Great Lakes Home Health and Hospice.

The City Planning Commission (CPC) held a public hearing on the proposed amendments to the approved final plan for Phase 1 of the PUDD at its meeting on Wednesday, February 4, 2009. The request now comes to City Council for public hearing and possible action. Staff recommended tabling of the request until several outstanding issues were addressed. The CPC recommends approval of the final plan for Phase 1 with the following conditions (as suggested by staff):

1. Identify the route of the 14-foot wide arts riverwalk through the PUDD,
2. Identify the as-built changes to Phase I of the PUDD on the proposed site plan and landscape plans including the location of the dumpster and major utilities, the design of light standards and landscaping, and
3. Identify the approved changes to the Art 634 portion of the PUDD (which was also granted final plan approval).

Revised site and landscape plans which satisfy those conditions and an explanatory letter are attached to this cover letter. The solid green line on the plans is the proposed route of the Riverwalk. The dotted blue polygon on the plans identifies the completed portion of Phase 1 of the PUDD. The dotted red polygon on the plans identifies the area associated with Art 634 which also received final plan approval.

The revised plans were reviewed at the monthly department head meeting for zoning issues. The City Engineer pointed out that the final route of the Riverwalk may change. It is clear, however, that the final route will not impact the proposed amendments to Phase 1 of the PUDD. The City Engineer also mentioned that funding may be available to rebuild Mechanic Street with brick pavement through the Michigan Department of Transportation's Enhancement Program. It is important to have the utilities associated with the PUDD proposed within the Mechanic Street right-of-way installed prior to or during the reconstruction of the roadway. Accordingly, it is recommended that the following condition be attached to the approval of the final plan amendment:

The utilities associated with the PUDD proposed within the Mechanic Street right-of-way must be installed prior to or during the reconstruction of the roadway to the satisfaction of the City Engineer.

The staff report, the notice of public hearings, and the February 4, 2009 meeting minutes of the CPC are also attached to this cover letter.

If you have any questions, please do not hesitate to contact me at 768-6711.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant E. Bauman". The signature is fluid and cursive, with a prominent initial "G" and "B".

Grant E. Bauman, AICP
Principal Planner



Typical Light Fixture
SCALE: 10:60"

PLANT LIST

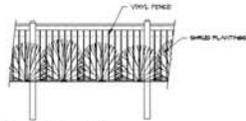
Qty	Key	Botanical Name	Common Name	Species	Height	Spread	Root	Remarks
2	01	Crataegus s. 'Harris' 'Crispata'	Thorned Hawthorn	DB	8'-10'		DB	
1	02	Quercus bicolor	Hawkeye	DB	3'		DB	
80	03	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	04	Abies balsamea 'Millers'	Blue Spruce	SP	3'		DB	
20	05	Abies balsamea 'Millers'	Blue Spruce	SP	3'		DB	
10	06	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	07	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
10	08	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
20	09	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	10	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	11	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	12	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	13	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	14	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	15	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	16	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	17	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	18	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	19	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	
4	20	Thuja occidentalis 'Hansen Red'	Asian Blue Spruce	SP	3'		DB	

Notes

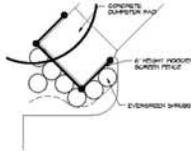
1. All existing vegetation shown is to be saved and protected during the demolition and construction process.
2. Specific planting notes and details will be provided on final construction drawings.
3. Official decorative lighting signage and site furnishings will be provided throughout the development.
4. Additional detailed planting areas will be provided for buildings, entry areas, and other special throughout the development.
5. Plantings will be irrigated.
6. Screening for parking areas to be planted hedge or fence.
7. Plantings to be installed with a combination of planting and some. All work to be installed.
8. Distribution access points for lighting to be provided every 80 feet as the wall line.
9. Decorative paving to be stamped concrete.

Legend

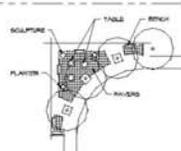
- Existing Features
1. Property Line
- Proposed Features
1. Concrete Curb and Gutter
 2. Handicap Parking Space
 3. Plant Identification
 4. Trees
 5. Shrubs
 6. Plant Bed Edge



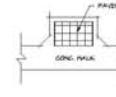
Typical Screening
SCALE: 10:60"



Typical Dumpster Screening
SCALE: 1:40"



Typical Plaza Area
SCALE: 1:40"

