



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

AGENDA – CITY COUNCIL MEETING

June 23, 2009

7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Kenneth E. Gaiser, 4th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Presentations/Proclamations.**
6. **Citizen Comments. (3-Minute Limit)**
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of June 9, 2009.
 - B. Approval of the request from the Downtown Development Authority to hold Picnic in the Park on Tuesdays, July 7, July 14, July 21, July 28, August 4, August 11, August 18, and August 25, 2009, from 12:00 p.m. until 1:00 p.m., at Bucky Harris Park. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments and the Downtown Development Authority. Proper insurance coverage is in place.)
 - C. Approval of the request from the Downtown Development Authority to close S. Columbus Street from Glick Highway to Hupp Street, and Hupp Street from S. Cooper Street to S. Columbus Street from 5:00 p.m. until 12:00 a.m. to hold the DDA Riverwalk Amphitheater Concert Series on Friday, July 24 and July 31, 2009, event 7:00 p.m. until 10:30 p.m. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services Departments, Forestry/Parks, the Amphitheater Review Committee, and the Downtown Development Authority. Proper insurance coverage is in place.)
 - *D.** Approval of the request from the Eastside Reunion Committee to use Rotary Park and playground to hold their biennial reunion/picnic on Saturday, August 8, 2009, from 10:00 a.m. until dusk. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services, and Parks/Forestry Departments. *Contingent upon receipt of proper insurance coverage. If unable to obtain insurance, execution of a Hold Harmless Agreement will be required.*)
 - E. Approval of the request from Allegiance Health to conduct the “25th annual Allegiance Race to Health” with police assistance, Saturday, September 12, 2009, beginning at 8:00 a.m. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services Departments and the Downtown Development Authority. Proper insurance coverage received.)
 - F. Approval of the request from the Michigan Theatre of Jackson, Inc., to close municipal lot No. 14 and the north/south alley, beginning at 2:00 p.m. until 11:00 p.m. to hold their Obsessions fundraising event on Friday, August 21, 2009. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services Departments, and the

- Downtown Development Authority. Proper insurance coverage received.)
- G. Approval of the request from Eugene Hurd, Jr., to close Pearl Street from Mechanic Street to west of 132 W. Pearl Street, beginning at 7:00 a.m. until 10:00 p.m. on Saturday, August 1, 2009, to conduct the 1st Annual Tailgate Meat Festival, contingent on receipt of proper special event insurance coverage (previous request postponed due to scheduling conflict). (Recommended approval received from the Police, Fire, Traffic Engineering and Public Services Departments, and the Downtown Development Authority).
 - H. Approval of Traffic Control Order (TCO) Nos. 2007 thru 2018, to review changing all on street parking within the Meterless Parking District to a one hour limit at the request of the Parking Advisory Committee. (Downtown Development Authority concurs with Parking Advisory Committee recommendations.)
 - I. Receipt of the City of Jackson's summary of revenue and expenditures for eleven (11) months ended, May 31, 2009.
 - J. Receipt of the Community Development Department CDBG Financial Report through May 31, 2009.
8. **Committee Reports.**
9. **Appointments.**
- *A. **Item deleted.**
 - B. Approval of the Mayor's recommendation to appoint Robert F. Cole to the Jackson Transportation Authority filling a current vacancy, beginning immediately and ending March 1, 2012.
10. **Public Hearings.**
- A. Public hearing on the proposed use of the 2009 Justice Assistance Grant (JAG) funds through the U.S. Department of Justice, Bureau of Justice Assistance, in the amount of \$33,121.00.
 - B. Public hearing on the request for text amendments to the City's zoning ordinance regarding off-street parking standards and the establishment of a special class of nonconformity for parking. (City Planning Commission recommends approval.)
 - 1. Consideration of an ordinance amending Chapter 28, Sections 28-106 (d), and adding (g), City Code, regarding off-street parking requirements.
11. **Resolutions.**
- A. Consideration of a resolution recognizing Stanton Charity for Children as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.
 - B. Consideration of a resolution establishing a fee schedule for services provided by the Jackson Police Department.
 - C. Consideration of a resolution amending the 2008-2009 Street Lighting Fund budget to reflect an increase in the amount of \$90,921.00, for additional expenditures for the City's street lighting, in accordance with the recommendation of the City Engineer.
12. **Ordinances.**
- A. Final adoption of Ordinance No. 2009.9, amending Chapter 16, Article XII, Sections 16-331 through 16-360, City Code, updating provisions of the pawnbrokers, secondhand dealers, and junkyard operators ordinance.
 - 1. Resolution establishing fee schedule for pawnbrokers, secondhand dealers, and junkyard operators licenses.
 - B. Final adoption of Ordinance No. 2009.10, amending Chapter 16, Sections 16-16 and 16-17, City Code, regarding the City Clerk's authority to suspend or revoke a license and process for appeal.

13. **Other Business.**
- A. Consideration of the following requests from the Community Development Department regarding the 2009-2010 Community Development Block Grant (CDBG) Subrecipient Agreement:
 - 1. Approval of the allocation of an additional \$2,801.00 in CDBG funds;
 - 2. Approval of the revised Subrecipient Agreement, and authorization for the City Attorney to make any minor modifications as needed, and
 - 3. Authorization for the Mayor and City Clerk to execute the Subrecipient Agreements.
 - B. Consideration of the recommendation to establish a five (5) percent interest rate on Special Assessments, and preparation of an analysis of estimated interest rates on bonds to be presented to the City Council each time the Council levy's Special Assessments in order to establish the interest rate on assessments at the time of the levy, in accordance with the recommendation of the City Manager as requested by the City Council at the May 26, 2009, City Council meeting.
14. **New Business.**
15. **City Councilmembers' Comments.**
16. **Manager's Comments.**
17. **Adjournment.**

***Item deleted or changed.**

JACKSON CITY COUNCIL MEETING

MINUTES

JUNE 9, 2009

CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:03 p.m. by Mayor Jerry F. Ludwig.

PLEDGE OF ALLEGIANCE – INVOCATION.

The Council joined in the pledge of allegiance. Mayor Ludwig gave the invocation.

ROLL CALL.

Present: Mayor Jerry F. Ludwig and Councilmembers Carl L. Breeding, Robert B. Howe, Andrew R. Frounfelker and John R. Polaczyk—5. Absent with excuse: Councilmembers Daniel P. Greer and Kenneth E. Gaiser--2.

Also Present: City Manager William R. Ross, City Attorney Julius A. Giglio and City Clerk Lynn Fessel.

AGENDA.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to adopt the agenda. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Frounfelker and Polaczyk—4. Nays: Councilmember Breeding--1. Absent: Councilmembers Greer and Gaiser--2.

PRESENTATIONS/PROCLAMATIONS.

- A. THE MAYOR WILL READ A PROCLAMATION RECOGNIZING JENNIFER TUCKER AS THE WINNER OF THE CITY'S SAFETY SLOGAN CONTEST WITH HER SLOGAN OF, "BE A LEADER; FOLLOW SAFE PROCEDURE!"**

Mayor Ludwig read and presented the proclamation to Jennifer Tucker.

CITIZEN COMMENTS.

Scott Aughney, 1216 Cooper Street, spoke in opposition to the proposed Civil Rights Ordinance.

Frederick Davies, 319 S. Bowen; Kathleen Conley, 714 Elmwood; Rev. Cynthia Landrum, 744 W. Morrell; Lorraine Hampton, 4720 McCain; Parrish Stahl, 148 W. Clark; George Brown, 312 S. Webster, and Michelle Holmes, 746 Oakdale, all spoke in support of the proposed Civil Rights Ordinance.

Valerie Toops, 824 Napoleon Road, would like to see the proposed Civil Rights Ordinance encompass issues that are faced by people that are discriminated against, such as housing and unemployment.

Thomas Ratchford, 615 N. East Street, questioned what he is paying for regarding his special assessment for Cortland Street streetscape. He requested a written answer.

Andrew Hershberger, 4916 Walz Road, expressed frustration with the City in regards to renovating the Bowl-A-Rama building to house Village Hope Church, a new church in the community. He also expressed his belief that the proposed Civil Rights Ordinance may be a hindrance to the City.

CONSENT CALENDAR.

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

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of May 26, 2009.
- B. Approval of a Taxicab Company license for D & M Cab Company, 3505 E. Michigan Avenue, in accordance with the recommendation of the City Clerk.
- C. Approval of the request from the Calvary Apostolic Church to conduct their 4th annual "Crusade in the Park" in Loomis Park on Sunday, June 14, 2009, from noon until 3:00 p.m., with set-up beginning at 8:00 a.m. (Recommended approval received from the Police, Fire, and Parks/Forestry Departments. Insurance coverage received and approved.)
- D. Approval of the payment of the Region 2 Planning Commission Invoice, in the amount of \$18,703.94, for planning services for the month of May 2009, in accordance with the recommendation of the City Manager.
- E. Approval of the request to award contracts to the listed low bidders for the purchase of water treatment chemicals for the Water Treatment Plant for Fiscal Year 2009-2010, in accordance with the Director of Public Services and the Purchasing Agent.
- F. Receipt with regret correspondence from City Assessor C. Jan Markowski notifying Council of his intent to retire effective August 14, 2009.
- G. Receipt of petitions filed by 113 W. Michigan, LLC, First & Michigan, LLC, HD Development of Maryland, Inc., Kibby Investments, LLC, Westside Equities II, LLC, Alpine Lake Apartments, LLC, Flagstar Bank, FSB, and Certainteed Corporation with the Michigan Tax Tribunal, and referral to the City Assessor and City Attorney for appropriate action.
- H. Receipt of petition filed by Spartan Stores, Inc., with the Michigan Tax Tribunal, and referral to the City Assessor and City Attorney for appropriate action.
- I. Establishment of June 23, 2009, at the City Council meeting as the time and place to hold a public hearing to create an Obsolete Property Rehabilitation District (OPRD) #7, and to consider an application for an OPRD Tax Exemption Certificate for the property located at 813-819 E. Michigan Avenue.

COMMITTEE REPORTS.**A. CONSIDERATION OF THE RECOMMENDATION FROM THE RULES AND PERSONNEL COMMITTEE TO UPDATE THE CITY CLERK'S JOB DESCRIPTION.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Breeding to accept the change to the City Clerk's job description, to require a Bachelor's Degree under the minimum qualifications and requirements section of the job description. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

APPOINTMENTS.

None.

PUBLIC HEARINGS.**A. PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS FOR THE BUDGET AMENDMENT TO THE CONSOLIDATED PLAN 2008 ACTION PLAN TO REALLOCATE UNSPENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.**

Mayor Ludwig opened the public hearing. John Wilson addressed the Council stating he believes money is being spent on non-essential luxuries like the Grand River Artswalk and our elected officials should demand to our state representatives and congressmen that the \$2.1M be used for residential street repair. The Mayor closed the public hearing.

1. CONSIDERATION OF APPROVAL OF A BUDGET AMENDMENT TO THE CONSOLIDATED PLAN 2008 ACTION PLAN, AND AUTHORIZATION FOR STAFF TO MAKE MINOR MODIFICATIONS TO ADD CITIZEN COMMENTS, IF ANY, AND

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to approve a budget amendment and authorize staff to make minor modifications to add citizen comments, if any. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Frounfelker and Polaczyk—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Gaiser—2.

2. RESOLUTION TO AMEND THE 2005/2006, 2006/2007, 2007/2008, AND 2008/2009 CDBG BUDGETS.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Frounfelker and Polaczyk—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Gaiser—2.

RESOLUTIONS.**A. CONSIDERATION OF A RESOLUTION AUTHORIZING ANDREA JACKSON'S DAUGHTERS TEARIA BAILEY AND GAYLYNN BAILEY TO SELL COLD**

DRINKS IN THE CENTRAL BUSINESS DISTRICT, BEGINNING JUNE 15, 2009, THROUGH AUGUST 7, 2009.

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

Motion was made by Councilmember Howe and seconded by Councilmember Breeding to waive the requirement for a bond. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 16, ARTICLE XII, SECTIONS 16-331 THROUGH 16-360, CITY CODE, UPDATING PROVISIONS OF THE PAWNBROKERS, SECONDHAND DEALERS, AND JUNKYARD OPERATORS ORDINANCE.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

B. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 16, SECTIONS 16-16 AND 16-17, CITY CODE, REGARDING THE CITY CLERK'S AUTHORITY TO SUSPEND OR REVOKE A LICENSE AND PROCESS FOR APPEAL.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

OTHER BUSINESS.

A. CONSIDERATION OF RECOMMENDATIONS FROM THE PARKING ADVISORY COMMITTEE AND REFERRAL TO THE DOWNTOWN DEVELOPMENT AUTHORITY FOR THEIR REVIEW AND COMMENTS.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to refer the recommendations to the DDA for review and comments and that the DDA complete this task by June 23. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

B. CONSIDERATION OF ESTABLISHING JULY 14, 2009, AS THE TIME AND PLACE TO HOLD A PUBLIC HEARING OF NECESSITY FOR THE PROPOSED RECONSTRUCTION OF JACKSON STREET BETWEEN LOUIS GLICK

HIGHWAY AND GANSON STREET, AND AUTHORIZATION FOR STAFF TO GIVE THE APPROPRIATE NOTICES TO THE ADJACENT PROPERTY OWNERS AND THE MEDIA.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Howe to establish a July 14, 2009, public hearing of necessity for the proposed reconstruction of Jackson Street between Louis Glick Highway and Ganson Street and authorize staff to give the appropriate notices to the adjacent property owners and the media. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Frounfelker and Polaczyk—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Gaiser—2.

NEW BUSINESS.

A. CONSIDERATION AND REVIEW OF THE PROPOSED CIVIL RIGHTS ORDINANCE FROM THE HUMAN RELATIONS COMMISSION.

Motion was made by Councilmember Howe and seconded by Councilmember Polaczyk to postpone consideration of this matter until the July 14, 2009, Council meeting and refer the proposed ordinance to the City Attorney for review. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

B. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO AT-A-MOMENTS NOTICE, IN THE AMOUNT OF \$26,935.00, FOR THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT LOCATED AT 205 S. GRINNELL, 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 Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

C. CONSIDERATION OF THE LOW BID AWARD TO ALPINE ENGINEERING, INC., NOVI, AT THEIR LOW BID OF \$34,800.00, FOR THE 2009 TOPOGRAPHIC MAPPING SERVICES CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT DOCUMENT(S), AND FOR STAFF TO MAKE ANY MINOR MODIFICATIONS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER AND THE PURCHASING AGENT.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe to approve the low bid award to Alpine Engineering, Inc. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

D. CONSIDERATION OF THE REQUEST TO APPROVE THE FINAL RENEWAL TO A THREE-YEAR RENEWABLE CONTRACT WITH UTILITY SERVICES AUTHORITY (USA), LLC, BELLEVILLE, IN THE AMOUNT OF \$253,582.00, FOR THE MICHIGAN AVENUE SANITARY SEWER REHABILITATION CONTRACT,

AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT DOCUMENT(S), AND FOR STAFF TO MAKE ANY MINOR MODIFICATIONS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER AND THE PURCHASING AGENT.

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

E. CONSIDERATION OF THE REQUEST TO APPROVE THE INSURANCE RENEWAL PREMIUM WITH THE MICHIGAN MUNICIPAL LEAGUE LIABILITY AND PROPERTY POOL, IN THE AMOUNT OF \$453,849.00, FOR FISCAL YEAR 2009-2010, AND AUTHORIZATION FOR CITY STAFF TO PAY THE PREMIUM, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY MANAGER AND THE CITY ATTORNEY.

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

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Breeding inquired about the status of enforcement of the sign ordinance. The Mayor reported.

Councilmember Frounfelker asked if there are any solutions for the grass cutting situation; the City Manager responded. He also inquired about the status of collecting receivables. The City Manager stated he will have a report on June 23. Mr. Frounfelker thanked American 1 Federal Credit Union and the Rose Parade Committee for a successful Rose Parade and Festival.

Mayor Ludwig discussed the possibility of people/organizations doing service work for the community such as "adopt-a-lot." He also remarked on a visit he took with Carol Konieczki to the movie set at the prison. The movie company was very complimentary of the City and City Attorney Giglio in particular.

Councilmember Polaczyk asked staff to review Durand Street south of Morrell for the possibility of milling and overlay, even if it's a temporary fix.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Howe for the Council to consider writing a letter to our state and federal elected officials sharing some of our concerns and frustrations with how we have to spend the block grant money, as well as what some of the comments of the citizens have been. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser—2.

CITY MANAGER'S COMMENTS.

City Manager Ross explained that he will send a memo regarding dates to review the Charter Review Committee recommendations. He reported that the Elnora Moorman Plaza is coming together

very well. He informed Council that there is a recommendation to cut 25% in statutory revenue sharing, which is about \$694,000 from our General Fund for fy 2009-2010. He explained that these cuts hit the poorest communities the hardest and he will keep the Council informed.

EXECUTIVE SESSION TO DISCUSS A LEGAL OPINION AND LABOR MATTERS.

Motion was made by Councilmember Howe and seconded by Councilmember Frounfelker to go into closed executive session. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Frounfelker and Polaczyk—5. Nays: 0. Absent: Councilmembers Greer and Gaiser--2.

RETURN TO OPEN SESSION.

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

ADJOURNMENT.

No further business being presented, Mayor Ludwig adjourned the meeting at 8:32 p.m.

Lynn Fessel
City Clerk



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager
FROM: Angela Arnold, Deputy City Clerk *Angela*
RE: Downtown Development Authority – Picnic In the Park

The Downtown Development Authority is requesting use of Bucky Harris Park to hold Picnic in the Park on Tuesday, July 7, July 14, July 21, July 28, August 4, August 11, August 18, and August 25, 2009 from 12:00 p.m. until 1:00 p.m.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments and the Downtown Development Authority. Proper insurance coverage is in place.

Please place this request on the Council's June 23rd consent calendar for their consideration.

Thank you.

Attachment



**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: 6/4/09 **Time:** 4:00pm **By:** [Signature]

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

Sponsoring Organization's Legal Name: Downtown Development Authority

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

Organization Agent: Jonathan Greene Title: Executive Director

Phone: Work 768-6410 Home _____ During event _____

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

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

Event Name: Picnic in the Park

Please give a brief description of the proposed special event: An hour of music to provide lunchtime entertainment on stage at Bucky Harris Park each Tuesday afternoon in July and August.

Event Day(s) & Date(s): 7/7, 7/14, 7/21, 7/28, 8/4, 8/11, 8/18, 8/25 Event Time(s): 12:00-1:00pm

Set-Up Date & Time: each event day - 11:00am Tear-Down Date & Time: each event day - 1:30pm

Event Location: Bucky Harris Park

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 8

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

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

RESERVED PARKING: Are you requesting reserved parking? YES NO
If yes, list the number of street spaces, City lots or locations where parking is requested:
Request 2 parallel spaces on Jackson St. next to Park for ease of loading/unloading for performers and elderly attendees.

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? 20-40 people

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

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

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

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

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

None

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

Covered under City's Insurance Policy

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

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

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

The approval of this special event may include additional requirements or limitations, based on the City's review of this application. Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

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

6/4/09

Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:

CITY CLERK'S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201

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

Event Title: Picnic in the Park – 7/7, 7/14, 7/21, 7/28, 8/4, 8/11, 8/18 and 8/25/2009

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

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

Police Dept: C. Simpson Recommend Approval: YES NO Est. Economic Impact: \$ -0-
Fire Dept.: L. Bosell Recommend Approval: YES NO Est. Economic Impact: \$ -0-
Traffic Eng.: R. Dietz Recommend Approval: YES NO Est. Economic Impact: \$ -0-
Public Services: S. Porter Recommend Approval: YES NO Est. Economic Impact: \$ -0-
Parks/Forestry: T. Steiger Recommend Approval: YES NO Est. Economic Impact: \$ -0-
DDA: J. Greene Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

Insurance/Indemnification Received: City Insured Insurance Approved: _____

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



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager
FROM: Angela Arnold, Deputy City Clerk *Angela Arnold*
RE: Downtown Development Authority – Riverwalk Concert Series

The Downtown Development Authority is requesting closure of S. Columbus Street from Glick Highway to Hupp Street and Hupp Street from S. Cooper Street to S. Columbus Street On July 24 and July 31, 2009 (from 5:00 p.m. until 12:00 a.m.) to hold their annual Riverwalk Amphitheater Concert Series (event begins at 7:00 p.m.)

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments and the Downtown Development Authority. Proper insurance coverage is in place.

Please place this request on the Council's June 23rd consent calendar for their consideration.

Thank you.