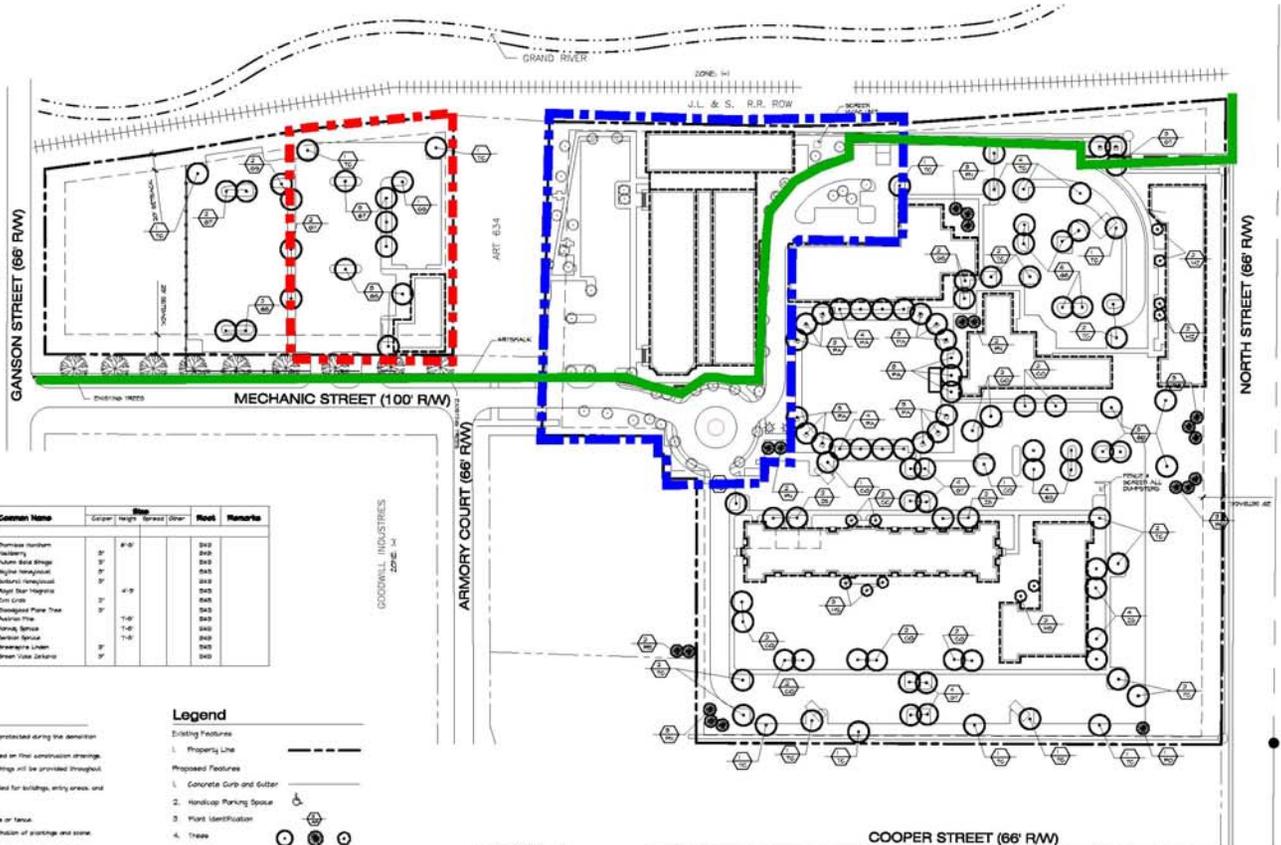


Typical Exhibitor Space
SCALE: 1:40"



North
Scale: 1"=60'

Landscape Plan



Armory Arts Village
Jackson, Michigan

Date: 8/20/09
Revision: 3/8/09
1/26/09
2/18/09
Project No.: 00006
Sheet No.:

2797 Spring Arbor Road, Suite B
Jackson, Michigan 49203
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Fax (517) 783-0711
www.fellerfinch.com

Donald L. Feller, P.E.
Gregory N. Feller, P.E.
Christopher E. Crisenbery, P.E.

February 17, 2009

Region II Planning Commission
Attn: Mr. Grant Bauman, AICP, Principal Planner
120 West Michigan Avenue
Jackson, MI 49201

RE: Armory Arts Village
PUDD Amendment Revisions
Project No. 20e00489

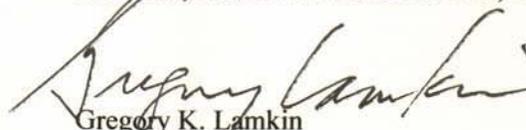
Dear Mr. Bauman:

Thank you for taking the time to discuss your Staff Recommendation of February 4, 2009 in person. We incorporated the following revisions in the Armory Arts PUDD site plan to assist the City Council in its deliberations:

1. *Identify the route of the 14-ft wide Arts Riverwalk through the PUDD.* A thick, dashed line indicates the route of this cultural feature running north along Mechanic Street and thence through the PUDD to North Street and beyond. However, please note that the 14-ft width would not be applicable to city street rights-of-way (Mechanic Street, North Street, et al.) or the PUDD. Instead, this dimension refers to that part of the pathway that will run cross-country through the open terrain that parallels the Grand River.
2. *Show/identify the as-built changes to Phase 1 of the PUDD on the proposed site and landscape plans (e.g. the location of dumpster and major utilities, the design of the light standards, landscaping, etc.).* Phase 1A is called out as "completed" and all of its associated features are now shown in lighter grayscale. The specific items noted in the review letter were modified to reflect as-built conditions.
3. *Show/identify the approved changes to the Art 634 portion of the PUDD which was also granted final plan approval.* The Art 634 portion of the PUDD has been revised to coincide with the plan submitted by the Enterprise Group and approved by the City of Jackson in 2007. This area also includes provision for future expansion of the lot to assure adequate parking for the entire project as per the original intent of the plan approved by the City of Jackson in 2006.