Attachment



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: 6/3/09 **Time:** _____ **By:** [Signature]

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

Sponsoring Organization's Legal Name: Jackson Downtown Development Authority

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

Organization Agent: Jonathan Greene Title: Exec. Director

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

Agent's Address: 161 W. Michigan Ave

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

Event Name: Riverwalk Concert Series

Please give a brief description of the proposed special event: Annual Riverwalk Amphitheater Concert Series - 2 shows this year

Event Day(s) & Date(s): July 24 + July 31 Event Time(s): 7pm - 10:30

Set-Up Date & Time: 12pm Tear-Down Date & Time: 11pm - 12am

Event Location: Riverwalk Amphitheater

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 4

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: 5pm 7/24 + 7/31 through Date/ Time: 12am 7/25 + 8/1

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:
Parking Decks @ Consumers

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

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

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



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

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

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

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
Close S. Columbus St from Glide Hwy to Hupp St.
Close Hupp St. from Cooper St. to S. Columbus St.

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

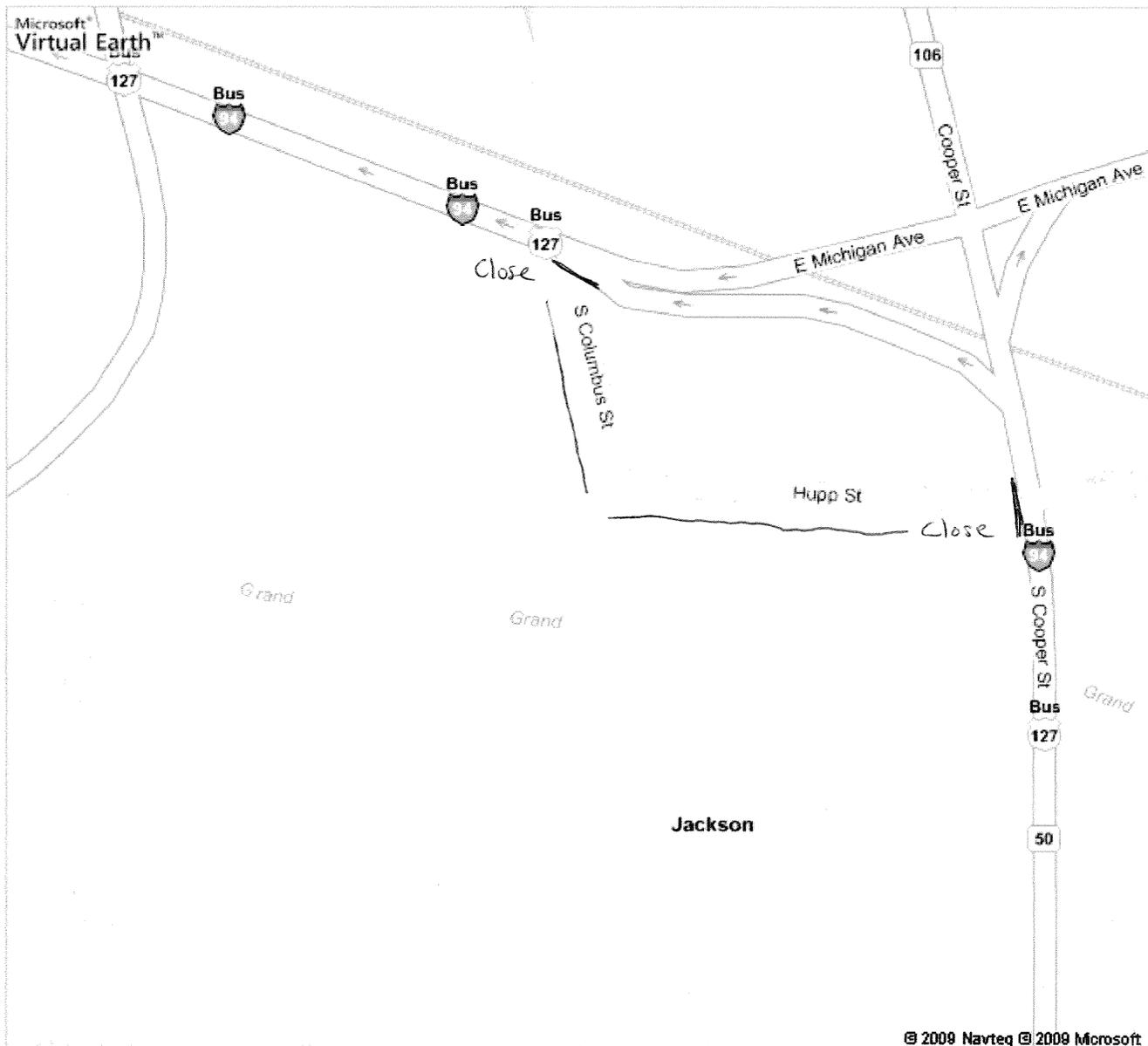
CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
 A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy or I am requesting that City Council waive the insurance requirement for this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

5/29/09
 Date

[Signature]
 Signature of Sponsoring Organization's Agent

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

Street Closures



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

Event Title: DDA Annual Riverwalk Amphitheater Concert Series – July 24 & July 31, 2009

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

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

Police Dept: <u>C. Simpson</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Fire Dept.: <u>L. Bosell</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Public Services: <u>S. Porter</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Parks/Forestry: <u>T. Steiger</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
DDA: <u>J. Greene</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

Insurance/Indemnification Received: City Insured Insurance Approved: _____

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



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager

FROM: Angela Arnold, Deputy City Clerk

RE: Eastside Reunion

The Eastside Reunion Committee is requesting use of Rotary Park on Saturday, August 8, 2009 from 10:00 a.m. until dusk, to hold their biennial community-family reunion/picnic.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments. Proper insurance coverage received.

Please place this request on the Council's June 23rd consent calendar for their consideration.

Thank you.

Attachment



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: 6/2/09 Time: _____ By: Jo

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: East Side Reunion

Organization Address: c/o 1406 Pringle Jackson MI 49203

Organization Agent: Dutchy Jones - Louverie Shalek-Boal's Title: _____

Phone: ^{Cell 517} 262-0123 Home: 782-3390 During event: _____

Agent's Address: 1406 Pringle Jackson MI 49203

Agent's E-Mail Address: _____

Event Name: East Side Reunion

Please give a brief description of the proposed special event: Community - Family Reunion - Picnic

Event Day(s) & Date(s): August 8, 2009 Event Time(s): 10:00AM - Dusk

Set-Up Date & Time: August 7th Tear-Down Date & Time: August 8th

Event Location: Rotary Park (Deep - Plymouth Sts)

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? Every other year since 1991

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

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

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

VENDORS: Food Concessions? YES NO Other Vendors? YES NO T-shirts for the event.

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 _____



ENTERTAINMENT: Are there any entertainment features related to this event? YES NO *DJ - Music*
 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? *(Past) 1000 +*

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? *3* *Porta-Johns*

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.)
We are requesting electricity be turned on for the event. (Storage Shed at the park.)

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

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

5/25/09
 Date

Dwight Jones
 Signature of Sponsoring Organization's Agent

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

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

Event Title: East Side Reunion – Saturday, August 8, 2009

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

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

Police Dept: <u>C. Simpson</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
Fire Dept.: <u>L. Bosell</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
Public Services: <u>S. Porter</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
Parks/Forestry: <u>T. Steiger</u>	Recommend Approval: <u>YES</u> NO	Est. Economic Impact: \$ <u>-0-</u>
DDA: _____	Recommend Approval: YES NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

Insurance/Indemnification Received: _____ Insurance Approved: _____

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



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager

FROM: Angela Arnold, Deputy City Clerk

RE: Allegiance Race to Health

Allegiance Health is requesting police assistance with their 25th annual Allegiance Race to Health event, beginning at 7:00 a.m. on Saturday, September 12, 2009 on city streets.

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

Please place this request on the Council's June 23rd consent calendar for their consideration.

Thank you.

Attachment



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: 5/11/09 **Time:** 9 AM **By:** A. Lunsell

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: ALLEGIANCE HEALTH

Organization Address: 205 N. EAST AVE, JACKSON 49201

Organization Agent: AMY SAYLES Title: COMMUNICATIONS SPECIALIST

Phone: Work 517.841.7491 Home _____ During event 517.879.9542

Agent's Address: 205 N. EAST AVE

Agent's E-Mail Address: AMY.SAYLES@ALLEGIANCEHEALTH.ORG

Event Name: ALLEGIANCE RACE TO HEALTH

Please give a brief description of the proposed special event: 5 MILE RUN 5K WALK/RUN

Event Day(s) & Date(s): SAT. SEPT. 12, 2009 Event Time(s): 7 AM - 11 AM

Set-Up Date & Time: 6 AM Tear-Down Date & Time: 11 AM

Event Location: SEE ENCLOSED MAP

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 25

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: 9/12 7 AM through Date/ Time: 9/12 11 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 _____



Allegiance
HEALTH

May 5, 2009

Lynn Fessel
City Clerk
161 W. Michigan Ave
Jackson, MI 49201

Dear Lynn,

I am requesting permission from the City of Jackson to hold events surrounding the 25th annual Allegiance Race to Health on Saturday, September 12, 2009 from 8 a.m. until approximately 9:45 a.m. The road courses will require the brief closure of some intersections (primarily along Ganson Street) during the peak of the event as runners cross the street.

The courses are the same as previous years and a map is enclosed. Also enclosed is the required insurance certificate adding the City of Jackson as an additional insured for the event. We will also be notifying the City of Jackson Police Department for runners' assistance crossing Ganson Street for safety purposes.

I understand there will be some construction in the area of Ganson – Cooper to East. I want to make sure someone from engineering does a careful review of our course with that in mind. We can alter the course if necessary to avoid construction activity. However, as much advance notice as possible would be helpful.

If you have any questions, please feel free to contact me directly at 841.7842.

Thank you for your help with this event.

Sincerely,

Robin Kirkpatrick
Director of Community Relations and Customer Experience



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? 800 - 1,000

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? 3
 As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
POLICE DEPT ASSISTANCE AT INTERSECTIONS FOR RACE PARTICIPANTS
STREET CLOSURES (SEE ENCLOSED MAPS)

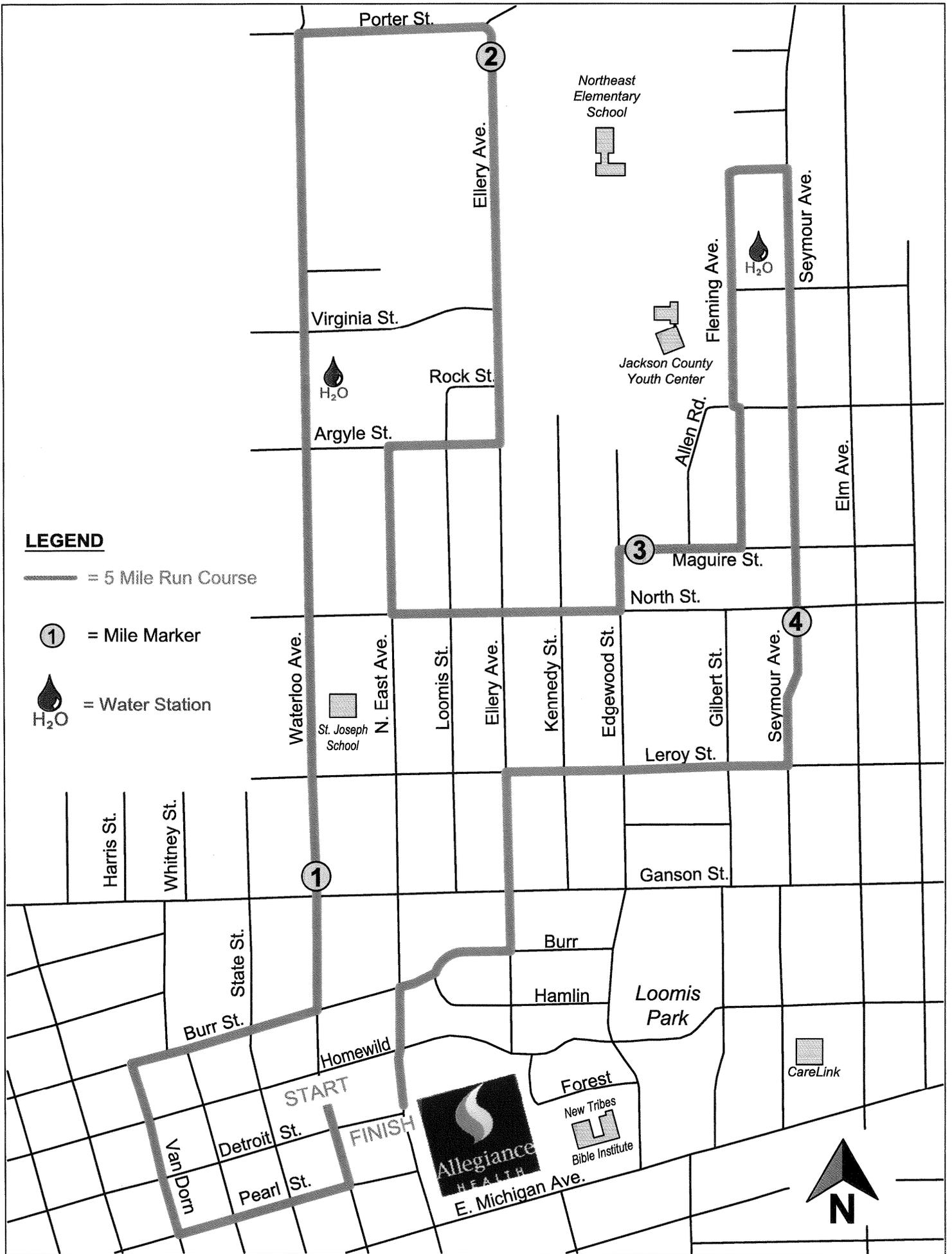
INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council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

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.

5/7/2009
 Date

Emily Sayles
 Signature of Sponsoring Organization's Agent

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



LEGEND

= 5 Mile Run Course

= Mile Marker

= Water Station

Porter St.

2

Northeast Elementary School

Ellery Ave.

Virginia St.

H₂O

Rock St.

Jackson County Youth Center

Fleming Ave.

H₂O

Seymour Ave.

Argyle St.

Allen Rd.

Elm Ave.

3

Maguire St.

North St.

4

LEGEND

= 5 Mile Run Course

= Mile Marker

= Water Station

Waterloo Ave.

St. Joseph School

N. East Ave.

Loomis St.

Ellery Ave.

Kennedy St.

Edgewood St.

Gilbert St.

Seymour Ave.

Leroy St.

Harris St.

Whitney St.

1

Ganson St.

Burr St.
State St.

Burr

Hamlin

Loomis Park

CareLink

START

Homewild

FINISH

Allegiance HEALTH

Forest

New Tribes Bible Institute

E. Michigan Ave.

Detroit St.

Pearl St.

Van Dorn



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

Event Title: Allegiance Race to Health – Saturday, September 12, 2009

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

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

Police Dept: C. Simpson Recommend Approval: **YES** NO Est. Economic Impact: \$ 300.00

Fire Dept.: L. Bosell Recommend Approval: **YES** NO Est. Economic Impact: \$ -0-

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

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

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

DDA: N/A Recommend Approval: YES NO Est. Economic Impact: \$ -0-

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

Insurance/Indemnification Received: 05/11/2009 Insurance Approved: 05/14/2009

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



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager
FROM: Angela Arnold, Deputy City Clerk *Angela*
RE: The Michigan Theatre - Obsessions

The Michigan Theatre is requesting use of municipal lot #14 and the north/south adjacent alley, for their Obsessions fundraising event on Friday, August 21, 2009, beginning at 6:00 p.m.

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

Please place this request on the Council's June 23rd consent calendar for their consideration.

Thank you.

Attachment



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

Date Received By Clerk's Office: 3/19/09 Time: 3 PM By: A. Arnold

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: The Michigan Theatre of Michigan

Organization Address: 124 N. Mechanic St.

Organization Agent: Dan Machnik Title: Board Chairman

Phone: Work 784-5556 Home _____ During event 773-610-7053

Agent's Address: 2208 Lake Wood Dr Jackson 49203

Agent's E-Mail Address: dan@willismachnik.com

Event Name: Obsessions

Please give a brief description of the proposed special event: Fundraiser for the theatre held in tents in parking lot and in theatre involving food, wine, beer, margaritas, music and silent auction.

Event Day(s) & Date(s): Aug. 21, 2009 Friday Event Time(s): 6:00pm 10:00pm

Set-Up Date & Time: 8/21/09 @ 2PM Tear-Down Date & Time: 8/21/09 10 pm

Event Location: Michigan Theatre, Parking lot 14 & adjacent alley

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 5+

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: 8/21/09 2PM through Date/ Time: 8/21/09 11 pm

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:
Lot 14 & N+S alley

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? 6pm until 10 pm



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? 300

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
Parking Lot #14 closure + Alley (N/S)
Large bandstand

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

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

3/17/2009
 Date

[Signature]
 Signature of Sponsoring Organization's Agent

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

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

Event Title: **Obsessions – Friday, August 21, 2009**

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

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

Police Dept:	<u> C. Simpson </u>	Recommend Approval:	<u> YES </u> NO	Est. Economic Impact:	\$ <u> -0- </u>
Fire Dept.:	<u> L. Bosell </u>	Recommend Approval:	<u> YES </u> NO	Est. Economic Impact:	\$ <u> -0- </u>
Traffic Eng.:	<u> R. Dietz </u>	Recommend Approval:	<u> YES </u> NO	Est. Economic Impact:	\$ <u> 241.41 </u>
Public Services:	<u> S. Porter </u>	Recommend Approval:	<u> YES* </u> NO	Est. Economic Impact:	\$ <u> 150.00 </u>
Parks/Forestry:	<u> T. Steiger </u>	Recommend Approval:	<u> YES </u> NO	Est. Economic Impact:	\$ <u> -0- </u>
DDA:	<u> J. Greene </u>	Recommend Approval:	<u> YES </u> NO	Est. Economic Impact:	\$ <u> -0- </u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

 Event sponsor expected to monitor and be responsible for removal and clean up of trash, garbage and debris.

Insurance/Indemnification Received: 03/19/2009 Insurance Approved: 03/26/2009

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

MECHANIC St.

Walt's

|||||
CLOSE OFF
fence

CLOSE
OFF
fence

PARKING LOT #14

CITY
PERMAN
FENCE

MICHIGAN
THEATER

100 ft X 100 ft

W. MICHIGAN AVE.

}
CLOSE
OFF
fence

ALLEY

TICKET
ENTRANCE
BARRIER
fence

JACKSON COUNTY BLDG.

table w. opening

STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION

SPECIAL BEER, WINE and SPIRITS LICENSE

GOOD ONLY FROM : Aug 21 2009
TO : Aug 22 2009

LEGAL HOURS OF OPERATION
WEEKDAYS : 7:00 A.M. TO 2:00 A.M.
SUNDAYS: 12:00 NOON TO 2:00 A.M.



THIS CONTRACT LICENSE is granted to the organization designated below under and in accordance with the provisions of Act No. 58, Public Act of 1998, as amended, to operate only during above specified time at the address listed below. IN WITNESS WHEREOF, THE LIQUOR CONTROL COMMISSION has caused these presents to be duly signed and sealed below.

LICENSE NUMBER:

180838

ORGANIZATION ID:

135168

THE MICHIGAN THEATRE OF JACKSON, INC.

THE MICHIGAN THEATRE OF JACKSON

SALES AND CONSUMPTION TO BE CONTAINED IN THEATRE & ADJACENT 100' X 100' FENCED & WALLED AREA WITH CLUB LICENSE (153407) IN ESCROW

124 N MECHANIC

JACKSON MI 49201

JACKSON CITY

JACKSON COUNTY

DEPARTMENT OF ENERGY,
LABOR & ECONOMIC GROWTH

Liquor Control Commission

Nida B. Samona

Pat Cascardi

Donald B. Weatherspoon

Colleen A. Lohr

Edward J. Gaffney



City Clerk

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

June 17, 2009

TO: William R. Ross, City Manager

FROM: Angela Arnold, Deputy City Clerk

RE: Tailgate Meat Festival

You will recall that on May 26 Council approved Mr. Eugene Hurd, Jr.'s request for street closures to hold a meat festival on June 20th. Due to a conflict with another downtown event being held on that date, Mr. Hurd has postponed the event. He has changed the date of the event to Saturday, August 1, 2009, and is again requesting the street closure of Pearl Street from Mechanic Street to west of 132 W. Pearl Street, beginning at 7:00 a.m. until 10:00 p.m.

As previously reported, the actual event will be held in the parking lot of the Grand River Market and will feature local BBQ vendors and live music.

Affected departments have no objections to the date change or street closure. Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Services Departments and the Downtown Development Authority.

Please place this request on the Council's June 23rd consent calendar for their consideration, with the contingency of receipt of proper special event insurance coverage.

Thank you.

Attachment

**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: 4/28/09 Time: 11:30 By: A. Arnold

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: Eugene Hurd Jr.

Organization Address: 1117 Linwood Jackson, MI 49203

Organization Agent Eugene Hurd Jr. Title: ~~Executive~~ Event Planner

Phone: (work) _____ Phone: (home) 517 787-7934 Phone: (during the event) 745.4038
(269) 924-8423

Agent's Address _____

Agent's E-Mail Address eugenehurdjr@yahoo.com

Event Name "1st Annual Tailgate Meat Festival"

Please give a brief description of the proposed special event: We will be introducing the areas "Best BBQ Vendors" and during the days event have a Jazz and Blues line up. 200 people expected including participants and vendors. Our group will staff 20 workers to monitor parking and traffic flow. 20-30 trash cans will be placed along pearl to secure a good clean up.

Event Day(s) & Date(s) Saturday June 20, 2009 is our event.

Event Time(s) 10am - 8pm

Set-Up Date & Time 6/20/09 @ 7am setup Tear-Down Date & Time 6/20/09 - 8pm/10pm tear down

Event Location Grand River Market

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 1st year

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 6/20/09 @ 7am through Date/Time: 6/20/09 @ til 10pm

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:
Grand River Market

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 _____

August 1, 2009

~~June 20, 2009~~ Event Barricade & Parking

- * Barricades should be placed in the middle of the street of (Pearl) 30 yards east of KSS Enterprise Just beyond Studio One, and the 2nd Barricade At the corner of Pearl and Mechanic in the middle of the street.
- * Vendors will use mechanic Street to enter the east entrance of the Grand River Market to park; They will also use the entrance to load and exit w/ our lot attendance directing traffic.
- * People attending the event will use the Back of the Michigan Theatre Parking lot and Michigan Ave Free Parking. Shupach owners and operators also explained to us that the parking lot 20yds west of them was available for their customers so that our event could remain functioning during their business hours and our 10am to 8pm Event time.
- * Kuhl's Market owner said we were good on using the lot; Provide him with another heads up 2 weeks before the events starting date. Also Parking at 1 Jackson Square Underground

Cont

* We would like to enquire if city could provide (20) trash cans on Pearl for our event. Also we would like to enquire about orange cones for our Event.

Eugene Howard Jr.

4-28-09

CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
City Clerk's Office * 161 W. Michigan * 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. Benny Peale & Marty Montgomery

ATTENDANCE: What is the expected (estimated) attendance for this event? 200 - 300 people including staff

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? 20
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.)
Barricades allowing no entry onto pearl street.
(3) Trash Cans
(1) Mechanic and Pearl Barricade
(2) KSS Enterprise Near Studio One needs a Barricade
132 W. Pearl 131 W. Pearl

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:
Richmond Agency General Liability 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.

4-28-09
Date

Eugene Hurd Jr.
Signature of Sponsoring Organization's Agent

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

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

Event Title: 1st Annual Tailgate Meat Festival – June 20, 2009

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

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

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

Fire Dept.: L. Bosell Recommend Approval: YES NO Est. Economic Impact: \$ -0- .

Traffic Eng.: R. Dietz Recommend Approval: YES NO Est. Economic Impact: \$400.41

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

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

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

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

(1)Trash cans are not available from DPW. (2) Orange cones pick up and return has to be coordinated through Engineering and DPW. (3) Engineering Department requesting reimbursement if entry fee is charged to attendees.

(4) Contingent upon receipt of proper insurance coverage.

Insurance/Indemnification Received: _____

Insurance Approved: _____

City Council Approved: 5/26/09 Denied: _____

Approval/Denial Mailed: _____



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

DATE: June 17, 2009
TO: William R. Ross, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Traffic Control Orders 2007 thru 2018, Changes to Downtown Parking

At the direction of the City Council, following a report by Robert Cole on behalf of the Parking Advisory Committee, the Department of Engineering has prepared the following Traffic Control Orders (TCO) No. 2007 through 2018. Each TCO is listed below:

TCO 2007: On the east side of Jackson Street between Louis Glick and Pearl no vehicle shall be parked from Pearl Street to 40 feet north of Pearl Street or from 70 feet south of Louis Glick to Louis Glick. On the remainder of the block between Pearl Street and Louis Glick no vehicle shall remain parked for a period to exceed one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2008: On the east side of Jackson Street no vehicle shall park from Michigan Avenue to 65 feet north of Michigan Avenue. On the remainder of the block between Michigan Avenue and Pearl Street no vehicle shall remain parked for a period not to exceed one hour. This action also rescinds any previous parking time limit Traffic Control Order in this block.

TCO 2009: On the east side of Jackson Street no vehicle shall park from 60 feet south of Michigan Avenue to Michigan Avenue. On the remainder of the block between Michigan Avenue and Cortland Street no vehicle shall remain parked for a period to exceed one hour. This action also rescinds previous parking time limit Traffic Control Orders in this block.

TCO 2010: On the east side of Jackson Street between Washington Avenue and Cortland Street no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2011: On Pearl Street between Jackson Street and Mechanic Street no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2012: On Michigan Avenue between Jackson Street and Mechanic Street no vehicle shall remain parked for a period exceeding one hour when parked within a marked parking space. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2013: On the north side of Michigan Avenue no vehicle shall park from 130 feet east of Mechanic Street to Mechanic Street and on the south side of Michigan Avenue no vehicle shall park from 80 feet west of Francis Street to Francis Street. On the remainder of the block between Francis Street to Mechanic Street no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2014: On the north side of Cortland Street no vehicle shall park from 140 feet east of Jackson Street to Jackson Street. On the remainder of the block between Jackson Street and Mechanic Street no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2015: On the south side of Cortland Street no vehicle shall park from 80 feet west of Francis Street to Francis Street and on the north side no vehicle shall park from Francis Street to 30 feet west of Francis Street. On the remainder of the block no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Order in this block.

TCO 2016: On the east side of Mechanic Street no vehicle shall park from Washington Avenue to 110 feet north of Washington Avenue or from 30 feet south of Cortland Street. Further, on the west side of Mechanic Street no vehicle shall park from 130 feet north of Washington Avenue to Washington Avenue. On the remainder of the block between Cortland Street and Washington Avenue no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2017: On the east side of Mechanic Street no vehicle shall park from Cortland Street to 45 feet north of Cortland Street or from 50 feet south of Michigan Avenue to Michigan Avenue. Further, on the west side of Mechanic Street no vehicle shall park from 95 feet north of Cortland Street to Cortland Street. On the remainder of the block between Cortland Street and Michigan Avenue no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

TCO 2018: On the west side of Francis Street no vehicle shall park from Michigan Avenue to 120 feet south of Michigan Avenue and from 100 feet north of Cortland Street to Cortland Street. Further, no vehicle shall park on the east side of Francis Street from Cortland Street to Michigan Avenue. On the remainder of the block between Cortland Street and Michigan Avenue no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

With your concurrence, I request the above Traffic Control Orders be placed on the Council Agenda for its meeting on June 23, 2009. If you have any questions or concerns, please do not hesitate to contact me directly.

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2007

LOCATION: Jackson Street: Pearl to Louis Glick, east side

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Jackson Street between Louis Glick and Pearl Street no vehicle shall be parked from Pearl Street to 40 feet north of Pearl Street or from 70 feet south of Louis Glick to Louis Glick. On the remainder of the block between Pearl Street and Louis Glick no vehicle shall remain parked for a period to exceed one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2008

LOCATION: Jackson Street: Michigan to Pearl, east side

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Jackson Street no vehicle shall park from Michigan Avenue to 65 feet north of Michigan Avenue. On the remainder of the block between Michigan Avenue and Pearl Street no vehicle shall remain parked for a period to exceed one hour. This action also rescinds any previous parking time limit Traffic Control Order in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2009

LOCATION: Jackson Street: Cortland to Michigan, east side

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Jackson Street no vehicle shall park from 60 feet south of Michigan Avenue to Michigan Avenue. On the remainder of the block between Michigan Avenue and Cortland Street no vehicle shall remain parked for a period to exceed one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2010

LOCATION: Jackson Street: Washington to Cortland, east side

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Jackson Street between Washington Avenue and Cortland Street no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED

REJECTED

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2011

LOCATION: Pearl Street: Jackson to Mechanic

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On Pearl Street between Jackson Street and Mechanic Street no vehicle shall remain parked for a period exceeding one hour. This action shall also rescind any previous parking time limit Traffic Control Orders in this block.

APPROVED

REJECTED

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2012

LOCATION: Michigan Avenue: Jackson to Mechanic

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On Michigan Avenue between Jackson Street and Mechanic Street no vehicle shall remain parked for a period exceeding one hour when parked within a marked parking space. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2013

LOCATION: Michigan Avenue: Mechanic to Francis

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the north side of Michigan Avenue no vehicle shall park from 130 feet east of Mechanic Street to Mechanic Street and on the south side of Michigan Avenue no vehicle shall park from 80 feet west of Francis Street to Francis Street. On the remainder of the block between Francis Street to Mechanic Street no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2014

LOCATION: Cortland Street: Jackson to Mechanic

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the north side of Cortland Street no vehicle shall park from 140 feet east of Jackson Street to Jackson Street. On the remainder of the block between Jackson Street and Mechanic Street no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2015

LOCATION: Cortland Street: Mechanic to Francis

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the south side of Cortland Street no vehicle shall park from 80 feet west of Francis Street to Francis Street and on the north side no vehicle shall park from Francis Street to 30 feet west of Francis Street. On the remainder of the block no vehicle shall park for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Order in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2016

LOCATION: Mechanic Street: Washington to Cortland

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Mechanic Street no vehicle shall park from Washington Avenue to 110 feet north of Washington Avenue or from 30 feet south of Cortland Street to Cortland Street. Further, on the west side of Mechanic Street no vehicle shall park from 130 feet north of Washington Avenue to Washington Avenue. On the remainder of the block between Cortland Street and Washington Avenue no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2017

LOCATION: Mechanic Street: Cortland to Michigan

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the east side of Mechanic Street no vehicle shall park from Cortland Street to 45 feet north of Cortland Street or from 50 feet south of Michigan Avenue to Michigan Avenue. Further, on the west side of Mechanic Street no vehicle shall park from 95 feet north of Cortland Street to Cortland Street. On the remainder of the block between Cortland Street and Michigan Avenue no vehicle shall remain parked for a period exceeding one hour. This action shall also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order No. 2018

LOCATION: Francis Street: Michigan to Cortland

DATE: June 17, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Based upon a request from the Parking Advisory Committee review changing all on street parking within the Meterless Parking District to a one hour limit.

BY JON H. DOWLING, P.E.

RECOMMENDATION

On the west side of Francis Street no vehicle shall park from Michigan Avenue to 120 feet south of Michigan Avenue and from 100 feet north of Cortland Street to Cortland Street. Further, no vehicle shall park on the east side of Francis Street from Cortland Street to Michigan Avenue. On the remainder of the block between Cortland Street and Michigan Avenue no vehicle shall remain parked for a period exceeding one hour. This action also rescinds any previous parking time limit Traffic Control Orders in this block.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

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

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

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

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



Downtown Development Authority (DDA)

Memorandum

Date: June 18, 2009
To: Mayor, City Council Members
From: Jonathan Greene, Executive Director, Downtown Development Authority (DDA)
RE: **Parking Advisory Committee recommended improvements to the Meterless Parking District**

At the June 18, 2009 Downtown Development Authority Board meeting, Bob Cole from the Parking Advisory Committee presented the recommended changes to the Meterless Parking District as outlined in its communiqué to City Council dated April 24, 2009.

The DDA Board voted unanimously to endorse the recommendations as presented.

Thank you for the opportunity and engaging the DDA for input on this matter.



City of Jackson, Michigan Financial Statements

As of and For the 11 Months Ended May 31, 2009
(Unaudited)

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City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 11 Months Ended May 31, 2009
(Prepared on the Adopted Budget - Basis)

Function Department	2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
<u>Legislative :</u>					
101-101 City Council	85,776	6,807	78,160	91.12%	7,616
<u>Judicial:</u>					
101-103 Charter Review Committee	3,150	0	77	2.44%	3,073
101-137 Administrative Hearings Bureau	20,318	1,679	19,335	95.16%	983
	23,468	1,679	19,412	97.60%	4,056
<u>General Government :</u>					
101-172 City Manager	253,712	18,977	222,809	87.82%	30,903
101-192 City Clerk-Elections	174,138	14,302	153,334	88.05%	20,804
101-201 Finance	436,162	35,383	382,474	87.69%	53,688
101-209 City Assessor	431,051	31,633	383,580	88.99%	47,471
101-210 City Attorney	529,223	39,906	464,455	87.76%	64,768
101-215 City Clerk	215,028	17,041	189,738	88.24%	25,290
101-226 Personnel	399,144	18,051	323,014	80.93%	76,130
101-233 Purchasing	171,877	13,415	151,331	88.05%	20,546
101-253 City Treasurer	324,051	27,310	281,502	86.87%	42,549
101-254 City Income Tax	280,016	19,464	219,929	78.54%	60,087
101-258 Management Information Services	344,263	20,919	280,024	81.34%	64,239
101-265 City Hall & Grounds	329,019	23,733	310,380	94.33%	18,639
101-276 Cemeteries	490,143	81,395	449,277	91.66%	40,866
101-299 Unallocated	531,242	33,062	459,534	86.50%	71,708
	4,909,069	394,591	4,271,381	87.01%	637,688
<u>Police Department :</u>					
101-301 Police	8,799,923	624,490	7,857,222	89.29%	942,701
101-303 Police Youth Services - JPS	314,972	24,286	279,183	88.64%	35,789
101-308 STEP Grants	20,733	0	20,733	100.00%	0
101-311 JCCAE Grant	18,491	2,268	14,347	N/A	4,144
101-313 Consortium Training	38,628	1,752	18,763	48.57%	19,865
101-314 In-Service Training	17,954	2,390	12,416	69.15%	5,538
101-315 MCOLES Training	39,805	20,076	25,224	63.37%	14,581
	9,250,506	675,262	8,227,888	88.95%	1,022,618
<u>Fire Department :</u>					
101-337 Fire Administration	289,538	20,324	253,392	87.52%	36,146
101-340 Fire Suppression	4,633,999	384,135	4,534,225	97.85%	99,774
101-341 Fire Prevention	70,673	3,518	44,930	63.57%	25,743
101-343 Fire Training	239,445	12,620	197,031	82.29%	42,414
	5,233,655	420,597	5,029,578	96.10%	204,077
<u>Other Public Safety :</u>					
101-350 Public Safety - Unallocated	1,416,642	118,810	1,298,114	91.63%	118,528
101-401 Planning	149,497	10,827	125,039	83.64%	24,458
101-426 Office of Emergency Measures	64,870	4,507	46,021	70.94%	18,849
	1,631,009	134,144	1,469,174	90.08%	161,835

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 11 Months Ended May 31, 2009
(Prepared on the Adopted Budget - Basis)

- Continued -

Function Department	2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
<u>Public Works :</u>					
101-441 Tax Property Maintenance	15,000	192	5,468	36.45%	9,532
101-442 Civic Affairs	58,365	4,038	37,987	65.09%	20,378
101-445 Drains at Large	66,952	18,349	50,217	75.00%	16,735
101-446 Storm Drain Construction	73,305	417	41,583	56.73%	31,722
101-447 Grounds Maintenance	168,985	5,365	130,209	77.05%	38,776
101-448 Sidewalk Construction	178,998	28,101	130,979	73.17%	48,019
101-450 Street Lighting	407,182	38,976	406,972	99.95%	210
101-455 Weed Control	29,024	791	11,569	39.86%	17,455
	997,811	96,229	814,984	81.68%	182,827
<u>Recreation & Culture :</u>					
101-690 Forestry	596,178	(24,107)	526,772	88.36%	69,406
101-692 Parks, Recreation & Grounds Admin.	792,214	49,466	685,916	86.58%	106,298
101-697 Parks & Facilities Maintenance	519,593	47,145	468,358	90.14%	51,235
101-698 Lt. Nixon Memorial Pool	162,832	3,618	119,326	73.28%	43,506
101-699 Sharp Park Swimming Pool	126,686	1,781	86,351	68.16%	40,335
101-803 Historical District	12,536	714	9,405	75.02%	3,131
	2,210,039	78,617	1,896,128	85.80%	313,911
<u>Health & Welfare :</u>					
101-896 Human Relations	67,063	4,007	62,365	92.99%	4,698
<u>Contributions to Other Funds:</u>					
101-999 Contributions to Other Funds:	269,278	0	34,398	12.77%	234,880
Total General Fund Expenditures	24,677,674	1,811,933	21,903,468	88.76%	2,774,206

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 11 Months Ended May 31, 2009
(Prepared on the Adopted Budget - Basis)

Fund Type/Fund Name		2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
<u>Special Revenue Funds :</u>						
202	Major Street	5,932,113	152,327	3,433,599	57.88%	2,498,514
203	Local Street	1,211,996	82,339	1,065,032	87.87%	146,964
208	Ella W. Sharp Park Operating	724,721	69,464	631,177	87.09%	93,544
210	Land Acquisition Fund	50,000	6,732	47,805	95.61%	2,195
211	Housing Initiative Fund	10,000	220	9,011	90.11%	989
245	Public Improvement	1,568,205	81,917	254,471	16.23%	1,313,734
249	Building Department	487,920	28,336	382,439	78.38%	105,481
257	Budget Stabilization	40,000	0	0	0.00%	40,000
265	Drug Law Enforcement	104,580	9,463	82,668	79.05%	21,912
266	Project Safe Neighborhood Grant	66,940	3,757	38,128	56.96%	28,812
268	BYRNE/JAG Grants	44,423	0	44,423	100.00%	0
270	LAWNET Grant	122,503	9,005	106,847	87.22%	15,656
288	Lead Hazard Control Grant	516,582	254,070	437,546	84.70%	79,036
293	Waterfront Redevelopment Grant	0	0	2,000	N/A	(2,000)
295	2008 Brownfield Assessment Grant	300,000	19,965	128,616	42.87%	171,384
296	Recreation Activity	280,096	26,566	166,737	59.53%	113,359
297	JPS Recreation Millage Program	258,000	10,987	228,435	88.54%	29,565
<u>Debt Service Funds :</u>						
323	Mich. Urban Land Assembly D/S	144,000	0	132,000	91.67%	12,000
324	2003 MTF Bond D/S	279,005	0	278,780	99.92%	225
365	City Hall D/S	601,586	250	601,586	100.00%	0
368	Building Authority D/S	128,500	0	128,050	99.65%	450
395	2001 DDA TIF D/S	1,051,513	848,531	1,051,513	100.00%	0
398	2002 BRA TIF D/S	565,148	332,699	565,148	100.00%	0
399	2007 BRA TIF Refunding D/S	450,129	240,227	450,129	100.00%	0
<u>Capital Projects Funds :</u>						
401	Capital Projects Fund	658,914	56,529	329,587	50.02%	329,327
402	Water Equipment and Replacement	2,192,304	173,452	1,225,400	55.90%	966,904
404	Sanitary Sewer Maintenance Fund	500,987	55,986	432,818	86.39%	68,169
405	Sanitary Sewer Replacement	633,562	30,923	465,123	73.41%	168,439
406	Wastewater Equipment Replacement	1,510,000	0	1,432,859	94.89%	77,141
494	Brownfield Redevelopment Authority	1,272,157	575,397	1,053,945	82.85%	218,212
496	DDA Project	1,347,002	858,737	1,286,715	95.52%	60,287
<u>Enterprise Funds :</u>						
583	Sharp Park Golf Practice Center	72,966	6,102	43,008	58.94%	29,958
585	Auto Parking System	95,835	5,767	49,124	51.26%	46,711
586	Parking Assessment	173,347	6,559	136,621	78.81%	36,726
590	Sewer	6,598,772	358,481	4,595,572	69.64%	2,003,200
591	Water	8,532,566	528,753	6,147,589	72.05%	2,384,977
599	Parking Deck Fund	414,921	16,428	168,385	40.58%	246,536

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 11 Months Ended May 31, 2009
(Prepared on the Adopted Budget - Basis)

- Continued -

Fund Type/Fund Name		2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
<i>Internal Service Funds :</i>						
641	Public Works Administration	693,819	49,653	524,833	75.64%	168,986
642	Engineering Administration	356,494	19,663	334,504	93.83%	21,990
643	Local Site Remediation Revolving	353,000	0	0	0.00%	353,000
661	Motor Pool and Garage	1,782,072	58,903	1,254,616	70.40%	527,456
663	Equipment Revolving Fund	58,484	0	58,484	100.00%	0
677	Workers' Compensation	175,948	6,222	152,263	86.54%	23,685
678	Prescription Drug	1,043,777	76,039	877,825	84.10%	165,952
679	Health Care Deductible Reimbursement	214,175	11,743	167,241	78.09%	46,934
<i>Trust & Agency Funds :</i>						
702	County & School Tax Collection	47,000	0	0	0.00%	47,000
711	Cemetery Perpetual Maintenance	71,000	0	6,530	9.20%	64,470
718	Ella W. Sharp Endowment	46,489	0	0	0.00%	46,489
731	Employees' Retirement System	2,240,000	409,874	2,064,310	92.16%	175,690
732	Policemen's/Firemen's Pension	1,310,000	0	785,428	59.96%	524,572
733	Policemen's/Firemen's Pens.-345	4,050,000	818,515	3,717,785	91.80%	332,215
736	Public Employees Health Care	19,600	0	19,501	99.49%	99
<i>Special Assessment Funds :</i>						
895	Special Assessment	271,513	0	269,083	99.11%	2,430