Please contact me if you have any further questions regarding the enclosed site plan.

Sincerely,
FELLER, FINCH & ASSOCIATES, INC.



Gregory K. Lamkin
Project Engineer



City Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 768-6711 • Fax (517) 788-4635

DRAFT MEETING MINUTES Wednesday, November 3, 2010 Council Chambers, City Hall

Members present: Patrick Colligan; Ryan Doll, Chair; Karen Dunigan, Mayor; Jeanne Kubish; Clyde Mauldin; John Polaczyk, City Council; and Sheila Troxel

Members absent: John Guidinger, Vice-Chair; and Warren Renando, City Manager

Staff present: Grant Bauman, R2PC Principal Planner; Frank Donovan, Chief Zoning Official; and Susan Murphy, Deputy City Attorney

Item 1 Call to order

Chairman Doll called the meeting to order at 7:00 p.m.

Item 2 Pledge of allegiance

Those in attendance rose for the pledge of allegiance.

Item 3 Consideration of approval of the October 6, 2010 meeting minutes

A motion was made by Comm. Dunigan, and supported by Comm. Kubish, to approve the City Planning Commission meeting minutes for October 6, 2010 as presented.

The motion passed by unanimous voice vote.

Item 4 Extension of the Amended Armory Arts Village PUDD

Ms. Murphy presented the staff recommendation to approve the three-year extension of Phase 1 of the Armory Arts Village PUDD. She noted that the extension, which will provide the applicants up to three years to build the senior apartment building approved in 2009, was submitted to the City in a timely manner and then delayed due to some environmental issues.

Chairman Doll opened the public hearing. Scott Fleming, The Enterprise Group, spoke in favor of the extension, mentioning the first floor retail and art gallery space. Peter Jobson, Excel Realty Development, also spoke in favor of the extension. He explained that the three-year extension will allow for all of the financing details of the development to be settled, answering a question of Chairman Doll. No one spoke in opposition to the request. Chairman Doll closed the public hearing and the Commission discussed the request.

A motion was made by Comm. Mauldin, and supported by Comm. Polaczyk, to recommend approval of the three-year PUDD extension to City Council.

The motion passed by the following vote: Yeas – 7 (Colligan, Doll, Dunigan, Kubish, Mauldin, Polaczyk and Troxel), Nays -0, Abstain – 0, Absent – 2 (Guidinger and Renando).

Item 5 PC 10-11 — Consideration of a conditional use permit for Grace Academic Services, a nonprofit tutoring (resource) center proposed for 936 Fleming Avenue

Mr. Bauman presented the staff recommendation for approval of the conditional use permit, with the condition that the center be closed by 8:00 p.m. on week nights and no weekend operations. He noted that the center, which is located on the grounds of the Jackson County Youth Center, will provide tutoring for the ACT college entrance exam.

A motion was made by Comm. Dunigan, and seconded by Comm. Polaczyk, to enter the staff recommendation into the record as if read (see the staff report).

The motion passed by unanimous voice vote.

Chairman Doll opened the public hearing. Mark Sharp, Sharp and Soltis, and Eric Beda, Grace Academic Services, spoke in favor of the request, citing that the average ACT score in Jackson County is below the state average which in turn is below the national average. Answering a Commissioner's question, Mr. Beda explained that the Fleming Avenue Center will be the main facility for Grace Academic Services although tutoring sessions also take place in public school classrooms throughout the county. No one spoke in opposition to the request. Staff informed Commissioners of a letter of opposition from John LaLonde (945 Allen Road) as well as a phone call from Steven Althouse (1000 Fleming Avenue). Chairman Doll closed the public hearing and the Commission discussed the request.

A motion was made by Comm. Dunigan, and supported by Comm. Troxel, to approve the conditional use permit with the following condition:

Hours of instruction at the center must cease by 8 p.m., daily.

The motion passed by the following vote: Yeas – 7 (Colligan, Doll, Dunigan, Kubish, Mauldin, Polaczyk and Troxel), Nays -0, Abstain – 0, Absent – 2 (Guidinger and Renando).