City of Jackson
All Funds - Revenue Summary
As of and For the 11 Months Ended May 31, 2009

Fund/Fund Name	2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Collected
<u>General Fund :</u>				
Property Taxes	7,707,966	820,790	7,890,606	102.37%
Income Taxes	8,000,000	707,080	7,550,078	94.38%
Licenses & Permits	234,750	55,072	195,612	83.33%
Federal Grants	43,981	(84,311)	32,239	73.30%
State Grants	146,993	85,956	94,395	64.22%
State Revenue Sharing	5,191,681	541,950	4,575,151	88.12%
Contributions From Local Units	168,984	3,703	98,101	58.05%
Charges For Goods & Services	1,141,894	72,757	1,037,594	90.87%
Fines & Forfeits	210,343	19,428	205,812	97.85%
Investment Income	197,000	411	35,161	17.85%
Contributions From Other Funds	248,120	417	77,348	31.17%
Miscellaneous	779,232	7,213	355,785	45.66%
Total General Fund Revenues	24,070,944	2,230,466	22,147,882	92.01%
<u>Special Revenue Funds :</u>				
202 Major Street	5,925,679	271,533	2,976,813	50.24%
203 Local Street	1,166,642	43,923	449,138	38.50%
208 Ella W. Sharp Park Operating	724,489	36,915	366,813	50.63%
210 Land Acquisition Fund	32,200	0	95	0.30%
211 Housing Initiative Fund	10,000	8	12,567	125.67%
245 Public Improvement	1,214,500	116,920	1,271,705	104.71%
249 Building Inspection	487,305	26,839	286,013	58.69%
257 Budget Stabilization	37,000	3,175	33,022	89.25%
265 Drug Law Enforcement	173,388	10,499	139,784	80.62%
266 Project Safe Neighborhood Grant	66,940	9,798	34,370	51.34%
268 BYRNE/JAG Grants	44,423	0	0	0.00%
270 LАWNET Grant	122,502	10,124	106,848	87.22%
288 Lead Hazard Control Grant	516,582	87,986	419,773	81.26%
293 Waterfront Redevelopment Grant	0	0	0	N/A
295 2008 Brownfield Assessment Grant	300,000	19,180	108,687	36.23%
296 Recreation Activity	280,800	20,439	197,264	70.25%
297 JPS Recreation Millage Program	258,000	0	125,000	48.45%
<u>Debt Service Funds :</u>				
323 Mich. Urban Land Assembly D/S	144,000	0	132,000	91.67%
324 2003 MTF Bond D/S	279,005	0	278,780	99.92%
365 2003 City Hall D/S	587,500	48,339	587,107	99.93%
368 Building Authority D/S	128,500	0	128,050	99.65%
395 2001 DDA TIF D/S	1,051,000	848,531	1,051,513	100.05%
398 2002 BRA TIF D/S	565,000	332,699	565,148	100.03%
399 2007 BRA TIF Refunding D/S	450,200	240,227	450,129	99.98%
<u>Capital Projects Funds :</u>				
401 Capital Projects Fund	604,944	0	81	0.01%
402 Water Equipment and Replacement	1,750,000	150,053	1,608,346	91.91%
404 Sanitary Sewer Maintenance Fund	500,987	55,986	432,718	86.37%
405 Sanitary Sewer Replacement	703,000	57,072	623,185	88.65%
406 Wastewater Equip. Replacement	668,000	55,740	615,313	92.11%

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 11 Months Ended May 31, 2009

- Continued -

Fund/Fund Name	2008/09 Amended Budget	Actual Month To Date	Actual Year To Date	Percent Collected
<u>Capital Projects Funds : (Continued)</u>				
494 Brownfield Redevelopment Authority	1,493,799	1,441,384	1,488,483	99.64%
496 DDA Project	1,083,990	1,058,029	1,080,943	99.72%
<u>Enterprise Funds :</u>				
583 Sharp Park Golf Practice Center	67,000	7,811	32,755	48.89%
585 Auto Parking System	110,183	1,652	52,734	47.86%
586 Parking Assessment	127,332	4,296	110,510	86.79%
590 Sewer	5,376,000	505,871	4,614,426	85.83%
591 Water	6,786,482	418,163	5,957,314	87.78%
599 Parking Deck Fund	272,000	1,977	269,619	99.12%
<u>Internal Service Funds :</u>				
641 Public Works Administration	683,094	47,967	593,458	86.88%
642 Engineering Administration	3,923,699	30,729	339,395	8.65%
643 Local Site Remediation Revolving	207,334	295	3,070	1.48%
661 Motor Pool and Garage	1,251,086	107,040	1,230,496	98.35%
663 Equipment Revolving Fund	58,484	0	58,484	100.00%
677 Workers' Compensation	347,675	21,563	294,400	84.68%
678 Prescription Drug	1,037,260	66,353	914,182	88.13%
679 Health Care Deductible Reimb.	417,300	26,622	343,948	82.42%
<u>Trust & Agency Funds :</u>				
702 County & School Tax Collection	47,000	1,636	60,923	129.62%
711 Cemetery Perpetual Maintenance	96,000	2,104	145,772	151.85%
718 Ella W. Sharp Endowment	46,489	0	0	0.00%
731 Employees' Retirement System	(5,972,989)	2,907,710	(4,548,856)	76.16%
732 Policemen's/Firemen's Pension	(1,213,788)	0	(1,090,341)	89.83%
733 Policemen's/Firemen's Pension-345	(5,688,284)	1,636,544	(5,380,409)	94.59%
736 Public Employees Health Care	85,978	0	74,286	86.40%
<u>Special Assessment Funds :</u>				
895 Special Assessment	271,513	(16,146)	318,518	117.31%

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 11 Months Ended May 31, 2009

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

Note 2: Budget amendments are pending that will eliminate these variances.



Community Development

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

June 16, 2009

TO: William R. Ross, City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: CDBG Financial Summary through May 2009

Attached is a Financial Summary for the CDBG funds through May 2009.

Please place this item for consideration on the June 23, 2009 City Council agenda.

Cc: Michelle Pultz, Project Coordinator

CLK:hls

**City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Eleven Months Ended May 31, 2009**

	Budgeted	Expended Prior Year	Actual Month-to-Date	Actual Year-to-Date	Total Funds Expended- to-Date	Balance	Percent Spent
Public Services							
1 American Red Cross							
FY 2007/2008	3,000	2,033	-	967	3,000	-	100.0%
FY 2008/2009	2,000	-	-	1,864	1,864	136	93.2%
2 Big Brothers Big Sisters	2,000	-	-	2,000	2,000	-	100.0%
3 Center for Family Health	25,000	-	25,000	25,000	25,000	-	100.0%
4 Fair Housing Services (FY 2004/2005)	10,000	-	-	-	-	10,000	0.0%
5 Family Services & Children's Aid	5,000	-	-	3,462	3,462	1,538	69.2%
6 Florence Crittendon - Male Transition Program							
FY 2007/2008	4,788	3,961	-	827	4,788	-	100.0%
FY 2008/2009	2,500	-	-	-	-	2,500	0.0%
7 Florence Crittendon - Reporting Center for Youth							
FY 2007/2008	5,400	2,119	-	-	2,119	3,281	39.2%
FY 2008/2009	3,000	-	-	-	-	3,000	0.0%
8 Human Relations Comm (Cool Cities Youth Council)							
FY 2007/2008	5,000	1,739	252	764	2,503	2,497	50.1%
FY 2008/2009	1,000	-	-	-	-	1,000	0.0%
9 Jackson Affordable Housing Programs							
FY 2007/2008	29,200	24,419	-	4,781	29,200	-	100.0%
FY 2008/2009	30,273	-	25	5,152	5,152	25,121	17.0%
10 Jackson School of the Arts	1,500	-	-	1,500	1,500	-	100.0%
11 Legal Services of SE Michigan (FY 2007/2008)	1,500	128	-	791	919	581	61.3%
12 MLK Summer Program	35,000	-	-	35,000	35,000	-	100.0%
13 Neighborhood Resource Centers							
FY 2007/2008	15,000	13,326	-	1,674	15,000	-	100.0%
FY 2008/2009	12,000	-	1,012	11,493	11,493	507	95.8%
14 Northeast School Dental Clinic (FY 2005/2006)	25,000	24,896	-	-	24,896	104	99.6%
15 Partnership Park-After School Programs	5,000	-	-	5,000	5,000	-	100.0%
16 Resident Officer Program-Property Expenses (FY 2004/2005)	3,993	3,317	-	676	3,993	-	100.0%
17 Salvation Army - Heating Assistance							
FY 2007/2008	68,108	60,000	5,162	8,108	68,108	-	100.0%
FY 2008/2009	63,000	-	2,652	2,652	2,652	60,348	4.2%
18 United Way - 211 Services	10,000	-	-	7,500	7,500	2,500	75.0%
19 Administration & Planning							
FY 2007/2008	344,100	200,627	-	143,473	344,100	-	100.0%
FY 2008/2009	248,600	-	26,882	106,022	106,022	142,578	42.6%
Other Projects							
20 City Code Enforcement Division							
FY 2007/2008	532,545	416,531	-	116,014	532,545	-	100.0%
FY 2008/2009	500,000	-	36,074	311,026	311,026	188,974	62.2%
21 City Housing Rehabilitation Projects:							
Owner Occupied Housing Rehabilitation							
FY 2005/2006	292,000	209,612	-	82,388	292,000	-	100.0%
FY 2006/2007	59,000	-	-	59,000	59,000	-	100.0%
FY 2007/2008	309,035	-	19,764	33,539	33,539	275,496	10.9%
FY 2008/2009	58,980	-	-	-	-	58,980	0.0%
City Emergency Hazard Repair Program							
FY 2007/2008	50,000	11,446	-	38,554	50,000	-	100.0%
FY 2008/2009	175,000	-	3,335	94,390	94,390	80,610	53.9%

	Budgeted	Expended Prior Year	Actual Month-to-Date	Actual Year-to-Date	Total Funds Expended- to-Date	Balance	Percent Spent
New Neighbor Program (FY 2005/2006)	80,000	58,755	-	5,327	64,082	15,918	80.1%
World Changers							
FY 2007/2008	45,000	32,829	-	3,151	35,980	9,020	80.0%
FY 2008/2009	38,250	-	-	-	-	38,250	0.0%
Spring Cleanup	5,000	4,428	-	-	4,428	572	88.6%
City Rehab Administration (Denied Loans)							
FY 2007/2008	1,000	331	-	669	1,000	-	100.0%
FY 2008/2009	3,000	-	1,430	1,740	1,740	1,260	58.0%
22 Downtown Development Authority - Façade Loans							
FY 2006/2007	60,000	38,000	-	22,000	60,000	-	100.0%
FY 2007/2008	15,000	-	-	12,820	12,820	2,180	85.5%
FY 2008/2009	18,000	-	-	-	-	18,000	0.0%
23 John George Home - building repairs	50,000	-	-	50,000	50,000	-	100.0%
24 Grace Haven - shelter repairs	18,000	-	-	-	-	18,000	0.0%
25 Michigan Theater - plumbing repairs	4,000	-	-	4,000	4,000	-	100.0%
26 Jackson Friendly Home - elevator	30,000	-	-	-	-	30,000	0.0%
27 Street Construction - Milwaukee (FY 2006/2007)	98,000	78,152	-	-	78,152	19,848	79.7%
28 Street Construction - High to Morrell (FY 2006/2007)	398,000	322,720	-	-	322,720	75,280	81.1%
29 Street Construction - Elm (FY 2006/2007)	99,400	60,953	-	-	60,953	38,447	61.3%
30 Rotary Park Improvements	35,000	-	-	-	-	35,000	0.0%
31 Public Works - curb ramps	40,000	-	-	-	-	40,000	0.0%
32 Tree Removal/Replacement	25,000	-	-	9,480	9,480	15,520	37.9%
33 Enterprise Group - Operations (FY 2006/2007)	7,500	-	-	-	-	7,500	0.0%
34 Job Creation Loans (FY 2006/2007)							
FY 2006/2007	30,000	-	-	-	-	30,000	0.0%
FY 2008/2009	34,000	-	-	-	-	34,000	0.0%
35 Enterprise Group-Incubator Bldg Imp (FY 2006/2007)	18,000	6,926	-	-	6,926	11,074	38.5%
36 Riverwalk Project (FY 2005/2006)	70,000	27,480	-	-	27,480	42,520	39.3%
37 Acquisition/Demolition - CAA (FY 2005/2006)	259,103	235,603	-	-	235,603	23,500	90.9%
38 Demolitions - Building Inspection (FY 2005/2006)							
FY 2005/2006	40,846	20,795	-	8,800	29,595	11,251	72.5%
FY 2007/2008	48,046	-	-	-	-	48,046	0.0%

NOTE: All funds are FY 2008/2009 allocations unless otherwise indicated



Office of the Mayor

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

June 17, 2009

TO: City Councilmembers
FROM: Jerry F. Ludwig, Mayor
RE: Jackson Transportation Authority

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

It is my desire, therefore, to appoint Robert F. Cole to the Jackson Transportation Authority to fill a current vacancy beginning immediately, and ending March 1, 2012.

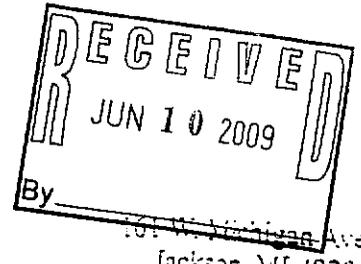
JFL:skh

CITY OF JACKSON



MICHIGAN

Office of Mayor
Jerry F. Ludwig



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

City of Jackson Board/Commission Application

Name: Robert F. Cole

Address: 109 W. Washington Ave Suite #16 Zip: _____
Jackson Mich. 49201

Home Phone: 783-4072 Other Phone: 787-4733

Occupation: Architect

Community Involvement/Activity

Parking Advisory Committee-Jackson

Reg II Planning Commission

Are you a registered voter? YES Ward? 5th 1st Precinct

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

1. Jackson Transit Authority
2. _____
3. _____

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

as a long time resident & supporter of public transit
I welcome an opportunity to work as a board member
to address current issues.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Robert F. Cole
 Signature of Applicant

10 Jun 09
 Date



Police Department

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

June 17, 2009

TO: William Ross
City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: Edward Byrne Memorial JAG Program

The Jackson Police Department and the Jackson County Sheriff Department were notified we are eligible to receive FY 2009 Edward Byrne Memorial Justice Assistance Grant program funding in the amount of \$45,945. One of the JAG requirements is that a hearing be held allowing for citizen comment on the proposed use of the grant funds. Another requirement is the City and County sign a Memorandum of Understanding identifying the grant fiscal agent and the allocation of the funds. It was agreed the City will continue to be the fiscal agent for the grant.

The Jackson Police Department proposes to use our portion of the JAG grant, \$33,121, to partially fund one patrol officer position. The Jackson County Sheriff Department will use their \$12,824, to replace duty weapons.

We are requesting this public hearing be held at the City Council meeting on June 23, 2009. I or a representative will be present to answer any questions.



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

June 23, 2009

Honorable Mayor and City Council
City of Jackson, Michigan

Subject: **PC 09-09 – Text amendments regarding off-street parking standards and the establishment of a special class of nonconformity for parking**

Dear Mayor and Councilpersons:

The City Planning Commission recently considered zoning ordinance text amendments. The first amendment, if approved, will decrease the number of parking spaces required for certain uses. The second amendment will establish a special class of nonconformity for parking. Both amendments should make vacant commercial buildings and lots easier to redevelop. The proposed amendments apply to Sec. 28-106 of the Zoning Ordinance.

The City Planning Commission held a public hearing on the proposed amendments at its Wednesday, June 3, 2009, meeting. The amendments now come to City Council for public hearing and possible action. The Planning Commission and its staff recommend approval of the amendments. An ordinance is attached for your consideration along with the notice for public hearings, the staff report, and the draft minutes of the June 2009 meeting of the City Planning Commission.

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

Sincerely,

Grant E. Bauman, AICP
Principal Planner



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

Wednesday, June 3, 2009

PC 09-09 — Text Amendment Staff Report

General Information

Applicant

City of Jackson Planning Commission
161 W. Michigan Avenue
Jackson, MI 49201

Request

The City Planning Commission was charged with examining the parking regulations (Sec. 28-106) in the zoning ordinance because of the concern that the current standards may inhibit the reuse of commercial buildings on small lots with limited parking Downtown as well as other areas of the City. The task was divided into the following interrelated components:

- Compare the existing parking standards (Sec. 28-106(d)) with other jurisdictions and adjust standards downward where applicable
- Establish a special class of nonconformities which will allow for the reuse of existing buildings which would otherwise need a variance from current parking standards

Staff Analysis/Findings

Staff recommends *APPROVAL* of the proposed ordinance amendment.

Parking Standards

Planning staff compared the City's current parking standards with the standards of various other zoning jurisdictions published in Planning Advisory Service (PAS) Report 510/511, Parking Standards. The changes recommended for Sec. 28-106(d) are summarized below:

- **Dwellings**
 - No changes were made to the number of required spaces
 - Dwellings limited to the low/moderate income and elderly residents were combined into a single use
 - Apartment hotels, fraternity/sorority houses, and dormitories were also combined into a single use
- **Places of public assembly**
 - The standard for churches is limited to 1 space per 4 seats
 - Civic and social clubs and lodges and halls were combined into a single use with a requirement of 1 space for 150 sq ft of floor area used for assembly

- Community centers and public meeting halls were combined into a single use with a requirement of 1 space for every 100 sq ft of floor area used for assembly
- The bowling alley requirement was loosened to 4 spaces per lane
- Skating rinks were removed from the dance halls and studios use and the requirement loosened to 1 space for every 100 sq ft used for assembly
- The two uses regarding museums et al were combined into one use with a requirement of 1 space for every 300 sq ft of gross floor area
- Colleges/universities and business/technical schools were combined into 1 use with the requirement of 1 space per 4 students + 1 space per 2 employees
- Loosen the high school standard to 1 space for every 6 students + 1 space for every 2 employees
- Loosen the middle/elementary school standard to 1 space for every 15 students + 1 space for every 2 employees
- **Hotels and motels**
Meld the two uses into one with a standard of 1 space per room/suite + 1 space for every 100 sq ft of floor area used for meeting and social gatherings
- **Hospitals and other institutions for human care**
 - Combine hospitals, sanitariums, and nursing homes into a single use with a standard of 1 space per 3 beds
 - Loosen the standard for orphanages to 1 space per 5 residents
 - Broaden the definition of clinics to include optical clinics with a standard of 1 space per 250 sq ft of gross floor area
 - Loosen the standard for offices to 1 space per 250 sq ft of gross floor area
- **Restaurants**
 - Group carry-out, drive-in, and fast-food eateries into a single use with a standard of 1 space for every 150 sq ft of gross floor area
 - Group coffee, tea, and 'wi-fi' cafes into a single use with a standard of 1 space for every 125 sq ft of gross floor area
 - Group other restaurants, bars, grills, and taverns into a single use with a standard of 1 space for every 100 sq ft of gross floor area

Nonconformities

Planning staff recommends that additional parking requirements can be waived for land uses proposed for existing buildings with limited parking in areas zoned R-4, R-6, C-1, C-2, C-4, and I-1, subject to the following:

- The proposed use must be a lawful permitted or conditional use in the zoning district
- The building can't be expanded if that would cause a loss of parking spaces
- If sufficient area is available on the parcel for additional parking, the construction of those spaces is required
- No parking which would force a vehicle to back out onto a public street is permitted
- The non-conformity is limited to commercial and office uses as permitted in the zoning districts listed above



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

PC 09-09

Notice of Public Hearing

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

The request was made by:

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

The Proposed Text Amendments:

Revisions to the off-street parking requirements listed in Sec. 28-106(d) of the zoning ordinance are proposed. The addition of Sec. 28-106(g), which lists exceptions from certain parking requirements where a legal nonconformity exists, is also proposed.

The Effect of Adopting the Text Amendment:

The proposed text amendments will make it easier to reuse vacant buildings throughout the City.