Item 6 PC 10-12 — Consideration of a conditional use permit for J and J Hauling, an automobile wrecking and salvage yard located at 1315-1319 Page Avenue

Mr. Bauman presented the staff recommendation for approval of the conditional use permit, with nine conditions. He noted that the vehicles awaiting salvage, associated equipment, and salvaged materials are stored inside an enclosed area formed by fencing and buildings.

A motion was made by Comm. Dunigan, and seconded by Comm. Polaczyk, to enter the staff recommendation into the record as if read (see the staff report).

The motion passed by unanimous voice vote.

Chairman Doll opened the public hearing. Josh Blakeman and Jamie Dinger, J and J Hauling, spoke in favor of the request. They noted that yard will handle three to four cars at a time, be open from 8:00 am to 4:00 pm, and handle toxic materials correctly, answering the questions of the Commission. Mike Wisniewski, 1307 Page Avenue, spoke in opposition, asking why the operation is not located in an old junkyard. He also wondered what the site will look like in a couple of months, citing the appearance of the Kurpinski junkyard. Dan McDonald, OmniSource, voiced his concern that the proper licensing be obtained by J and J Hauling and that they follow all regulations. Staff informed Commissioners of a letter of opposition from Theresa Szymczyk (1352 Page Avenue). Chairman Doll closed the public hearing and the Commission discussed the request, making a change to one of the proposed conditions and adding a tenth condition.

A motion was made by Comm. Dunigan, and supported by Comm. Colligan, to approve the conditional use permit with the following conditions:

1. The gate and any other open areas of fencing must be made opaque to the satisfaction of the Chief Zoning Official in one of the following ways:
 - a. Place opaque materials on the gate as well as the existing open chain link fencing along the eastern and southern property lines.
 - b. Place opaque material on the gates and install new opaque fencing in the short distance between the opaque fencing found along the eastern property line and the northern edge of the building as well as between the 2 buildings near the southern property line.
2. The opaque fencing must be maintained. Any breaks in the opaque materials must be fixed immediately.
3. The junk currently dumped along the eastern and southern property lines must also be removed.
4. Vehicles waiting for dismantling, and associated equipment (e.g., trailers, tow trucks, etc.), must be parked inside the enclosed area (e.g., opaque fencing and buildings).
5. The salvaging of auto parts must take place within the opaque fenced area.
6. Salvaged parts must be placed directly on a truck for delivery to a junkyard. Loaded trucks may be parked overnight inside the enclosed area.
7. Other salvaged materials must also be stored inside the enclosed area.
8. Toxic materials associated with the salvaging operation must be disposed of as proscribed for by local, state, and federal regulations. The applicant must also contact the City's wastewater treatment plant, fill out an industrial use questionnaire, and receive approval from the plant.
9. Obtain all local and state licenses and insurance required by law.
10. Materials must not be stacked above the height of the opaque fencing.

The motion passed by the following vote: Yeas – 7 (Colligan, Doll, Dunigan, Kubish, Mauldin, Polaczyk and Troxel), Nays -0, Abstain – 0, Absent – 2 (Guidinger and Renando).

Item 7 Proposed zoning ordinance changes regarding downtown development

Jonathan Greene, DDA Executive Director, introduced Jeanette Woodard, Chair of the DDA Design Committee. Ms. Woodard summarized a DDA report which recommends the following zoning ordinance changes regarding downtown development:

1. Require new downtown buildings to be built to the front lot line.
2. Prevent blank walls at street level and require that a certain percentage of walls be transparent (i.e., windows).

She also pointed out that the changes are designed to preserve, and enhance economic vitality; encourage creativity, imagination, innovation, and diversity in architectural design; provide healthy, pedestrian-oriented development; promote physical harmony in the relationships between buildings; provide an integrated and compatible built form and scale as it relates to the community vision and sense of place; and increase ease of use in zoning ordinance compliance.

Mayor Dunigan asked what the coverage area would be for the new regulations. Mr. Bauman stated that they could be limited to the C-3 district or defined by an overlay zone. He also mentioned that the Commission already directed staff to bring back a recommendation regarding the proposed changes at the September meeting.

A motion was made by Comm. Polaczyk, and seconded by Comm. Dunigan, to receive the report.

The motion passed by unanimous voice vote.

Item 8 2011 meeting schedule

Mr. Bauman presented the proposed 2011 meeting schedule, noting that all of the meetings continued to be on the first Wednesday of the month.

A motion was made by Comm. Polaczyk, and seconded by Comm. Dunigan, to approve the schedule.

The motion passed by unanimous voice vote.

Item 6 Other Business

There was no other business before the City Planning Commission.

Item 7 Adjournment

The meeting was adjourned at 8:20 p.m.

Grant E. Bauman
Recording Secretary

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
November 17, 2010

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney

RE: Agreement for Economic Development Services between the City and Enterprise Group

Attached is a proposed agreement between the City and the Enterprise Group of Jackson, Inc. ("EG") in reference to economic development services to be provided by the EG to the City. As Council is aware, the \$100,000 annual payment will be made from the water and sewer fund. It is our hope that the economic development activities of the EG will expand the user base of both utilities. The Agreement calls for payment of \$100,000 in three installments of \$33,333.00 (Section 3). The Agreement also provides that it is a one-year contract which terminates on June 30, 2011 (Section 4). Additionally, the Agreement requires that the EG conduct certain reporting activities to the City which will identify their economic development activities (Section 5). Services to be provided by the EG are identified in Exhibit A to the Agreement.

The terms of the Agreement have been reviewed and approved by the City Manager and the Community Development Department Director. Accordingly, it is my recommendation that Council approve the Agreement between the City and EG, authorize the Mayor and Clerk to sign same, and authorize the City Attorney to make minor modifications to the Agreement.

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

JAG/dr
Enc.

cc w/ enc.: Warren D. Renando, City Manager
Carol Konieczki, Director of Community Development

AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES

This Agreement, entered into between the City of Jackson, a Michigan municipal corporation, whose principal office is at 161 West Michigan Avenue, Jackson Michigan 49201(hereinafter "City"), and Enterprise Group of Jackson, Inc., a Michigan nonprofit corporation with offices at One Jackson Square, Jackson MI 49201(hereinafter "EG").

WHEREAS, the Jackson City Council (City Council) has determined that the EG's activities of providing economic development services for the City are deemed necessary and serve a public purpose; and

WHEREAS, the City Council has determined that the providing of economic development services by the EG for the City are services deemed to be in the public interest; and

WHEREAS, the City Council has determined that economic development will expand the user base for both its water and sewer utilities; and

WHEREAS, the City Council has determined that use of water and sewer funds to pay for the economic development expenses of the EG are appropriate since the EG activities may result in additions, improvements, enlargements, and/or extensions of the City's water and sewer systems; and

WHEREAS, the parties wish to enter into this Agreement to provide control over the manner in which the water and sewer funds are spent and provide assurances that such funds will be used in accordance with the wishes of the City Council.

NOW, THEREFORE, it is agreed by the parties, in consideration of the following mutual covenants and promises:

Section 1. **Description of Services.** The EG shall provide the services as more fully outlined in the attached *Exhibit A* (the "Services"). In the event a conflict exists between this Agreement and any term in *Exhibit A*, the terms in this Agreement shall supercede *Exhibit A*.

Section 2. **Performance of Services.** The manner in which the Services are to be performed and the specific hours to be worked by the EG shall be determined by the EG.

Section 3. **Payment to EG.** In exchange for the Services performed hereunder, the City shall pay the EG \$100,000 per year, payable as follows: \$33,334.00 on November 1, 2010; \$33,333.00 on January 1, 2011; and \$33,333.00 on March 31, 2011.

Section 4. **Term/Termination.** The term of this Agreement shall begin upon execution of this Agreement by the parties, and shall end as of June 30, 2011. This Agreement may be terminated by either party upon 30 days written notice to the other party. Upon termination, the City shall pay the EG, on a prorated basis, for all services that have been performed by the EG, to the City's satisfaction, up until the effective date of the termination.

Section 5. **Reporting Activities.** In support of payments to the EG as identified in Section 3, the EG will provide to the City a full report on all of its activities, projects, and the Services provided on a semi-annual basis (June and December); along with provision of The EG Monthly Scorecard for distribution/information only. The reports shall identify the number of new jobs created and/or retained through the EG's and City's economic development activities (community accomplishments); location and number of RV's scheduled and conducted; referrals for assistance; number of inquiries for sites, financing or incentives for City businesses/properties; and number of City meetings attended by The EG staff in support of City-related economic development efforts. Upon receipt of said reports, City staff shall review and forward same to City Council.

Section 6. **Insurance.** The EG shall, during the continuance of all work under this Agreement, provide the following:

1. Workers' Compensation insurance, such as meets the statutory requirements of the State of Michigan, and Employer's Liability insurance of at least \$100,000.00 per incident to protect the EG from any liability or damages for any injuries (including death and disability) to any and all of its employees, volunteers, or subEGs, including any and all liability or damage which may arise by virtue of any law in force within the State of Michigan or which may be hereinafter enacted.
2. Commercial General Liability insurance (including contractual liability insurance) of at least \$1,000,000.00 per incident to protect the EG, and its EGs, agents, successors, assigns, officers or employees, and the City against any and all losses, costs, claims, damages, liabilities, judgments, awards and expenses, including, but not limited to, reasonable attorney's fees, wherever located, resulting from any negligent or willful action or operation by the EG, or its EGs, agents, successors, assigns, officers or employees, pursuant to or in connection with this Agreement.
3. Prior to execution of this Agreement, the EG shall provide to the City Attorney an original, signed Certificate of Insurance evidencing that the EG has in place the insurance described above and that, with regard to Commercial General Liability and Employer's Liability insurance, such insurance is primary to any other coverage available to the City, and also with regard to the Commercial General Liability and Employer's Liability Insurance policies, the City shall be named as an additional insured.