Reason for the Text Amendment:

The parking requirements listed in Sec. 28-106 of the zoning ordinance appear to be too strict. They are particularly burdensome to entrepreneurs attempting to reuse existing large buildings located on small lots - a common situation in Downtown Jackson and other areas of the City.

You are invited to attend the public hearings to be held on:

City Planning Commission -- Wednesday, June 3, 2009 at 7:00 pm
City Council -- Tuesday, June 23, 2009 at 7:00 pm

The meetings will be held in the

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

Please contact Grant Bauman at (517) 768-6711 to view, ask questions about, or comment upon the proposed text amendments.

By: Grant E. Bauman, AICP
R2PC Principal Planner

ORDINANCE NO. 2009-_____

AN ORDINANCE AMENDING SECTION 28-106, OF CHAPTER 28 OF THE CODE OF ORDINANCES, CITY OF JACKSON, MICHIGAN, REGARDING OFF-STREET PARKING REQUIREMENTS

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1.

That Section 28-106(d) of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended by replacing the section with the following text:

(d) *Number of off-street parking spaces required.*

(1) Required off-street spaces per use:

(a) Dwellings:

- (1) One- and two-family dwellings — 2 spaces per dwelling unit
- (2) Multiple-family dwellings— 1½ spaces per dwelling unit
- (3) Dwellings limited to the elderly or low and moderate income households — 1 space per dwelling unit
- (4) Buildings converted to dwellings — 1 space per dwelling unit
- (5) Apartment hotels, dormitories, and fraternity/sorority houses — 1 space per room
- (6) Rooming and boarding houses — 1 space per resident
- (7) Dwelling units in the C-3 (central commercial) district — No spaces per dwelling unit

(b) Places of public assembly:

- (1) Auditoriums — 1 space per 4 seats
- (2) Churches, synagogues, mosques and other houses of worship — 1 space per 4 seats
- (3) Civic and social clubs, lodges, and halls — 1 space per 150 square feet of floor area used for assembly
- (4) Community centers and public meeting halls — 1 space per 100 square feet of floor area used for assembly
- (5) Bowling alley — 4 spaces per lane
- (6) Dance halls and studios — 1 space per 100 square feet of floor area used for assembly
- (7) Libraries, museums, art galleries/centers, and other cultural facilities — 1 space per 300 square feet of gross floor area
- (8) Mortuaries/funeral homes — 1 space per 50 square feet of floor area of rooms used for visitation and services
- (9) Colleges and universities and business and technical schools — 1 space per 4 students plus 1 space per 2 employees
- (10) High schools — 1 space per 6 students plus 1 space per 2 employees
- (11) Middle and elementary schools — 1 space per 15 students plus 1 space per 2 employees
- (12) Stadiums, sports arenas, and skating rinks — 1 space per 4 seats
- (13) Theaters — 1 space per 4 seats

(c) Hotels and motels — 1 space per room or suite plus 1 space per 100 square feet of floor area used for meeting and social gatherings

(d) Hospitals and other institutions for human care

- (1) Hospitals, sanitariums, and nursing and convalescent homes — 1 space per 3 beds
- (2) Orphanages — 1 space per 5 residents
- (3) Clinics (medical, dental, optical, other) — 1 space per 250 square feet of gross floor area, excluding restrooms, custodians closets, utility areas, and similar spaces

- (e) Offices — 1 space per 250 square feet of gross floor area, excluding restrooms, custodians closets, utility areas, and similar spaces
- (f) General business and any service establishments — 1 space per 250 square feet of gross floor area, excluding restrooms, custodians closets, stock rooms/service areas, utility areas, and similar spaces
- (g) Restaurants
 - (1) Carry-out, drive-in, and fast-food restaurants — 1 space per 150 square feet of gross floor area
 - (2) Coffee, tea, and 'wi-fi' cafes — 1 space per 125 square feet of gross floor area
 - (3) Other restaurants, bars, grills, and taverns — 1 space per 3 seats or 1 space per 100 square feet of gross floor area, whichever is greater
- (h) Manufacturing/processing/fabrication plants, warehouses/storage buildings, and experimental laboratories — 1 space per 2 employees on maximum shift
- (2) Equivalency of a seat.
 - (a) One seat is equal to 2 linear feet of bench/pew
 - (b) One seat is equal to 10 square feet of floor area occupied by temporary seats

Section 2.

That Section 28-106(g) of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, added along with the following text:

- (g) *Provisions applicable to existing lots or parcels in the R-4, R-6, C-1, C-2, C-4, & I-1 districts which do not conform to parking requirements for numbers of spaces for lawful commercial and office land uses.*

There shall be established within this zoning ordinance a special class of non-conformities applicable to parcels of land occupied by a structure for which a legal non-conformity exists because the number of parking spaces required by the zoning ordinance cannot be provided; and the placement of a lawful use will result in a failure to comply with the number of parking spaces required in Section 28-106 (d). The uses of such structures for any permitted or conditional use in the district in which the parcel is located shall be permitted without the need for the provision of additional parking spaces, subject to the following provisions:

- (1) The use of the structure or building shall be a lawful use by right or conditional use for the zoning district in which the parcel is located.
- (2) No expansion of the building or structure shall be permitted which would result in a reduction of the number of spaces provided.
- (3) Should sufficient area be available on the parcel for the creation of additional spaces, those additional spaces shall be required to be provided, except where the provision of said spaces would result in the violation of other provisions of this ordinance, including but not limited to, provisions applicable to yard, setback, and landscaping requirements.
- (4) No parking shall be permitted which will require a person to back a vehicle onto a public street from an off-street parking space.
- (5) The non-conformity is limited to commercial and office uses as permitted in the zoning districts listed above

Section 3.

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

Adopted:



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, June 3, 2009 Council Chambers, City Hall

Members present: Patrick Colligan; Ryan Doll; Jeanne Kubish; Clyde Mauldin, Chairman; Jerry Ludwig, Mayor

Members absent: John Guidinger, Secretary; Richard Lawson; John Polaczyk, and William Ross, City Manager

Staff present: Grant Bauman, R2PC Principal Planner; Frank Donovan, Chief Building Official; Susan Murphy, Assistant City Attorney; and Charles Reisdorf, R2PC Executive Director

Item 1 Call to order

Chairman Mauldin 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 May 6, 2009 meeting minutes

A motion was made by Mayor Ludwig, and supported by Comm. Kubish, to approve the minutes of the May 6, 2009 meeting, as provided in the agenda packet.

The motion passed by unanimous voice vote.

Item 4 PC 09-09 – Consideration of amendments to the parking regulations contained in the City's Zoning Ordinance (Section 28-106)

Mr. Bauman presented proposed amendments to the parking regulations contained within the City of Jackson Zoning Ordinance. One set of amendments would reduce and/or reformat the number of parking spaces required for various land uses. The second amendment would create a special class of nonconformities for parking which would be applicable to existing buildings located on parcels with a deficient number of parking spaces (see staff report for PC 09-09).

Chairman Mauldin opened the public hearing. No one spoke in favor or in opposition to the proposed amendments to the zoning ordinance parking provisions. Chairman Mauldin closed the public hearing.

Discussion amongst the Planning Commissioners revealed the possibility that the proposed special class of nonconformity could result in the spillover of parking into nearby residential areas, in certain cases.

The Planning Commission chose to address the proposed revisions to the number of spaces required for various land uses first.

A motion was made by Mayor Ludwig, and supported by Comm. Doll, recommending approval of the ordinance amendments revising the number of parking spaces required for various land uses, as contained in the staff report.

The motion passed by the following vote: Yeas – 5 (Colligan, Doll, Kubish, Mauldin, and Ludwig); Nays – 0; Absent – 4 (Guidinger, Lawson, Polaczyk and Ross).

The Planning Commission then considered the establishment of a special class of non-conformities for existing buildings with a deficient number of off-street parking spaces.

A motion was made by Mayor Ludwig and supported by Comm. Doll to recommend the establishment of the special class of nonconformity regarding parking.

The motion passed by the following vote: Yeas – 4 (Colligan, Doll, Kubish and Ludwig); Nays – 1 (Mauldin); Absent – 4 (Guidinger, Lawson, Polaczyk and Ross).

Item 5 Review of City's Master Plan and Master Street Plan

The Michigan Planning Enabling Act (MPEA) requires the review of master plans every five years. A number of possible amendments to the City's current master plan, adopted on December 3, 2003, were summarized by staff. For example, one component of the master plan is a master street plan. The City's current master street plan was adopted in 1965, and amended in 1972, although a revised plan has been developed for consideration. Staff proposed that the Planning Commission review possible amendments to the City's master plan, including the master street plan, during its meetings in July and August. Needed amendments to the master plan will result from those discussions. The Planning Commission agreed to review the proposed amendments in accordance with the schedule proposed by staff.

Item 6 Adjournment

There being no further business, the meeting was adjourned 7:55 p.m.

Charles Reisdorf
Recording Secretary

MEMORANDUM

City Clerk's Office



June 16, 2009

TO: Honorable Mayor and City Councilmembers

SUBJECT: Resolution Recognizing Stanton Charity for Children as a Nonprofit Organization Operating in the Community for the Purpose of Obtaining Charitable Gaming Licenses

Attached for your consideration please find the subject resolution, along with the Stanton Charity for Children charitable solicitation license, articles of incorporation, bylaws and 501c (3) designation. Requested action is adoption of the resolution.

Thank you.

C: City Manager



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(9))

At a REGULAR meeting of the JACKSON CITY COUNCIL
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on JUNE 23, 2009
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Stanton Charity for Children
Wendy's Charity Classic of Jackson
NAME OF ORGANIZATION CITY

county of Jackson, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for APPROVAL
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
 adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R10/06)

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

EFFECTIVE DATE
September 17, 2007



LICENSE #
MICS 30117

STANTON CHARITY FOR CHILDREN
714 W MICHIGAN AVE
JACKSON, MI 49201

CHARITABLE SOLICITATION LICENSE

of

Stanton Charity for Children

EXPIRATION DATE: July 31, 2009

1. **Your next application to renew this license is due no later than July 01, 2009.** This is 30 days prior to the expiration date shown above. Please calendar the date now. Forms are available on the Attorney General's web site at: www.michigan.gov/ag or may be requested by contacting the Charitable Trust Section at (517) 373-1152.
2. **Extensions** of the license may be requested if required information will not be available prior to the renewal application due date. A written request for an extension must be received on or before the above expiration date of the license.
3. **Throughout the year,** notify us within 30 days of changes in the following:

<ul style="list-style-type: none"> -- Name or address -- Resident agent -- Fiscal year end -- Amendments to the bylaws or constitution of the organization -- Amendments to your articles of incorporation, submitting copies of amendments assumed names or name changes that show evidence of proper filing with the appropriate state agency -- If any other state has prohibited solicitation activity by your organization 	<ul style="list-style-type: none"> -- Board of directors -- Methods of soliciting donations -- Purposes
---	--
4. **Any contracts** you enter into with professional fund raisers must be submitted to our office within 10 days of execution.

Michigan Department of Consumer and Industry Services

Filing Endorsement

This is to Certify that the *ARTICLES OF INCORPORATION - NONPROFIT*

for

STANTON CHARITY FOR CHILDREN

ID NUMBER: 751907

received by facsimile transmission on April 23, 1999 is hereby endorsed

Filed on April 23, 1999 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 23rd day of April, 1999.



Julie Croll

, Director

Corporation, Securities and Land Development Bureau

MICHIGAN DEPARTMENT OF COMMERCE - CORPORATION AND SECURITIES BUREAU

Date Received		(FOR BUREAU USE ONLY)	
Name Martin G. Lozier		EFFECTIVE DATE:	
Address 100 S. Jackson Street, Suite 206			
City Jackson	State MI		

DOCUMENT WILL BE RETURNED TO NAME AND ADDRESS INDICATED ABOVE

CORPORATION IDENTIFICATION NUMBER

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

ARTICLES OF INCORPORATION
 For use by Domestic Nonprofit Corporations
 (Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

STANTON CHARITY FOR CHILDREN

ARTICLE II

The purpose or purposes for which the corporation is organized are:

Children services in creating, developing, funding, and administering adoption centers and providing other children services.

ARTICLE III

The corporation is organized upon a non-stock basis.

(stock or nonstock)

ARTICLE III (con't)

- 2. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none") None
- b. The description and value of its personal property assets are; (if none, insert "none") None
- c. The corporation is to be financed under the following general plan: Annual golf tournament benefitting adoption centers and other fundraising events.
- d. The corporation is organized on a directorship basis.
(membership or directorship)

ARTICLE IV

- 1. The address of the registered office is:
714 W. Michigan Avenue Jackson, Michigan 49201
(Street Address) (City) (Zip Code)
- 2. The mailing address of the registered office if different than above:
_____, Michigan _____
(P.O. Box) (City) (Zip Code)
- 3. The name of the resident agent at the registered office is: Laura M. Stanton

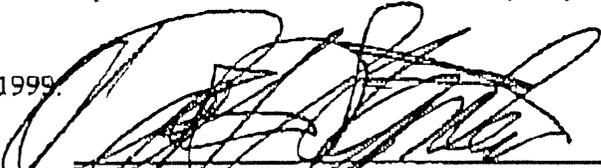
ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
<u>David J. Stanton</u>	<u>714 W. Michigan Ave., Jackson, MI 49201</u>
<u>Laura M. Stanton</u>	<u>714 W. Michigan Ave., Jackson, MI 49201</u>

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

We, the incorporators sign our names this 23rd of April 1999.



 David J. Stanton



 Laura M. Stanton

BYLAWS
OF
STANTON CHARITY FOR CHILDREN

ARTICLE I
PURPOSE

1. Purpose. Children services in creating, developing, funding, and administering adoption centers and providing other children services. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE II
BOARD OF DIRECTORS

1. Number. The affairs of the Corporation shall be managed by a Board of Directors. The initial Board of Directors shall consist of two (2) members. As determined from time to time by the by the then constituted Board of Directors, the Board of Directors may be reduced to not less than one member and may be increased to not more than ten members. The minimum and the maximum number of members of the Board of Directors may be changed by amendment to these Bylaws.

2. Appointment/Term. The initial members of the Board of Directors have been appointed by the incorporators and shall serve until the first annual meeting of the Board of Directors. Thereafter, the Directors shall be elected at the annual meeting of the Board of Directors and the term of office for each Director shall be one year. Vacancies on the Board of Directors shall be filled by the remaining members of the Board.

3. Meetings. An Annual Meeting of the Board of Directors shall be convened on the second Monday of April of each year for the election of the Board of Directors and Officers and for the transaction of such other business as may come before the meeting. Special Meetings of the Board of Directors shall be convened at the initiative of a majority of the members of the Board of Directors at such other times as may be deemed necessary upon seven (7) days' prior written consent. A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business.

4. Action Without Meetings. In the event that all members of the Board of Directors shall consent in writing to any action to be taken by the Corporation, such action shall be valid corporate action as though authorized at a meeting of the Board of Directors.

ARTICLE III OFFICERS

1. Officers. The Officers of the Corporation shall be selected by the Board of Directors, and shall consist of a President, a Secretary, a Treasurer and such other officers as the Board of Directors may determine.

2. Functions. All Officers shall have such authority and perform such duties in the management of the affairs of the Corporation as may be designated by the Board of Directors unless otherwise designated:

(a) Chairman. The Chairman of the Board of Directors shall preside at all meetings of the Board of Directors and shall perform such other duties as may be prescribed from time to time by the Board of Directors.

(b) President. The President shall be the chief executive and administrative officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the Corporation. If the Corporation has selected an Executive Director, general supervision and control of the business and affairs of the Corporation shall be delegated to such person.

(c) Secretary. The Secretary shall keep proper minutes of the meetings of the Board of Directors and shall give notices of annual meetings of the membership of the Corporation and of meetings of the Board of Directors.

(d) Treasurer. The Treasurer shall have custody of the funds of the Corporation and shall make disbursements as are from time to time required and shall perform such other duties as shall be designated by the Board of Directors.

(e) Executive Director. The Board of Directors may hire an Executive Director and establish specifications for such position, which it may change from time to time. The Executive Director shall manage and have general charge of the operation of the Corporation's affairs, subject, however, to the right of the Board of Directors to delegate any specific power to any other Officer of the Corporation. The Board of Directors shall have ultimate control over the activities and duties of the Executive Director. The Executive Director shall be the Chief Operating Officer of the Corporation and, as such, under the direction of the Board of Directors shall have power, on behalf of the Board of Directors, to perform all acts, execute and deliver all documents, and take all steps that the Executive Director may deem necessary or desirable in order to effectuate the actions and policies of the Board of Directors.

(f) Other Officers. Any other Officers appointed by the Board of Directors shall perform such functions as shall be designated by the Board of Directors.

ARTICLE IV MEMBERSHIP

1. Qualifications. The Board of Directors may, from time to time, establish qualifications for, or classes of, membership in the Corporation. The Board of Directors may, if it deems it appropriate, condition membership upon the payment of specified dues or other fees. The Board of Directors reserves the right, at any time and from time to time, to eliminate or to modify any qualifications or requirements for membership.

2. Rights. The rights and privileges of membership to the Corporation shall be as established by the Board of Directors. The Board of Directors reserves the right, at any time and from time to time, to eliminate or to modify any such rights and privileges of membership.

ARTICLE V CONTRACTS, LOANS, CHECKS AND DEPOSITS

1. Contracts. The Board of Directors may authorize any officers or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

2. Loans. No loans shall be contracted on behalf of the Corporation, and no evidences of indebtedness shall be issued in its name, unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

3. Checks, Drafts, etc. All checks, drafts, or other orders for payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officers or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

4. Deposits. All funds of the Corporation, not otherwise employed, shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

ARTICLE VI COMPENSATION OF OFFICERS, EMPLOYEES, DIRECTORS AND AGENTS

1. Compensation. The Directors shall not receive any compensation for their services as members of the Board of Directors. The Directors shall, however, be entitled to reimbursement for actual expenses reasonably incurred in the performance of such services. The Corporation, by resolution of the Board of Directors, shall pay reasonable compensation to the officers or other employees of the Corporation for services rendered in furtherance of the purposes of the Corporation.

ARTICLE VII
INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS

1. Claims by Third Parties. The Corporation shall have the power to indemnify a director, officer, employee or agent who was or is a party or is threatened to be made a party to a threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative and whether formal or informal, other than an action by or in the right of the Corporation, by reason of the fact that he or she is or was a director, officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner, employee, or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, against expenses, including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred in connection with the action, suit, or proceeding, if the person to be indemnified acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interest of the Corporation, and with respect to any criminal action or proceedings, if he or she had no reasonable cause to believe the conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, does not, of itself, create a presumption that he or she did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the Corporation and, with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

2. Claims Brought by or in the Right of the Corporation. The Corporation shall have the power to indemnify a director, officer, employee or agent who was or is a party to or is threatened to be made a party to a threatened, pending, or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he or she is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, partner, employee or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not, against expenses, including actual and reasonable attorneys' fees, amounts paid in settlement incurred by the person in connection with the action or suit, if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation. However, indemnification under this Section shall not be made for a claim, issue, or matter in which he or she has been found liable to the Corporation unless and only to the extent that the court in which the action or suit was brought has determined upon application that, despite the adjudication of liability but in view of all circumstances of the case, he or she is fairly and reasonably entitled to indemnification for the expenses which the court considers proper.

3. Approval of Indemnification. An indemnification under Sections 1 and 2 hereof, unless ordered by a court, shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification is proper in the circumstances because the

applicable standard of conduct has been met. This determination shall be made in any of the following ways:

(a) By a majority vote of a quorum of the Board of Directors consisting of Board Members who were not parties to the action, suit, or proceeding.

(b) If the quorum described in subparagraph (a) is not obtainable, then by a majority vote of a committee of Board Members who are not parties to the action. The committee shall consist of not less than two (2) disinterested Board Members.

(c) By independent legal counsel in a written opinion.

4. Advancement of Expenses. Expenses incurred in defending a civil or criminal action, suit, or proceeding described in Sections 1 or 2 above shall be paid by the Corporation in advance of the final disposition of the action, suit, or proceeding upon receipt of any undertaking by or on behalf of the person being indemnified to repay the expenses if it is ultimately determined that he or she is not entitled to be indemnified by the Corporation. The undertaking shall be by an unlimited general obligation of the person on whose behalf advances are made but need not be secured.

5. Partial Indemnification. If a person is entitled to indemnification under Sections 1 or 2 for a portion of expenses including attorneys' fees, judgments, penalties, fines, and amounts paid in settlement, but not for the total amount thereof, the Corporation shall indemnify the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the person is entitled to be indemnified.

6. Other Rights of Indemnification. The indemnification or advancement of expenses provided under Sections 1 through 5 is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under the articles of incorporation, bylaws, or a contractual agreement. However, the total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement of expenses. The indemnification provided for in Sections 1 through 5 continues as to a person who ceases to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of the person.