Section 7. **Assignment.** This Agreement shall not be assigned by either party without the written consent of the other party.

Section 8. **Notices.** Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or

registered mail, postage and fees prepaid, addressed to the party to whom such notice is to be given at the address set forth on the first page of this Agreement, or at such other address as has been previously furnished in writing to the other party or parties. Such notice shall be deemed given when deposited in the United States mail.

Section 9. **Exhibits.** All exhibits referred to in this Agreement are, by reference, incorporated herein for all purposes.

Section 10. **Delays.** Any delays in or failure of performance by any party of his or its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God, fires, floods, strikes, labor disputes, accidents, regulations or orders of civil or military authorities, shortages of labor or materials, or other causes, similar or dissimilar, which are beyond the control of such party.

Section 11. **Entire Agreement.** This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties. If any other provision of this Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and all of the remaining provisions of this Agreement shall continue in full force and effect.

Section 12. **Time of the Essence.** Time is of the essence. If any payment or any other condition, obligation, or duty is not timely made, tendered or performed by either party, then this Agreement, at the option of the party who is not in default, may be terminated by the non-defaulting party upon the giving of written notice to the other party of the default, followed by a ten-day period of time in which the party may cure the default. If the default is not timely cured, then this Agreement may be terminated by the non-defaulting party, in which case, the non-defaulting party may recover such damages as may be proper.

Section 13. **Waiver.** A waiver by any party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.

Section 14. **Governing Law.** This Agreement shall be governed by the laws of the State of Michigan.

Section 15. **Binding Effect.** This Agreement shall inure to the benefit of, and be binding upon, the parties, their respective legal representatives, successors, and assigns; provided, however, that nothing in this paragraph shall be construed to permit the assignment of this Agreement except as otherwise expressly authorized herein.

Section 16. **Indemnification.** The EG shall defend, indemnify, and hold harmless the City from and against all losses, costs, claims, damages, and expense, including but not limited to reasonable attorney's fees, which the City may incur, arising out of the intentional or negligent

act, error, or omission of the EG or any person or organization for whom the EG is responsible, in connection with providing services under this Agreement. The EG shall be solely responsible for all Services provided under this Agreement and for the completeness and accuracy of all documents and supporting data prepared by the EG, regardless of the City's approval of same. The EG shall be responsible for any damage to property or injury to persons occurring by reason of the EG's activities under this Agreement. Upon completion of all services, obligations and duties provided for in this Agreement, or in the event of termination of this Agreement for any reason, the terms and conditions of this section shall survive.

Section 17. **No Third Party Beneficiaries.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the City and the EG, and nothing contained in this Agreement shall give or allow any claim or right of action by any third party under this Agreement. It is the express intention of the parties that any person other than the City or the EG receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

ATTEST:

CITY OF JACKSON

ENTERPRISE GROUP OF JACKSON, INC.

By: _____
Karen F. Dunigan, Mayor

By: _____
Scott Fleming, President

By: _____
Lynn Fessel, City Clerk

Approved as to form:

Approved as to content:

Julius A. Giglio, City Attorney

Warren D. Renando, City Manager

EXHIBIT A

SERVICES TO BE PROVIDED BY THE ENTERPRISE GROUP

1. The EG agrees to use its best efforts to aid economic development opportunities within the City.
2. The EG will recruit and screen potential developers for economic development within the City.
3. The EG will concentrate on potential developers both within and outside of the City limits of the City of Jackson that will have the greatest impact on expanding the City's water and sewer utility services.
4. The EG will assist City staff with incentives that are available to potential developers.
5. The EG will coordinate meetings between the City, the Michigan Economic Development Corporation (MEDC) and potential developers.
6. The EG will promote City properties to potential developers.
7. The EG will inform the Community Development (CD) staff of all inquiries by prospects/owners/developers regarding projects located within the City and coordinate meetings with CD staff when contacted by City businesses at the initial time of contact. Further, the EG shall insure that the CD staff is included in all pertinent meetings and conversations regarding City property with potential developers. CD or other City staff attending meetings shall sign confidentiality agreements, if requested by owner/prospect/developer. CD staff shall be contacted immediately upon any City business considering relocating outside City limits.
8. The EG will coordinate with CD staff in drafting press releases on economic development projects, and will promote City projects and events on The EG website, through mass emails, etc., in coordination with CD and other City staff.
9. The EG will continue to maintain The EG website, used to promote City properties, incentives, financing assistance, Brownfield referrals, quality of life promotion; and will coordinate with the CD staff to provide links to pertinent City website applications, information, etc.
10. The EG shall insure promotional materials which include site and property information are inclusive of City potential development sites, if they meet the site specifications of the prospect; and will coordinate with CD staff to participate in the creation of these documents, subject to availability of CD staff in meeting deadlines for distribution of documents to prospects.

11. The EG will make best efforts to assist the City of Jackson, in assembling parcels to increase the City's inventory of available, easily-developable parcels to attract new construction development.
12. The EG will continue to schedule Retention Visits for existing businesses within the City as part of the County-wide Business Success Retention/Expansion Program. For all City business retention visits, the EG will coordinate the scheduled visits on the regular Retention Visit dates, being the fourth Thursday of the month (with the MEDC Business Development Manager) and the first Thursday of the month for local visits not on the MEDC Targeted List; and will confirm any City visits with CD staff and the City Manager as early as possible after confirmation. The EG will make best efforts to establish retention visits mutually agreeable to all parties, and will communicate any schedule changes requested by The MEDC to the CD staff at the time they are received. The EG will include in the calendar event scheduled, all Retention Visits notes from the previous visit for the benefit of City staff, and will copy CD personnel on all follow up email communications.
13. The EG shall invite the CD Director to attend EG Board meetings when City issues are on the agenda.

City of Jackson Police Department
216 East Washington Avenue
Jackson, Michigan 49201
(517) 788-4127



MEMORANDUM

DATE: November 8, 2010

TO: Warren Renando
City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: October Manager's Report

Chief Matthew Heins

- Attended:
 - Meeting with City Manager
 - Taser Policy Review Meetings (2)
 - Annual Goals review with Commanders
 - Meeting with ATF SAC Graves
 - Meeting with Frank Weathers
 - Cost Reduction meeting with Commanders
 - Budget Meetings with Councilmen
 - Bob Howe
 - Andy Frounfelker
 - Meeting with Sheriff Heyns
 - Budget Meeting with Commanders
 - Insurance Committee Meeting
 - Medical Marijuana in the Workplace training
 - Law Enforcement meeting with Court staff
 - Meeting with POLC-S President
 - Evidence Audit Progress Meeting
 - Efficiency Committee Meeting
 - Discipline Hearing
 - Taser in-service training
 - Area Chiefs Meeting
 - TIP Line Meeting with Sheriff Heyns and Ric Walton
 - Meeting with Dan Hawkins, Blackman Township Supervisor
 - Radio Committee Meeting
 - Discussion on DPS costs with Blackman Township DPS

- Performance Evaluation Review meeting
- Ribbon Cutting for Grand River Arts Walk
- Grievance Meeting
- Meeting with Commanders
- Appeared on Bart Hawley
- Time Away from Office:
 - 6 hours of Furlough
 - 12 hours of Training

Deputy Chief John Holda

- Attended:
 - Taser Policy Review Meeting(2)
 - LEIN Audit
 - Evidence Audit Progress Meeting
 - Cost Reduction Meeting
 - Insurance Committee meeting
 - 12th District Court Law Enforcement Meeting
 - Salvation Army Board Meeting
 - DPS –Costs/Feasibility Meeting
 - Taser Training
 - Records Transition Meetings (3)
 - Crime View Desktop application training
 - MICR Error Meeting
 - New World Conference Call for Project Update
- Upgraded In Car Video Memory for all MDCs
- DocView – Installation
- Records Training for all Data Entry personnel
- Time Away from Office:
 - 8 hours of Training
 - 8 hours of Personal Time

Lieutenant Christopher Simpson

- Attended:
 - Taser policy meeting with Commanders, Sgt Cook
 - Annual Goals Update meeting
 - Code Enforcement Policy Meeting
 - Cost reduction plan with Commanders
 - Budget Cuts Meeting with Chief Heins
 - Physical Fitness review with Allegiance Health
 - Ordinance Review Meeting
 - Taser Review Meeting with Commanders and Officer LaPorte
 - Evidence Audit Update Meeting
 - Efficiency Committee Meeting
 - Disciplinary Meeting
 - Sexual Assault Task Force meeting

- Human Service Coordinating Alliance Meeting
- Performance Evaluation Meeting
- YMCA community event with promotion of services.

Lt. Elmer Hitt

- Attended:
 - SRT Training and Recertification
 - Meeting with Omega Group regarding crimemapping.com
 - LEPC Meeting in OEM
 - John George Home Board Meeting
 - Met with Michner Plating President and Site Manager regarding emergency response for their plant on Angling Dr.
- Assisted in Evidence Management
- Other update information:
 - Project Safe Neighborhood Grant is now completed. Final grant report is due in December.
 - Research into outsourcing report transcription is completed. My findings were submitted to Chief.
- Time Away from the Office:
 - 8 hours Vacation
 - 24 hours Training



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

INFORMATIONAL ITEM

TO: Warren D. Renando, City Manager
DATE: November 18, 2010
FROM: Carol L. Konieczki, Community Development Director
SUBJECT: Award of Rehab Contract at 919 Russell

Rehab Specialist Cliff Winslow requested bids through the Purchasing Department for an owner-occupied Rehabilitation project at 919 Russell. The Community Development Department has analyzed the bids submitted and arrived at a recommendation on bid award.