7. Liability Insurance. The Corporation shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee, or agent of another corporation, business corporation, partnership, joint venture, trust or other enterprise against any liability asserted against the person and incurred by the person in any such capacity or arising out of the person's status as such, whether or not the Corporation would have the power to indemnify the person against such liability under the provisions of the Michigan Nonprofit Corporation Act.

**ARTICLE VIII
FISCAL YEAR**

1. Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

**ARTICLE IX
AMENDMENTS**

1. Amendment. These Bylaws may be amended by a majority vote of a quorum of the members of the Board of Directors at a meeting duly convened in accordance with the laws of the State of Michigan.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

NOV 27 2000

STANTON CHARITY FOR CHILDREN
C/O LAURA M STANTON
714 W MICHIGAN AVE
JACKSON, MI 49201

Employer Identification Number:
38-3465002
DIN:
17053215004000
Contact Person:
DIANA L BOYNTON ID# 31384
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Form 990 Required:
Yes
Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the

Letter 947 (DO/CG)

STANTON CHARITY FOR CHILDREN

part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so be sure your return is complete before you file it.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

-3-

STANTON CHARITY FOR CHILDREN

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

~~Steven T. Miller~~

Steven T. Miller
Director, Exempt Organizations

Enclosure(s) :

Letter 947 (DO/CG)



Police Department

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

June 16, 2009

MEMORANDUM

TO: William Ross
City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: JPD Fee Schedule

The Jackson Police Department is requesting City Council adopt the accompanying revised Service Fee Schedule. These fees are charged to citizens and businesses alike and are comparable with those charged by other local agencies. The fees were set to cover the police department's administrative costs.

Please place this as an item on the City Council agenda for the June 23, 2009, meeting. I or a representative will be present to answer any questions.

MRH/AP/ap/c:servicefeemmo.doc

RESOLUTION

WHEREAS, the Jackson Police Department wishes to establish a fee schedule for services provided to its customers.

NOW, THEREFORE BE IT RESOLVED that the following fee schedule be adopted:

**Jackson Police Department
Service Fee Schedule**

Accident Report	\$10.00
Background check.....	\$ 5.00
Cab License Application Fee	\$15.00
CD of photographs	\$10.00
DVD of Patrol Car Video	\$25.00
Fingerprinting	\$10.00
F.O.I.A. Requests (minimum).....	\$ 5.00
Incident Report (non F.O.I.A.).....	\$ 2.00
Live Scan Fingerprinting	\$60.00
Preliminary Breath Test	\$ 1.00
Private Property Crash Report	\$ 5.00

I, Lynn Fessel, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on June 23, 2009.

IN WITNESS WHEREOF, I have hereunto
affixed my signature and the seal of the City of
Jackson, on this 24th day of June 2009.

_____ City Clerk



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

TO: William R. Ross, City Manager

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

DATED: June 17, 2009

RE: Street Lighting Budget Amendment

The Department of Engineering requests City Council approval to increase the General Fund, Street Lighting Fund by \$90,921.00 for the Projected Budget 2008-09. The expenses for the street lighting account for utilities have increased for 2008-09, due to an increase in utility charges from Consumers Energy. Street light utilities for 2008-09 are expected to total \$474,921.00. Street light utilities for 2007-08 totaled \$385,099.00.

I have contacted and met with Steve Schouten, Corporate Account Manager with Consumers Energy regarding an audit on the number of streetlights, type of lights and charges. The audit started on June 8th, 2009 and is expected to be complete in three months. I will forward the report from Consumers Energy to City Council for information and your review.

The attached budget amendment is requested to cover the utility expense for the 2008-09 Budget Year.

Cc: Phil Hones, Finance Director
Lucinda Schultz, Accounting Manager
Steve Schouten, Corporate Account Manager, Consumers Energy

RESOLUTION

BY CITY COUNCIL:

WHEREAS, City Council has determined that it wishes to appropriate funds for General Fund, Street Lighting, and

WHEREAS, a resolution is in order to increase the amount available for Additional Expenditures for Street Lighting, Utility Expense.

NOW, THEREFORE, BE IT RESOLVED, that the 2008/09 Budget is amended as follows:

GENERAL FUND

		Increase
Revenues		
101.000.699.999	Appropriation from fund balance	\$90,921.00
Expenditures		
101.450.920.000	Street Lighting - Utilities	\$90,921.00

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 23rd day of June, 2009.

IN WITNESS WHEREOF, I have hereto
affixed my signature and the Seal of the
City of Jackson, Michigan, on this 24th
day of June, 2009.

Lynn Fessel, City Clerk

MEMORANDUM

City Clerk's Office



June 16, 2009

TO: Honorable Mayor and City Councilmembers

SUBJECT: Consideration of Final Adoption of Ordinance
Nos. 2009.9 and 2009.10
Consideration of a Resolution Establishing Fees

Attached please find Ordinance No. 2009.9 updating provisions of the pawnbrokers, secondhand dealers and junkyard operators ordinance. Also attached is Ordinance No. 2009.10 pertaining to the City Clerk's authority to suspend or revoke a license and process for appeal. These Ordinances were approved by Council at the June 9, 2009, meeting.

I am also including for your consideration a resolution adopting a fee schedule for an annual business license for pawnbrokers, secondhand dealers and junkyard operators. These fees are based on actual costs incurred by the City Clerk's office, the Zoning Department and the Police Department in issuing these licenses.

C: City Manager

ORDINANCE NO. 2009- 9

AN ORDINANCE TO AMEND CHAPTER 16, ARTICLE XII, SECTIONS 16-331 THROUGH 16-360 OF THE CODE OF THE CITY OF JACKSON, TO UPDATE PROVISIONS OF THE PAWNBROKERS, SECONDHAND DEALERS, and JUNKYARD OPERATORS ORDINANCE.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Chapter 16, Article XII, Sections 16-331 through 16-360 of the Code of the City of Jackson, be amended to read as follows:

ARTICLE XII – Pawnbrokers, Secondhand Dealers, and Junkyard Operators

Sec. 16-331. Pawnbrokers.

The City Clerk is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, or firms to carry on the business of a pawnbroker pursuant to 1917 PA 273, as amended, MCLA § 446.201 et seq., hereafter "the Pawnbrokers Act."

Sec. 16.332. Pawnbroker defined.

As used in this article, "Pawnbroker" means a person, corporation, or member, or members of a copartnership or firm, who loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.

Sec. 16-333. License required; grounds to deny license.

- (1) No person, corporation, firm, or other entity shall carry on the business of a pawnbroker in the City of Jackson without being licensed pursuant to the Pawnbrokers Act and this Article and as approved under the City of Jackson Zoning Ordinance, Chapter 28. A license is not transferable.
- (2) The City Clerk may deny an application for a pawnbroker's license if the application is disapproved by one or more proper officers of the City, as provided in this Code, indicating that the applicant is unable to meet or continue to meet the requirements of the Pawnbroker's Act or any provision in this article.
- (3) The City clerk may also deny an application for any reason identified in Section 16-17.
- (4) If the City Clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to Section 16-16 of the Jackson City Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the City Clerk's decision, the applicant must request a hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

Sec. 16-334. License fees; Display.

- (1) The license fee shall be as set from time to time by the City Council by motion or resolution pursuant to the provisions of the Pawnbrokers Act or this Code. A bond shall be provided as

set forth in the Act. If the application is rejected, a portion of the fee paid, as determined by the City Clerk, shall be retained by the City to cover processing costs.

- (2) All persons obtaining a license issued under this Article shall place the license conspicuously in full public view.

Sec. 16-335. Pawnbrokers license – Application, conditions, denial, hearing.

- (1) Application for a pawnbroker's license shall be made in writing to the City Clerk, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said licenses as set forth in this article. Applications shall be on forms supplied by and to be filed with the City Clerk. Such application, shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative. The application shall contain the following minimum information, plus any other information deemed necessary by the City Clerk:
 - a. The name and any alias used, and address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
 - b. The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
 - c. The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners or officers of the corporation;
 - d. The criminal record, if any, of any employees of the applicant;
 - e. The applicant's prior experience as a pawnbroker;
 - f. An authorization for the City Clerk and/or the Chief of Police to carry out a background investigation on the applicant and all employees, officers, partners or agents of the applicant;
 - g. A statement as to whether the applicant has ever had any licenses required by the City of Jackson or any other governmental entity revoked, suspended, or denied and the reasons for said action;
 - h. A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.
- (2) All licenses are subject to the following conditions, which shall be noted on the application form:
 - a. The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the City of Jackson;
 - b. The applicant shall not engage in the business of a pawnbroker at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
 - c. No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners or agents of applicant shall, if deemed necessary by the Chief of Police, submit to being fingerprinted and photographed as part of the background investigation.
- (3) The City Clerk shall issue a license to the applicant if the City Clerk is satisfied that the applicant has met and will continue to meet the requirements of this article and all applicable laws and the applicant has paid the license fee.

Sec. 16-336. Reporting Requirements; hours of operation.

- (1) Commencing no later than August 1, 2009, pawnbrokers shall transmit the record of transaction required by Section 5 of the Pawnbrokers Act to the Jackson Chief of Police by electronic means over the Internet to the Web site established by the City for this purpose. The City will provide information concerning the Web site. So long as the required information is transmitted by electronic means, the required statutory form need not be filled out by hand, but a short form with the right thumbprint of the individual pawning the item shall be maintained as required by the Pawnbrokers Act, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumbprint, then another specifically designated fingerprint shall be provided. Upon request, the short form containing the thumbprint shall be immediately provided to the Jackson Chief of Police or his/her designee.
- (2) No pawnbroker shall acquire any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such goods are stolen property. A pawnbroker shall not conduct business on Sunday.

Sec. 16-337. Pawnbrokers – Suspension with intent to revoke.

A pawnbroker's license issued pursuant to this article may be suspended by the City Clerk, which shall be deemed a suspension with intent to revoke. The city clerk will comply with Section 16-16 of the Jackson City Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

Sec. 16-338. Incorporation of state law.

The Pawnbrokers Act, being 1917 PA 273, as amended, MCLA § 446.201 et seq., hereinbefore "the Pawnbrokers Act" is incorporated by reference as if fully set forth herein. Any violations of the Pawnbrokers Act shall be considered a violation of this article.

Sec. 16.339. Secondhand Dealers

The City Clerk is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, or firms to carry on the business of a secondhand dealer pursuant to 1917 PA 350, as amended, MCLA § 445.401 et seq., hereinafter "the Secondhand Dealers Act."

Sec. 16.340. Secondhand dealers, secondhand goods — Definitions.

As used in this article, the following terms have these meanings:

Secondhand dealer means any person, corporation, or member or members of a copartnership, firm, or other entity who engages in the business of purchasing, storing, selling, exchanging or receiving secondhand goods, including the receiving and selling of goods on consignment, but does not include a scrap processor, automotive recycler, or a junkyard that deals principally in industrial scrap.

Secondhand goods means any goods, wares, merchandise or other personal property acquired or purchased after having been acquired at retail and used by another except as excluded herein. Such term includes, but is not limited to, appliances and radios, televisions, video cassette players and recorders, CD and DVD players and recorders, electronic/computer equipment and devices, computer gaming equipment, tools, auto parts, guns, jewelry (unless such item is subject to the Precious Metals and Gem Dealer Act, MCLA § 445.481 et seq., as amended), musical instruments, sporting equipment, bicycles, lawn mowers and lawn equipment, snow blowers, typewriters, and audio equipment such as home and vehicle stereos and speakers. However, "secondhand goods" does not include old rags, waste paper, new goods, clothing, household items (except those items identified in the first sentence), tires,

items normally handled by junk dealers, antiques or household furniture, books, magazines, trading cards, or industrial scrap items defined in MCLA § 445.403 et seq., as amended, such as scrap metals, cast iron, old iron, tool steel, aluminum, copper, brass, lead pipe or tools, or lighting and plumbing fixtures.

Scrap processor means a principal business that is processing and manufacturing iron, steel, nonferrous metals, paper, plastic, or glass, into prepared grades for products suitable for consumption by recycling mills, foundries, and other scrap processors.

Sec. 16.341. Secondhand dealers – License required, prohibition on acting as pawnbroker.

- (1) No person, corporation, firm, or other entity shall carry on the business of a second hand dealer in the City of Jackson without being licensed pursuant to this Article and as approved under the City of Jackson Zoning Ordinance, Chapter 28. A license is not transferable.
- (2) No secondhand dealer shall loan money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or deal in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, without obtaining a pawnbroker's license pursuant to the Pawnbrokers Act, and Sec. 16-333 of the Jackson City Code, as amended.
- (3) The City Clerk may deny an application for a secondhand dealer's license if the application is disapproved by one or more proper officers of the City, as provided in this Code, indicating that the applicant is unable to meet or continue to meet the requirements of the Secondhand Dealer's Act or any provision in this article.

Sec. 16-342. License Fees, Display.

- (1) The license fee shall be as set from time to time by the City Council by motion or resolution. If the application is rejected, a portion of the fee paid, as determined by the City Clerk, shall be retained by the City to cover processing costs.
- (2) All persons obtaining a license issued under this article shall place the license conspicuously in full public view.

Sec. 16.343. Secondhand dealers license – Application, conditions, denial, hearing.

- (1) Application for a secondhand dealer's license shall be made in writing to the City Clerk, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said licenses as set forth in this article. Applications shall be on forms supplied by and to be filed with the City Clerk. Such application, shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative. The application shall contain the following minimum information, plus any other information deemed necessary by the City Clerk:
 - a. The name and any alias used, and address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
 - b. The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
 - c. The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners or officers of the corporation;
 - d. The criminal record, if any, of any employees of the applicant;
 - e. The applicant's prior experience as a secondhand dealer;

- f. An authorization for the City Clerk and/or the Chief of Police to carry out a background investigation on the applicant and all employees, officers, partners or agents of the applicant;
 - g. A statement as to whether the applicant has ever had any licenses required by the City of Jackson or any other governmental entity revoked, suspended or denied and the reasons for said action;
 - h. A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.
- (2) All licenses are subject to the following conditions, which shall be noted on the application form:
- a. The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the City of Jackson;
 - b. The applicant shall not engage in the business of a secondhand dealer at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
 - c. No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners or agents of applicant shall, if deemed necessary by the Chief of Police, submit to being fingerprinted and photographed as part of the background investigation.
- (3) The City Clerk shall issue a license to the applicant if the City Clerk is satisfied that the applicant has met and will continue to meet the requirements of this Article and all applicable laws, and the applicant has paid the license fee.
- (3) If the City Clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to Section 16-16 of the Jackson City Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the City Clerk's decision, the applicant must request a hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

Sec. 16.344. Secondhand dealers – Record of secondhand goods received; reporting requirements; hours of operation.

- (1) A secondhand dealer shall keep a record in English at the time the secondhand dealer receives any secondhand goods. The record shall include a description of the goods, the serial number and model number if available, a sequential transaction number, the amount of money or other consideration received for said goods, the name, residence, general description and driver's license number, official state personal identification card number, or government identification number of the person from whom the secondhand goods were received, the right thumbprint of the person from whom the goods were received, and the day and hour when the goods were received. If it is not possible for the person to provide his or her right thumbprint on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. These records, the place where the secondhand dealer's business is carried on, and all secondhand goods in that place of business or in control of the secondhand dealer are subject to examination at any time by the City Attorney, the Chief of Police, the City Clerk, the State Police, and the Jackson County Prosecuting Attorney. The required information may be maintained by computer as required by Subsection 2 below.

- (2) The secondhand dealer shall retain a record of each transaction for a minimum of one year or as directed by the Chief of Police. The secondhand dealer shall send a copy of any record of transaction to the Chief of Police on a weekly basis or as otherwise directed by the Chief of Police. Commencing no later than August 1, 2009, the information in the record of transaction shall be transmitted to the Chief of Police by electronic means over the Internet to the Web site established by the City for this purpose. The City will provide information concerning the Web site. So long as the required information is transmitted by electronic means, a handwritten form need not be completed, but a short form with the right thumbprint of the individual trading in the item shall be maintained, with an appropriate reference to the transaction. If it is not possible for the person to provide his or her right thumbprint on the full handwritten form or the short form, then another specifically designated fingerprint shall be provided. Upon request, the short form shall be immediately provided to the Chief of Police or his/her designee.
- (3) The secondhand dealer shall retain an article that was purchased or exchanged for at least 15 days before disposing of the article, by keeping the article in an accessible place in the building where the article are purchased and received. A tag shall be attached to the article in some visible and convenient place, with the number written thereupon to correspond with the entry number in the book or other record.
- (4) The secondhand dealer or licensee need not follow the electronic reporting required in section 2 above for transactions taking place at a business location where the number of transactions in each 90-day period does not exceed ten. A secondhand dealer or licensee reasonably believing a location at which he or she conducts a business qualifies under this subsection for exemption from electronic reporting and wishing to be exempt from the requirements of subsection (2) shall sign, under penalty of perjury, a declaration to that effect on a Jackson Police Department approved form. Once the declaration is signed and so long as the volume of transactions does not exceed ten for each 90-day period for transactions taking place at that business, the transactions need not be reported electronically, but shall be reported on paper forms. No secondhand dealer shall acquire any secondhand goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such secondhand goods are stolen property.

Sec. 16.345. Secondhand dealers license – Suspension with intent to revoke.

A secondhand dealer's license issued pursuant to this article may be suspended by the City Clerk, which shall be deemed a suspension with intent to revoke. The City Clerk will comply with Section 16-16 of the Jackson City Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the licensee requests an appeal hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

Sec. 16.346. Junkyards Operator

The City Clerk is designated and authorized to issue, suspend, and revoke licenses for persons, corporations, or firms to operating as a junkyard.

Sec. 16.347. Junkyard Operator – Definition.

As used in this article, the following terms have these meanings:

Junkyard operator means any person who keeps a junkyard or engages in the business of buying and selling old iron, brass, tin, copper, lead, rubber, tires, paper or other articles commonly known as junk or operates as a junkyard with an approved conditional use permit under the City of Jackson Zoning Ordinance.

Junkyard means a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition.

Sec. 16.348. Junkyard Operator – License required.

No person, corporation, firm, or other entity shall carry on the business of a junkyard operator in the City of Jackson without being licensed pursuant to this Article and as approved under the City of Jackson Zoning Ordinance, Chapter 28. A license is not transferable.

Sec. 16.349. Junkyard license – Application, conditions, denial, hearing.

(1) Application for a junkyard license shall be made in writing to the City Clerk, who is authorized to create application forms and to receive and process applications and to thereafter grant, deny, suspend, or revoke said licenses as set forth in this article. Applications shall be on forms supplied by and to be filed with the City Clerk. Such application, shall be signed and dated by the applicant or, if the applicant is not an individual, by an authorized representative. The application shall contain the following minimum information, plus any other information deemed necessary by the City Clerk:

- a. The name and any alias used, and address and telephone number of the applicant and all employees, officers, partners or agents of the applicant;
- b. The location where the business is to be carried on plus any subsidiary offices and a brief description of the items to be sold;
- c. The applicant's criminal record, if any, and if the applicant is not an individual, the criminal record, if any, of the partners or officers of the corporation;
- d. The criminal record, if any, of any employees of the applicant;
- e. The applicant's prior experience as a junkyard operator;
- f. An authorization for the City Clerk and/or the Chief of Police to carry out a background investigation on the applicant and all employees, officers, partners or agents of the applicant;
- g. A statement as to whether the applicant has ever had any licenses required by the City of Jackson or any other governmental entity revoked, suspended, or denied and the reasons for said action;
- h. A statement that the information provided is true and accurate and that, if a license is granted, the applicant will abide by all applicable ordinances and statutes.

(2) All licenses are subject to the following conditions, which shall be noted on the application form:

- a. The applicant shall permit inspection of the licensed premises and/or activity at reasonable times by any authorized representative of the City of Jackson;
- b. The applicant shall not engage in the business of a junkyard operator at any time after the license has expired, without having been reissued, or at any time when the license is suspended or revoked;
- c. No license shall be issued or renewed unless and until the applicant and any and all employees, officers, partners or agents of applicant shall, if deemed necessary by the Chief of Police, submit to being fingerprinted and photographed as part of the background investigation.

- (3) The City Clerk shall issue a license to the applicant if the City Clerk is satisfied that the applicant has met and will continue to meet the requirements of this Article and all applicable laws, and the applicant has paid the license fee.
- (4) The City Clerk may deny an application for a junkyard operator's license if the application is disapproved by one or more proper officers of the City, as provided in this Code, indicating that the applicant is unable to meet or continue to meet the requirements of any provision in this article.
- (5) If the City Clerk denies the issuance of a license or a renewal thereof, a notice of denial including the reasons for the denial shall be mailed by first class mail to the applicant. If the application for a license has been denied, the applicant may appeal the denial by requesting a hearing pursuant to Section 16-16 of the Jackson City Code, as amended, or may reapply at any time by submitting a new application and fee. The notice of denial shall provide that if the applicant wants to appeal the City Clerk's decision, the applicant must request a hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

Sec. 16.350. Junkyard Operator – License fees; display.