Five contractors attended the mandatory pre-bid walk through with all four submitting completed bids. The resulting Bid Tabulations are attached for your review. The lowest acceptable bid is as follows:

Project	Awardable Contractor	Amount
919 Russell	Concepts Construction	\$9,156

The homeowner has been prequalified to receive full funding through either a CDBG or HOME rehab loan (\$6,466 Code and \$2,690 Lead). The contractor awarded this project is required to obtain a current installation floater on their general liability insurance policy.

This property also received an Emergency Hazard roof project in March of 2010 in the amount of \$9,930.00.

In concurrence with the recommendation of the Department, we are prepared to award the contract as outlined above. Since this rehabilitation contract does not exceed the \$20,000 maximum (total of \$19,086 for both projects), formal City Council action is not required to approve the award.

With your approval, please place this item in the Councilmembers packets as an informational item for the November 23, 2010 meeting.

cc: Shelly Allard, Purchasing Coordinator
Dennis M. Diffenderfer, Rehab Coordinator
Kim VanEvery, Loan Assistant
Michelle Pultz, CD Project Coordinator



Bid Tabulation
for
Housing Rehabilitation
at
919 Russell

Item #	Description	Location	Code	Rehab Inspector Estimate	Concept Construction	Alpha & Omega Construction Co.	FEB Enterprises Inc.	At A Moments Notice
					1619 Cascade Ct. Jackson, MI 49203	340 Burt Avenue Jackson, MI 49201	4889 Firethorn Drive Jackson MI 49201	209 W. Washington, Suite 182 Jackson, MI 49201
					Unit Price	Unit Price		Unit Price
1	Gutterwork	House	C	800.00	585.00	545.00	600.00	750.00
2	Concrete Steps	By Public Walk	C	550.00	585.00	875.00	700.00	850.00
3	Service Walk - Steps to House	W	C	850.00	325.00	500.00	400.00	360.00
4	Concrete Steps	W Porch	C	425.00	575.00	800.00	500.00	850.00
5	Porch Repair	W Porch	L	800.00	525.00	500.00	1,500.00	1,000.00
6	Lead		L	150.00	100.00	75.00	300.00	225.00
7	Cellar Windows	N/S	L	450.00	330.00	550.00	500.00	600.00
8	Lead		L	150.00	100.00	50.00	100.00	200.00
9	Treated Steps w/Platform	E	C	300.00	310.00	675.00	800.00	1,000.00
10	Combination Door	E	C	185.00	220.00	225.00	200.00	300.00
11	Siding Repair North & Wrap Windows	S/E	L	300.00	315.00	275.00	500.00	275.00
12	Cellar Door System	N/S	C	250.00	625.00	525.00	600.00	500.00
13	Drywall Closet, W & C, In Bedroom	E	L	375.00	235.00	275.00	200.00	450.00
14	Lead		L	75.00	50.00	25.00	200.00	50.00
15	Steel Entry Door Kit	E	L	350.00	335.00	500.00	500.00	450.00
16	Lead		L	125.00	50.00	50.00	100.00	100.00
17	Underlayment	Kitchen	C	400.00	216.00	575.00	500.00	475.00
18	Vinyl Sheetgoods	Kitchen	C	450.00	1,008.00	1,600.00	1,000.00	1,000.00
19	Handrail & Railing System	Upstairs	C	150.00	345.00	175.00	800.00	850.00
20	Clearance Test	All	L	600.00	650.00	700.00	700.00	700.00
21	Electrical	All	C	1,200.00	1,672.00	1,500.00	1,800.00	1,800.00
	TOTAL			8,935.00	9,156.00	10,995.00	12,500.00	12,785.00
			L	3,375.00	2,690.00	3,000.00	4,600.00	4,050.00
			C	5,560.00	6,466.00	7,995.00	7,900.00	8,735.00

Bids are broken down to utilize/identify funding sources

L = Lead based paint hazard elimination work

C = Code requirement repair

I = Incipient Item



INFORMATIONAL ITEM

November 18, 2010

TO: Warren D. Renando, City Manager
FROM: **Carol L. Konieczki, Community Development Director**
RE: 214 E. High – Waiver of Income Guidelines

The owners of 214 E. High applied for assistance with a leaky roof at the end of May, 2010, and met the program income guidelines. At that time the owner had been off work for over a year. When scheduling a closing with them in October, it was discovered one of the owners had started a job one week previous to the closing date. Because of the new job, they exceed the income limit of 80% area median income for this program.

Based on the urgency of the need to complete the repair, the City Manager authorized a waiver to exceed the 80% income rule for this unique circumstance.

This memo is provided for your information only. No action is required by City Council.

CK/kve