- (1) The license fee shall be as set from time to time by the City Council by motion or resolution pursuant to the provisions of this article. If the application is rejected, a portion of the fee paid, as determined by the City Clerk, shall be retained by the City to cover processing costs.
- (2) All persons obtaining a license issued under this article shall place the license conspicuously in full public view.

Sec. 16.351. Junkyard – Regulations.

The following regulations shall be applicable to junkyards:

- (1) No junkyard operator or any of the operator's employees shall receive in the line of such business any article by way of pledge or pawn nor loan or advance any sum of money on the security of any article or thing.
- (2) Every junkyard operator shall upon demand, exhibit all goods which he has on hand and give a description of persons selling the same to any member of the police department upon request, and shall keep a book containing the names from whom he purchased brass, tin, copper or any metal except old iron, which book shall be open during business hours to the inspection of any police officer.
- (3) No junkyard operator shall sell or remove from his place of business any article purchased by him until the same shall have been in his possession for seventy-two (72) hours unless such article shall have been purchased directly from some reputable factory or company.
- (4) No junkyard may be established or maintained in the city, except as permitted by the zoning chapter or the district maps accompanying such chapter.
- (5) No junkyard may store or handle hazardous materials unless done so consistent with all other state, federal, and local regulations.
- (6) A junkyard is subject to annual administrative inspections or complaint based inspections to ensure the property is maintained in accordance with the health, safety, and welfare of the community, materials are stored in an orderly manner to allow access to inspect, and that that the property otherwise complies with the City Code, including but not limited to Article and the Zoning Code.
- (7) Upon conviction of any junkyard operator for violating or failing to comply with any provisions of this article, the license of such junkyard operator shall be revoked and the convicted person shall not be licensed as a junkyard operator for a period of two (2) years from the date of his conviction, and the place in which he has been operating a business of buying and selling junk

shall not be licensed for that particular business for a period of one (1) year from the date of the conviction of the junkyard operator.

Sec. 16.352. Junkyard – Reporting Requirements; hours of operation.

- (1) Once city staff determines that a junkyard operator is not operating as a pawnbroker under the Pawnbrokers Act or the provisions of this Article being sections 16.331-16.338 or is not operating as a secondhand dealer under the Secondhand Dealer Act, or the provisions of this article being sections 16.339-3445 above, a junkyard operator will not be required to report weekly purchases.
- (2) No junkyard dealer shall acquire any goods between the hours of 9:00 p.m. and 7:00 a.m.; nor from any person under the age of eighteen (18) years; nor from any person who is at the time intoxicated or known to be a habitual drunkard; nor from any person with the knowledge that such secondhand goods are stolen property.

Sec. 16.353. Junkyard – Suspension with intent to revoke.

Any junkyard operator’s license issued pursuant to this article may be suspended by the City Clerk, which shall be deemed a suspension with intent to revoke. The City Clerk will comply with Section 16-16 of the Jackson City Code in noticing the suspension. The suspension with intent to revoke shall automatically become a revocation of the license unless the dealer requests an appeal hearing within 10 business days pursuant to Section 16-16 of the Jackson City Code, as amended.

In addition to the grounds to revoke contained in Section 16-17 of the Jackson City Code, the City Clerk may rely on the following grounds to revoke a junkyard operator’s license under Section 16-16:

1. The property fails to comply with the zoning ordinance and any required condition of the junkyard’s conditional use approval and the operator or licensee has failed to take steps to remedy the conditions.
2. The licensee fails to allow an administrative inspection.

Sec. 16.354 Nonferrous metals.

Nothing in this Ordinance should be construed to diminish the requirements that secondhand dealers, junk dealers, and junkyard operators who deal with nonferrous metals must comply with the Nonferrous Metals Act, being 2008 P.A. 429.

Sec. 16.355. Severability of ordinance.

If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be invalid, illegal, or otherwise unenforceable, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.

Sec. 16-356. Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.

Sec. 16.357. Penalty.

- (1) Prosecutions for violations of this article may be commenced by arrest, complaint, and warrant, or the issuance of an appearance ticket by the City of Jackson Police Department.

Further, the City of Jackson may commence an action in Circuit Court for injunctive or other equitable or legal relief to prevent a continuing violation of this article.

- (2) Any person violating any provision of this article shall, upon conviction thereof, be punished in accordance with section 1-18 of the Jackson City Code, as amended.

Sec. 16.358. Conformance to statutes.

This article shall be construed as supplemental to, and not in conflict with, Public Act 350 of 1917, being Michigan's Second Hand Dealers and Junk Dealers Act, MCL 445.401 through 405.408 and Public Act 273 of 1917, being Michigan's Pawnbrokers Act, MCL 446.201 through 446.219, or as those are amended. The absence of any provision contained in these Acts from this article is not evidence of intent that such provision would not have full force and effect.

Sec. 16.359 – 16.360. Reserved.

Section 2. This Ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE 2009 - 10

An Ordinance amending Chapter 16, Code of Ordinances, City of Jackson, Michigan regarding the City Clerk's authority to Suspend or Revoke a License and Process for Appeal as contained in Sections 16-16 and 16-17.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Chapter 16, Sections 16-16 and 16-17, of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

Sec. 16-16. Suspension/revocation; hearing procedures.

- (a) Any license issued by the City may be suspended with the intent to revoke by the City Clerk when it appears to the City Clerk there is a reasonable basis to believe the licensee has engaged in conduct constituting cause for suspension as defined by section 16-17 or as otherwise provided in this Code.
- (b) Any suspension with the intent to revoke under this section shall be in written form stating the reasons for suspension and shall be effective upon mailing to the last known address of the licensee.
- (c) Any licensee whose license has been suspended with the intent to revoke under this section shall have the right to a hearing before the City Council upon the appropriateness of such suspension, provided a written request for such hearing is filed with the City Attorney within ten (10) business days after mailing of the notice of suspension by the City to the licensee.
- (d) Upon such request, the City Council shall conduct a hearing, and based upon a preponderance of the evidence presented, shall by vote of a majority of its membership either (1) overturn the action of the City Clerk and reinstate the license or (2) confirm the action of the City Clerk.
- (e) If a licensee whose license has been suspended with the intent to revoke fails to request a hearing as provided herein, or if the City Council after a hearing confirms the action of the City Clerk, the license shall be deemed to be fully and completely revoked for the balance of the license year.
- (f) Upon revocation of any license hereunder, the fee therefor shall not be refunded. Any licensee whose license has been revoked shall not be eligible to apply for a new license for the same trade, profession, business, or privilege for a period of one (1) year after such revocation.

Sec. 16-17. Cause for suspension defined.

The term "cause for suspension," as used in this chapter, shall include the doing or omitting of any act, or permitting any condition to exist in connection with any trade, profession, business, or privilege for

which a license is granted under the provisions of this chapter, or upon any premises or facilities used in connection therewith, which act, omission, or condition is any of the following:

- (1) Contrary to the health, safety, or welfare of the public.
- (2) Unlawful or fraudulent in nature.
- (3) Unauthorized or beyond the scope of the license granted.
- (4) Forbidden by the provisions of this Code or any other duly established rule or regulation of the City applicable to the trade, profession, business or privilege for which the license was granted, regardless if a conviction results.
- (5) Forbidden by any state statute or rule governing the same trade, profession, business, or privilege for which the City license was granted, regardless if a conviction results.
- (6) A conviction for a crime involving theft, dishonesty, receipt of stolen property, or embezzlement arising out of the trade, profession, business, or privilege for which the license was granted.
- (7) The licensee has ceased to operate or otherwise abandoned the trade, profession, business, or privilege for which the City license was granted.
- (8) Statements on the application were false or misleading.

Section 2. This Ordinance takes effect thirty (30) days from the date of adoption.

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City Council adopted Ordinance No. 2009.9 on June 23, 2009, amending Chapter 16 of the City Code and updating provisions of the pawnbrokers, secondhand dealers, and junkyard operators ordinance; and

WHEREAS, this Ordinance provides that license fees shall be set by the City Council by motion or resolution; and

WHEREAS, the City Council wishes to adopt a fee schedule for an annual business license for pawnbrokers, secondhand dealers, and junkyard operators.

NOW, THEREFORE, BE IT RESOLVED that when an applicant applies for an annual business license for pawnbroker, secondhand dealer, or junkyard operator, a fee shall be paid as stated below:

Pawnbroker	\$120.00
Secondhand Dealer	\$120.00
Junkyard Operator	\$120.00

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 23rd day of June, 2009.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on the 24th day of June, 2009.

Lynn Fessel, City Clerk



Community Development

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

June 16, 2009

TO: William R. Ross, City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: Approval of the 2009-2010 Community Development Block Grant (CDBG) Subrecipient Agreement

On May 12, 2009, the Jackson City Council announced its final allocations for 2009-2010 CDBG and HOME funds as follows:

CDBG

Center for Family Health.....	\$ 15,000
Family Services & Children’s Aid	10,000
Jackson Affordable Housing Corp. (Foreclosure Prevention).....	12,500
Jackson Affordable Housing Corp. (Homeowner Training)	6,000
King Center Summer Youth Program	40,000
Partnership Park Neighborhood Association.....	5,000
The Salvation Army	52,000
United Way 211 Call Center	12,000
Community Development – Administration	216,425
Community Development – Code Enforcement	450,000
Community Development – Residential Rehabilitation	200,000
Engineering – Monroe Street Sidewalk.....	30,000
Engineering – Street Paving/Reconstruction.....	300,000
Department of Public Services	67,523
John George Home	50,000
Forestry.....	<u>25,000</u>
Total:	\$1,491,448

HOME

Community Development - Rehabilitation Assistance (RAP)	\$260,975
Community Development – Administration (PJ).....	35,000
Jackson Affordable Housing Corp – CHDO Acquisition/Rehab/Resale	55,000
Jackson Affordable Housing Corp - CHDO Operating Expenses.....	<u>15,000</u>
Total:	\$365,975

The Application and One-Year Action Plan was sent to HUD via FedEx on May 14, 2009, and Request for Release of Funding was sent via FedEx on June 2, 2009. On Friday, June 5, 2009, it was discovered HUD updated allocations made to entitlement communities due to the successful appeal of estimated populations published by the Census Bureau in the summer of 2008 by 27 affected entitlement communities. While some communities received a reduction in their allocation, the City of Jackson received an additional \$2,801 from what had originally been announced (the HOME grant remained the same). City staff recommends allocating this additional funding to Engineering – Street Paving/Reconstruction for special assessments unless otherwise determined by City Council.

If you recall, the boilerplate subrecipient agreement received significant modifications last year, which were approved by the City Attorney and City Council. Two minor modifications have been made to this year's agreement:

- 1) Include the requirement of maintaining a drug-free work place (see page 5).
- 2) Expand the "Conflict of Interest" paragraph (starting on page 15) to incorporate all conflict of interest requirements of 24 CFR 570.611 and 24 CFR 84.42.

Requested action is for City Council to

- 1) Allocate an additional \$2,801 in CDBG funds;
- 2) Approve the revised Subrecipient Agreement and authorize the City Attorney to make minor modifications as needed; and,
- 3) Authorize the Mayor and City Clerk to execute the Subrecipient Agreements on behalf of the City.

Please place this item on the June 23, 2009 City Council agenda for consideration.

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

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**Subrecipient Agreement Between
The City of Jackson
and**

City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201
(517) 768-6436
www.cityofjackson.org

For

THIS AGREEMENT is entered on this _____ day of _____, 20____, by and between the CITY OF JACKSON, located at 161 West Michigan Avenue, Jackson, MI 49201 (herein called the "Grantee"), and _____, whose offices are located at _____ (hereinafter called the "Subrecipient");

WHEREAS, the Grantee has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended (HCD Act), Public Law 93-383, as amended; and,

WHEREAS, the Grantee wishes to engage the Subrecipient to assist the Grantee in achieving certain goals and objectives identified in its Consolidated Plan.

NOW, THEREFORE, it is agreed between the parties hereto that:

1. **Scope of Service.**

A. *Activities.* The Subrecipient will be responsible for administering a Community Development Block Grant (CDBG) 2009-2010 Program in a manner satisfactory to the Grantee and consistent with any standards required as a condition of providing these funds. Such program will include the following activities eligible under the CDBG Program:

Program Delivery: _____ . <activity>

See **Attachment A** for further information.

B. *National Objectives.* All activities funded with CDBG funds must meet one or more of the CDBG Program's National Objectives: benefit low- and moderate-income persons; aid in the prevention or elimination of slums or blight; or meet community development needs having a particular urgency, as defined in 24 CFR Part 570.208.

The Subrecipient certifies the activity(ies) carried out under this Agreement will meet the _____ National Objective. **<indicate which National Objective>** To qualify under this subcategory,

C. *Levels of Accomplishment – Goals and Performance Measures.* The levels of accomplishment may include such measures as units rehabbed, persons or households assisted, or meals served, and should also include time frames for performance.

The Subrecipient agrees to provide the following levels of program services:

<u>Activity</u>	<u>Units/Month</u>	<u>Total Units per Year</u>
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Performance will be measured by

D. *Staffing.*

Contact Person:

Any changes in the key personnel assigned or their general responsibilities under this project are subject to the prior approval of the Grantee. Notification of said changes shall be communicated in writing by the Subrecipient to the Grantee within a reasonable amount of time. See **Attachment A** for a complete staff listing.

E. *Performance Monitoring.* The Grantee will monitor the performance of the Subrecipient against goals and performance standards required herein. Substandard performance as determined by the Grantee will constitute non-compliance with this Agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time, which shall not exceed ten (10) days after being notified by the Grantee, contract suspension or termination procedures may be initiated by Grantee in its sole discretion.

2. **Time of Performance.** Services of the Subrecipient shall start on the 1st day of July, 20 , and end on the 30th day of June, 20 . The term of the Agreement and the provisions herein may be extended to cover any additional time period.

3. **Budget.**

Line Item Description	Amount
	\$

Any indirect costs charged must be consistent with the conditions of Paragraph 8(C)(ii) of this Agreement. In addition, the Grantee requires a more detailed budget breakdown than the one contained herein, and the Subrecipient shall provide such supplementary budget information on **Attachment B**. Any amendments to the budget must be approved in writing by both the Grantee and the Subrecipient.

4. **Payment.** It is expressly agreed and understood that the total to be paid by the Grantee under this Agreement shall not exceed \$.00. Drawdowns for the payment of eligible expenses shall be made against the line item amounts specified in Paragraph 3 above and in accordance with satisfactory performance by the Subrecipient, which shall be determined by Grantee in its sole discretion. Payments made by the Grantee to the Subrecipient for eligible expenses incurred under this Agreement shall be paid on a reimbursable basis, given that the Subrecipient has provided proper and complete source documentation to the satisfaction of the Grantee.

Payments may be contingent upon certification of the Subrecipient's financial management system in accordance with the standards specified in 24 CFR 84.21.



5. **Notices.** Notices required by this Agreement shall be in writing and delivered via mail (postage prepaid), commercial courier, or personal delivery, or sent by facsimile. Any notice delivered or sent as aforesaid shall be effective on the date of delivery or sending. All notices and other written communications under this Agreement shall be addressed to the individuals in the capacities indicated below, unless otherwise modified by subsequent written notice.

Communication and details concerning this Agreement shall be directed to the following contract representatives:

Grantee:

City of Jackson
ATTN: Michelle L. Pultz
161 West Michigan Avenue
Jackson, MI 49201
Ph: (517) 768-6436
Fax: (517) 780-4781
Email: mpultz@cityofjackson.org

Subrecipient:

ATTN:

Ph: (517)
Fax: (517)
Email:

6. **Special Conditions.** Not applicable at this time.

7. **General Conditions.**

- A. *General Compliance.* The Subrecipient agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Department of Housing and Urban Development regulations concerning CDBG) including subpart K of these regulations, except that 1) the Subrecipient does not assume the Grantee's environmental responsibilities described in 24 CFR 570.604, and 2) the Subrecipient does not assume the Grantee's responsibility for initiating the review process under the provisions of 24 CFR Part 52. The Subrecipient also agrees to comply with all other applicable Federal, state and local laws, regulations and policies governing the funds provided under this Agreement. The Subrecipient further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.
- B. *"Independent Contractor."* Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Subrecipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The Grantee shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the Subrecipient is an independent contractor.
- C. *Hold Harmless.* The Subrecipient shall hold harmless, defend and indemnify the Grantee from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient's performance or non-performance of the services or subject matter called for in this Agreement.



- D. *Workers' Compensation.* The Subrecipient shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement.
- E. *Insurance and Bonding.* The Subrecipient shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud, and/or undue physical damage and, as a minimum, shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the Grantee.

The Subrecipient shall, at the time of execution of this Agreement, file with the Grantee the Certificate of Insurance, which shall cover all of the Subrecipient's insurance as required herein, including evidence of payment of premiums thereon, and the policy or policies of insurance covering said Grantee and its officers, agents and employees. Each such policy and certificate shall be satisfactory to the Grantee and shall bear an endorsement precluding the cancellation or reduction in coverage without giving notice to the Grantee at least thirty (30) days prior notice thereof in writing. Nothing contained in these insurance requirements is to be construed as limiting the extent of the Subrecipient's responsibility for payment of damages resulting from their operations under this Agreement.

The Subrecipient shall maintain insurance in force at all times during the term of this Agreement at the minimum amounts and types as indicated below:

Workers' Compensation	\$100,000 or statutory limit as required under the MI Workers' Compensation Act, whichever is higher
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~and~

Comprehensive General Liab. (Including Pollution and XCU if Appropriate)	Bodily Injury	\$1,000,000 each occurrence \$1,000,000 aggregate
	Property Damage	\$500,000 each occurrence \$500,000 aggregate
or Combined Single Limit		\$1,000,000 each occurrence \$1,000,000 aggregate

~and~

Automobile Liability	Bodily Injury	\$1,000,000 each person
		\$1,000,000 each occurrence
	Property Damage	\$100,000,000 each occurrence
or Combined Single Limit		\$1,000,000

The City of Jackson shall be listed as an additional insured on all comprehensive general liability coverages, and shall be provided with a Certificate of Insurance, which reflects this additional insured status. All certificates and notices shall be sent to the Grantee at the address identified in Paragraph 5 above.

The Subrecipient shall comply with the bonding and insurance requirements of 24 CFR 84.31 and 84.48, Bonding and Insurance.

- F. *Grantee Recognition.* The Subrecipient shall insure recognition of the role of the Grantee in providing services through this Agreement. All activities, facilities and items utilized pursuant to this Agreement shall be prominently labeled as to its funding



source. In addition, the Subrecipient shall include a reference to the support provided herein in all publications made possible with funds made available under this Agreement.

- G. *Amendments.* The Grantee or Subrecipient may amend this Agreement at any time, provided that such amendments make specific reference to this Agreement and are executed in writing, signed by a duly authorized representative of both organizations, and approved by the Grantee's governing body. Such amendments shall not invalidate this Agreement, nor relieve or release the Grantee or Subrecipient from their obligations under this Agreement.

The Grantee may, in its sole discretion, amend this Agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both Grantee and Subrecipient.

- H. *Suspension or Termination.* Grantee may terminate this Agreement at any time by giving written notice to the Subrecipient of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In the event of any termination for convenience, all finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials prepared by the Subrecipient under this Agreement shall, at the option of the Grantee, become the property of the Grantee, and the Subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed, determined by Grantee in its sole discretion, on such documents or materials prior to the termination.

In accordance with 24 CFR 85.43, the Grantee may suspend or terminate this Agreement if the Subrecipient materially fails to comply with any terms of this Agreement, which include (but are not limited to) the following:

- i. Failure to comply with any of the rules, regulations or provisions referred to herein, or such statutes, regulations, executive orders, and HUD guidelines, policies or directives as may become applicable at any time;
- ii. Failure, for any reason, of the Subrecipient to fulfill in a timely and proper manner its obligations under this Agreement;
- iii. Ineffective or improper use of funds provided under this Agreement; or,
- iv. Submission by the Subrecipient to the Grantee reports that are incorrect or incomplete in any material respect.

In accordance with 24 CFR 85.44, this Agreement may also be terminated for convenience by the Grantee, in whole or in part, by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if in the case of a partial termination, the Grantee determines that the remaining portion of the award will not accomplish the purpose for which the award was made, the Grantee may terminate the award in its entirety.



- I. *Drug-Free Workplace.* The Subrecipient will or will continue to provide a drug-free workplace by:
 - i. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - ii. Establishing an ongoing drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The Subrecipient's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - iii. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by subparagraph (7)(I)(i);
 - iv. Notifying the employee in the statement required by paragraph (7)(I)(i) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - v. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (7)(I)(iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
 - vi. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (7)(I)(iv)(b), with respect to any employee who is so convicted:
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - vii. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (7)(I)(i) through (vi).



8. **Uniform Administrative Requirements.** All Subrecipients are required to comply with applicable uniform administrative requirements contained at 24 CFR 570.502 including, but not limited to the following:

A. *Financial Management:*

- i. *Accounting Standards.* The Subrecipient agrees to comply with 24 CFR 84.21-28 and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.
- ii. *Cost Principles.* The Subrecipient shall administer its program in conformance with OMB Circulars A-122, "Cost Principles for Non-Profit Organizations," or A-21, "Cost Principles for Education Institutions," as applicable. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.

B. *Documentation and Record Keeping:*

- i. *Records to be Maintained.* The Subrecipient shall maintain all records required by the Federal regulations specified in 24 CFR 570.506 that are pertinent to the activities to be funded under this Agreement. Such records shall include, but not be limited to:
 - a. Records providing a full description of each activity undertaken; and
 - b. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG Program; and
 - c. Records required to determine the eligibility of activities; and
 - d. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance; and
 - e. Records documenting compliance with the fair housing and equal opportunity components of the CDBG Program; and
 - f. Financial records as required by 24 CFR 570.502 and 24 CFR 84.21-28; and
 - g. Other records necessary to document compliance with Subpart K of 24 CFR 570.
- ii. *Retention.* The Subrecipient shall retain all financial records, supporting documents, statistical records and all other records pertinent to this Agreement for a period of five (5) years after the termination of all activities funded under this Agreement. Records for non-expendable property acquired with funds under this Agreement shall be retained for five (5) years after final disposition of such property. Records for any displaced person must be kept for five (5) years after he/she has received final payment. The retention period begins on the date of the submission of the Grantee's annual performance and evaluation report to HUD in which the activities assisted under the Agreement are reported on for the final time. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the five year period, then such records must be retained until completion of the actions and



resolution of all issues, or the expiration of the five year period, whichever occurs later.

- iii. *Client Data.* The Subrecipient shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility, and description of services provided. Such information shall be made available to Grantee monitors or their designees for review upon request.
- iv. *Disclosure.* The Subrecipient understands that client information collected under this Agreement is private and the use or disclosure of such information, when not directly connected with the administration of the Grantee's or Subrecipient's responsibilities with respect to services provided under this Agreement, is prohibited unless written consent is obtained from such person receiving service, and in the case of a minor, that of a responsible parent/guardian or as subject to the Freedom of Information Act.
- v. *Property Records.* The Subrecipient shall maintain real property inventory records which clearly identify properties purchased, improved or sold with funds provided under this Agreement. Properties retained shall continue to meet eligibility criteria and shall conform with the "changes in use" eligibility criteria and shall conform with the "changes in use" restrictions specified in 24 CFR 570.503(b)(8), as applicable.
- vi. *Close-Outs.* The Subrecipient's obligation to the Grantee shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances and accounts receivable to the Grantee), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the Subrecipient has control over CDBG funds, including program income.
- vii. *Audits and Inspections.* All Subrecipient records with respect to any matters covered by this Agreement shall be made available to the Grantee, grantor agency, and the Comptroller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as the Grantee or grantor agency deemed necessary, to audit, examine and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the Subrecipient within 30 days after receipt of notice of deficiencies by the Subrecipient. Failure of the Subrecipient to comply with the above audit requirements will constitute a violation of this Agreement and may result in the withholding of future payments. The Subrecipient hereby agrees to have an annual agency audit conducted in accordance with current Grantee policy concerning subrecipient audits and OMB Circular A-133.



- C. *Reporting and Payment Procedures.*
- i. *Program Income.* The Subrecipient shall report quarterly all program income (as defined at 24 CFR 570.500(a)) generated by activities carried out with CDBG funds made available under this Agreement. The use of program income by the Subrecipient shall comply with the requirements set forth at 24 CFR 570.504. By way of further limitations, the Subrecipient may use such program income during the Agreement period for activities permitted under this Agreement and shall reduce requests for additional funds by the amount of any such program income balances on hand. All unexpended program income shall be returned to the Grantee at the end of the Agreement period. Any interest earned on cash advances from the U.S. Treasury and from funds held in a revolving fund account is not program income and shall be remitted promptly to the Grantee.
 - ii. *Indirect Costs.* If indirect costs are charged, the Subrecipient will develop an indirect cost allocation plan for determining the appropriate Subrecipient's share of administrative costs and shall submit such plan to the Grantee for written approval, prior to reimbursement of expenses and in a form specified by the Grantee.
 - iii. *Payment Procedures.* The Grantee will pay to the Subrecipient funds available under this Agreement based upon information submitted by the Subrecipient and consistent with any approved budget and Grantee policy concerning payments. With the exception of certain advances, payments will be made for eligible expenses actually incurred by the Subrecipient, and not to exceed actual cash requirements. Payments will be adjusted by the Grantee in accordance with advance fund and program income balances available in Subrecipient accounts. In addition, the Grantee reserves the right to liquidate funds available under this Agreement for cost incurred by the Grantee on behalf of the Subrecipient.
 - iv. *Progress Reports.* The Subrecipient shall submit regular quarterly Progress Reports to the Grantee in the form, content and frequency as required by the Grantee.
- D. *Procurement.*
- i. *Compliance.* The Subrecipient shall comply with current Grantee policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein. All program assets (unexpended program income, property, equipment, etc.) shall revert to the Grantee upon termination of this Agreement.
 - ii. *OMB Standards.* Unless specified otherwise within this Agreement, the Subrecipient shall procure all materials, property, or services in accordance with the requirements of 24 CFR 84.40-48.



iii. *Travel.* The Subrecipient shall obtain prior written approval from the Grantee for any travel outside the metropolitan area with funds provided under this Agreement.

E. *Use and Reversion of Assets.* The use and disposition of real property and equipment under this Agreement shall be in compliance with the requirements of 24 CFR Part 84 and 24 CFR 570.502, 570.503, and 570.504, as applicable, which include but are not limited to the following:

i. The Subrecipient shall transfer to the Grantee any CDBG funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.

ii. Real property under the Subrecipient's control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of \$25,000 shall be used to meet one of the CDBG National Objectives pursuant to 24 CFR 570.208 until five (5) years after expiration of this Agreement. If the Subrecipient fails to use CDBG-assisted real property in a manner that meets a CDBG National Objective for the prescribed period of time, the Subrecipient shall pay the Grantee an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, or improvement to, the property. Such payment shall constitute program income to the Grantee. The Subrecipient may retain real property acquired or improved under this Agreement after the expiration of the five-year period.

iii. In all cases in which equipment acquired, in whole or in part, with funds under this Agreement is sold, the proceeds shall be program income (prorated to reflect the extent to that funds received under this Agreement were used to acquire the equipment). Equipment not needed by the Subrecipient for activities under this Agreement shall be (a) transferred to the Grantee for the CDBG program, or (b) retained after compensating the Grantee an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

9. **Relocation, Real Property Acquisition and One-For-One Housing Replacement.** The Subrecipient agrees to comply with 1) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606(b); 2) the requirements of 24 CFR 570.606(c) governing the Residential Anti-Displacement and Relocation Assistance Plan under Section 104(d) of the HCD Act of 1974, as amended; and 3) the requirements in 24 CFR 570.606(d) governing optional relocation policies.

The Subrecipient shall provide relocation assistance to the displaced persons as defined by 24 CFR 570.606(b)(2) that are displaced as a direct result of acquisition, rehabilitation, demolition or conversion for a CDBG-assisted project. The Subrecipient also agrees to comply with applicable Grantee ordinances, resolutions and policies concerning the displacement of persons from their residences.



10. **Personnel and Participant Conditions.**

A. *Civil Rights.*

- i. *Compliance.* The Subrecipient agrees to comply with the following: Elliott-Larson Civil Rights Act, PA 453 of 1976, as amended, MCL 37.2101, *et seq*; Title VI of the Civil Rights Act of 1964, as amended; Title VIII of the Civil Rights Act of 1968, as amended; Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974, as amended; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975; Executive Order 11063; and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086, as amended.
- ii. *Non-Discrimination.* The Subrecipient will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. The Subrecipient will take affirmative action to insure that all employment practices are free from such discrimination. Such employment practices include, but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Subrecipient agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the provisions of this non-discrimination clause. The Subrecipient agrees to comply with the non-discrimination in employment and contracting opportunities laws, regulations, and executive orders referenced in 24 CFR 570.607, as revised by Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCD Act are still applicable.
- iii. *Land Covenants.* This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and 24 CFR 570.601 and 570.602. In regard to the sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this Agreement, the Subrecipient shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the Grantee and the United States are beneficiaries of and entitled to enforce such covenants. The Subrecipient, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.
- iv. *Section 504.* The Subrecipient agrees to comply with all Federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), which prohibits discrimination against individuals with disabilities or handicaps in any Federally assisted program. The Grantee shall provide the Subrecipient



with any guidelines necessary for compliance with that portion of the regulations in force during the term of this Agreement.

B. *Affirmative Action.*

- i. *Approved Plan.* The Subrecipient agrees that it shall be committed to carry out pursuant to the Grantee's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1965. The Grantee shall provide Affirmative Action guidelines to the Subrecipient to assist in the formulation of such program. The Subrecipient shall submit a plan for an Affirmative Action Program for approval prior to the award of funds.
- ii. *Women- and Minority-Owned Businesses (W/MBE).* The Subrecipient will actively solicit small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this Agreement. As used in this Agreement, the term "small business" means a business that meets the criteria set forth in Section 3(a) of the Small Business Act, as amended, (15 USC 632), and "minority and women's business enterprises" means a business at least fifty-one (51%) percent owned and controlled by minority group members or women. For the purposes of this definition, "minority group members" are Afro-Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian Americans, and American Indians. The Subrecipient may rely on written representations by businesses regarding their status as minority and women business enterprises in lieu of an independent investigation.
- iii. *Access to Records.* The Subrecipient shall furnish and cause each of its own subrecipients or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the Grantee, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with rules, regulations and provisions stated herein.
- iv. *Notifications.* The Subrecipient will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the Subrecipient's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- v. *Equal Employment Opportunity and Affirmative Action (EEO/AA) Statement.* The Subrecipient will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action Employer.
- vi. *Subcontract Provisions.* The Subrecipient will include the provisions of Paragraphs 10(A) Civil Rights, and (B) Affirmative Action, in every sub-contract or purchase order, specifically or by reference, so that such



provisions will be binding upon each of its own subrecipients or subcontractors.

C. *Employment Restrictions.*

- i. *Prohibited Activity.* The Subrecipient is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; or nepotism activities.
- ii. *Labor Standards.* The Subrecipient agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, the provisions of Contract Work Hours and Safety Standards Act, as amended (40 USC 327 *et seq.*), and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subrecipient agrees to comply with the Copeland Anti-Kickback Act (40 USC 276c; 18 USC 874 *et seq.*; 29 CFR Part 3) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to documentation that demonstrates compliance with hour and wage requirements of this part. and its implementing regulations of the US Department of Labor at 29 CFR Part 5. The Subrecipient shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.

The Subrecipient agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000 for construction, renovation or repair work financed in whole or in part with assistance provided under this Agreement, shall comply with Federal requirements adopted by the Grantee pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5, 6 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the Subrecipient of its obligation, if any, to require payment of the higher wage. The Subrecipient shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

iii. *"Section 3" Clause.*

- a. *Compliance.* Compliance with the provisions of Section 3 of the HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided under this Agreement and binding upon the Grantee, the Subrecipient, and any of the Subrecipient's subrecipients and subcontractors. Failure to fulfill



these requirements shall subject the Grantee, the Subrecipient, and any of the Subrecipient's subrecipients and subcontractors, their successors and assigns, to those sanctions specified by this Agreement through which Federal assistance is provided. The Subrecipient certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

The Subrecipient further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this Agreement:

"The work to be performed under this Agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 USC 1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located."

The Subrecipient further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to business concerns that provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs.

The Subrecipient certifies and agrees that no contractual or other legal incapacity exists that would prevent compliance with these requirements.



- b. *Notifications.* The Subrecipient agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- c. *Subcontracts.* The Subrecipient will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The Subrecipient will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

D. *Conduct.*

- i. *Assignability.* The Subrecipient shall not assign or transfer any interest in this Agreement without the prior written consent of the Grantee thereto; provided, however, that claims for money due or to become due to the Subrecipient from the Grantee under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Grantee.
- ii. *Subcontracts.*
 - a. *Approvals.* The Subrecipient shall not enter into any subcontracts with any agency or individual in the performance of this Agreement without the written consent of the Grantee prior to the execution of such agreement.
 - b. *Monitoring.* The Subrecipient will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.
 - c. *Content.* The Subrecipient shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement.
 - d. *Selection Process.* The Subrecipient shall undertake to insure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis. Executed copies of all subcontracts shall be forwarded to the Grantee along with documentation concerning the selection process.
- iii. *Hatch Act.* The Subrecipient agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the USC.



iv. *Conflict of Interest.*

The Subrecipient agrees to abide by the provisions of 24 CFR 84.42 and 570.611, which include (but are not limited to) the following:

- a. The Subrecipient shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.
- b. No employee, officer or agent of the Subrecipient shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer or agent, or any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award.
- c. The officers, employees, and agents of the Subrecipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub-agreements. However, Subrecipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
- d. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Subrecipient.
- e. No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG-assisted activity, or with respect to the proceeds from the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee, the Subrecipient, or any designated public agency.
- f. In the procurement of supplies, equipment, construction, and services by Subrecipient, the conflict of interest provisions above shall apply.

v. *Lobbying.* The Subrecipient hereby certifies that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the



extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement; and

- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, of any Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- c. It will require that the language of Paragraph 10(D)(v)(d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly; and
- d. *Lobbying Certification.* This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31 USC. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

vi. *Copyright.* If this Agreement results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, the work or materials for governmental purposes.

vii. *Religious Activities.* The Subrecipient agrees that funds provided under this Agreement will not be utilized for inherently religious activities prohibited by 24 CFR 570.200(j), such as worship, religious instruction, or proselytization.

11. **Environmental Conditions.**

A. *Air and Water.* The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:

- Clean Air Act, 42 USC 7401, as amended,
- Federal Water Pollution Control Act, as amended, 33 USC 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
- Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

B. *Flood Disaster Protection.* In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 USC 4001), the Subrecipient shall assure that for activities located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, flood insurance under the National Flood Insurance



Program is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

- C. *Lead-Based Paint.* The Subrecipient agrees that any construction or rehabilitation of residential structures with assistance provided under this Agreement shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608, and 24 CFR Part 35, Subpart B. Such regulations pertain to all CDBG-assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the systems, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children who have not yet reached the age of seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken. The regulations further require that, depending on the amount of Federal funds applied to a property, paint testing, risk assessment, treatment and/or abatement may be conducted.
- D. *Historic Preservation.* The Subrecipient agrees to comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 USC 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this Agreement.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older, or that are included on a Federal, state, or local historic property list.

12. **Severability.** If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.
13. **Paragraph Headings and Subheadings.** The paragraph headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.
14. **Waiver.** The Grantee's failure to act with respect to a breach by the Subrecipient does not waive its right to act with respect to subsequent or similar breaches. The failure of the Grantee to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.
15. **Entire Agreement.** This Agreement constitutes the entire agreement between the Grantee and the Subrecipient for the use of funds received under this Agreement and it supersedes all prior or contemporaneous communications or proposals, whether electronic, oral, or written between the Grantee and the Subrecipient with respect to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written above.

Signed in the Presence of:



CITY OF JACKSON
a Michigan municipal corporation

By: _____
Jerry F. Ludwig *Mayor*

By: _____
Lynn Fessel *City Clerk*

By: _____

Please print name
Its _____

By: _____

Please print name
Its _____





City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers

FROM: William R. Ross, City Manager

DATE: June 17, 2009

SUBJECT: Interest Rate on Special Assessments

At the June 9th City Council meeting, the City Council directed the City Manager to prepare a recommendation related to the interest rate charged on Special Assessments levied by the City. The purpose of this memorandum is to make that recommendation. I have examined both the City Charter and the City Code on this issue. The City Charter is silent on the interest rate of Special Assessments. The Charter indicates that the Council will establish Special Assessment policies by ordinance. The City Code, in Section 22-09, indicates that installments of Special Assessments shall bear interest from the date of initial confirmation of a Special Assessment Roll until their maturity at a rate not exceeding six percent, or one percent above the average interest cost if bonds were sold to finance the public improvement. I have consulted with Finance Director, Phil Hones, regarding estimated interest rates if the City were to sell bonds to finance the proposed street improvements. Mr. Hones estimates that the bonds would sell at approximately four percent in today's market. I am, therefore, recommending that the interest rate on Special Assessments be established at five percent as required by the City Code.

I further recommend that each time the Council levy's Special Assessments in the future an analysis should be prepared of the estimated interest rates on bonds and presented to the Council in order to establish the interest rate on assessments at the time of levy.

WRR:skh



Informational Memo

TO: William R. Ross, City Manager

DATE: June 17, 2009

FROM: Carol L. Konieczki, Community Development Director

RE: **Rescind the Request for Public Hearings and Adoption of a Resolution to Establish an Obsolete Property Rehabilitation District (OPRD) #7 for the property located at 813-819 E. Michigan Avenue.**

At the City Council meeting held on June 9, 2009, a public hearing was established for the June 23, 2009 City Council meeting, to establish an OPRD for the property located in the DDA District at 813-819 E. Michigan Avenue. The developer has withdrawn this request at this time. The developer expressed their intent to proceed with the project at a later time.

CLK/bjh

cc: Tony Pinson, Pinson Urology and Continence Center
John O'Dowd, Realtor
Jonathan Greene, DDA Executive Director
Jan Markowski, City Assessor
Barry Hicks, Economic Development Project Manager

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



MEMORANDUM

DATE: June 5, 2009

TO: William R. Ross
City Manager

FROM: Matthew R. Heins
Chief of Police

SUBJECT: May Manager's Report

Chief Matthew Heins

- Attended:
 - Budget Meetings (2)
 - Area Chiefs Meeting
 - End of Probation meeting with Communications Specialist Toni Wilson
 - Meeting Regarding Records Hours Changes (2)
 - Optimist Club Respect for Law Enforcement Luncheon
 - Jackson Police Department Annual Awards Banquet
 - Jackson County Sheriff's Office Annual Awards Banquet
 - Jackson County Police Memorial
 - Open Carry Meeting with City Attorney
 - *Breakfast for Business* Seminar by Allegiance Health
 - Pawn Shop Ordinance Meeting
 - Neighborhood Portfolio Exercise for Officer Warren Johnson
- Participated in Michigan Association of Chiefs of Police District 8 Election
- Participated in Practical Exercise/Simulation of Chlorine Spill
- Hosted Breakfast for Jackson Police Department Retirees

Deputy Chief John Holda

- Attended:
 - Training Consortium Executive Board Meeting
 - Pension Board Meeting
 - Department Head Meeting
 - Budget Meetings (2)
 - Records Meetings (2)
 - Area Chiefs Meeting

- Open Carry (Firearms) Meeting
- MAPERS Training Conference
- Jackson County Police Memorial
- Jackson Police Department Awards Banquet
- Media Day at MIS Driving School
- 48 Hours of Vacation

Lt. Aaron Kantor

- Attended:
 - Meeting Regarding County Records Merger
 - Project Safe Neighborhoods Meeting
 - Meeting with Consumers Energy Regarding Annual Shareholders Meeting
 - Local Planning Team Meeting
 - Discussed 5/20 functional exercise
 - Meeting with Don Nelson and Michelle Gossett on City Hall IT Merger
 - Meeting with Michelle Gossett and New World Systems
 - Staff and Command
 - Department Head Meeting
 - Neighborhood Portfolio Exercise with Officer Warren Johnson
 - Meeting with the Omega Group Regarding Crime Mapping
 - Meeting with City Manager on Pawn Shop Ordinance
- JTV Segment about PSN Initiatives
- Other update information
 - Four PSN saturation patrols were conducted
 - Pawn shop ordinance was finalized and will be presented to the City Council

Lt. Christopher Simpson

- Attended:
 - Sexual Assault Task Force Meeting
 - Records Meetings (2)
 - Meeting with Ella Blackwell
 - Jackson Police Department Awards Banquet
 - Ordinance Review Committee Meeting
 - Evaluation Committee Meeting
 - Honor Guard Practice
 - Jackson County Police Memorial
 - City Council Budget Meeting
 - Functional Exercise at OEM (County exercise)
 - Domestic Violence Meeting
 - Neighborhood Portfolio Exercise Presentation by Officer Warren Johnson
 - It's Your Life Meeting with Oliver Cook