



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

AGENDA – CITY COUNCIL MEETING

November 10, 2009

7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by John Polaczyk, 6th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Presentations/Proclamations.**
 - A. Mayor will read a proclamation proclaiming the week of November 8 through November 14, 2009, as City Employee Recognition Week.
6. **Citizen Comments. (3-Minute Limit)**
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of October 20, 2009.
 - B. Approval of the payment of the Region 2 Planning Commission Invoice, in the amount of \$14,494.34, for planning services for the month of September 2009, in accordance with the recommendation of the Interim City Manager.
 - C. Approval of the request to exercise the first renewal of the lease agreement between the City and Jackson Affordable Housing Corporation for office space at the rental rate of \$1.00 annually, and authorization for the City Attorney to draft the appropriate document(s) for renewal, and for the Mayor and City Clerk to sign same, in accordance with the recommendation of the Purchasing Agent.
 - D. Approval of the request from the Kiwanis Club of Jackson to hold their 91st annual newspaper sale on City streets on Friday, December 11, 2009. (Recommended approval received from the Police and Fire Departments and the Downtown Development Authority. Proper insurance coverage received.)
 - E. Approval of the request from the Downtown Jackson Christmas Parade Committee to hold the annual Christmas Parade on Friday, November 20, 2009, and to close the following streets from 4:45 p.m. until 8:00 p.m.:
Michigan Avenue from Steward Avenue to Louis Glick Highway
First Street from Washington Avenue to Wildwood Avenue
Wildwood Avenue from Michigan Avenue to Louis Glick Highway
Cortland Street from First Street to Francis Street
Blackstone Street from Washington Avenue to Pearl Street
Jackson Street from Washington Avenue to Pearl Street
Mechanic Street from Washington Avenue to Pearl Street
Francis Street from Washington Avenue to Michigan Avenue
Hayes Street from Michigan Avenue to Pearl Street
(Recommended approval received from the Police, Fire, Traffic Engineering, Public Services, Parks/Forestry Departments, and the Downtown Development Authority. Insurance coverage is in place.)

- F. Approval of the request from the Downtown Development Authority to conduct their Holiday Discover Downtown Again “DDA” Day at Bucky Harris Park, and throughout downtown on Saturday, November 21, 2009, from 8:30 a.m. until 12:30 p.m. (Recommended approval received from the Police, Fire, Traffic Engineering and Parks/Forestry Departments. Insurance coverage is in place.)
- G. Approval of the following street closure requests from the Downtown Development Authority regarding the Eve on the Ave celebration on Thursday, December 31, 2009, and Friday, January 1, 2010:
 - 1. Michigan Avenue from Jackson Street to Mechanic Street, between 11:00 p.m. and 12:30 a.m.
 - 2. Michigan Avenue from Mechanic Street to Louis Glick Highway, and Francis Street from Cortland to Michigan Avenue, between 11:30 p.m. until 1:30 a.m. (Recommended approval received from the Police, Fire, Traffic Engineering, Parks/Forestry and the Public Services Departments.)
- H. Approval of the fireworks permit for the fireworks display for the Eve on the Ave celebration on Thursday, December 31, 2009, pending adequate insurance coverage received by the City Attorney’s Office, in accordance with the recommendation of the Downtown Development Director.
- I. Approval of Traffic Control Order No. (TCO) 2039, reviewing the traffic control at the intersection of Burr and Oak Streets with the recommendation that westbound traffic on Burr Street shall be required to yield the right of way to traffic on Oak Street, in accordance with the recommendation of the City Engineer.
- J. Receipt with regret the resignation of Victor Cuiss from the Downtown Development Authority.
- K. Receipt with regret the resignation of Richard Lawson from the City Planning Commission.
- L. Receipt of the City of Jackson’s summary of revenue and expenditures for three (3) months ended, September 30, 2009.
- M. Establishment of December 15, 2009, at the City Council meeting as the time and place to hold public hearings for the following:
 - 1. To consider a resolution creating an Obsolete Property Rehabilitation District (OPRD#7) at 230 W. Cortland Street.
 - 2. Approval of an application for an Obsolete Property Rehabilitation Act (OPRA) Tax Exemption Certificate at 230 W. Cortland Street.
- N. Establishment of December 15, 2009, at the City Council meeting as the time and place to hold a public hearing for the consideration of an amendment to a Brownfield Plan for 249-269 W. Michigan Avenue (Anesthesia Business Consultants), as recommended by the Jackson Brownfield Redevelopment Authority (JBRA), and the Community Development Director.
- *O. Establishment of December 15, 2009, at the City Council meeting as the time and place to hold a public hearing for the consideration of a Personal Property Act Tax Exemption Certificate (PA 328) for MiraMed Properties, LLC, 230 W. Cortland Street.

8. Committee Reports.

- A. Consideration of the following recommendations from the Rules and Personnel Committee:
 - 1. Consideration of compensation for Interim City Manager Christopher W. Lewis.
 - 2. Consideration of amendments to the Employment Agreement with City Clerk Lynn Fessel.
- B. Receipt of the City Affairs Committee Report and consideration of the following recommendations from the City Affairs Committee:
 - 1. Direct the City Treasurer to revise the 1040 City Income Tax form to allow citizens to donate their refund to the City Parks and Recreation Department.
 - 2. Consideration of ceasing operations and closing the City’s recycling center once the Goodwill Recycling Center is fully established.

9. **Appointments.**
 - A. Approval of the Mayor's recommendation, in concurrence with the recommendation of the Human Relations Commission, to reappoint Edward Peterson to the Jackson Human Relations Commission for a three-year term beginning January 1, 2010, and ending December 31, 2012.
 - B. Approval of the Mayor's recommendation to appoint Sheila M. Troxel to the City Planning Commission filling a current vacancy beginning immediately and ending December 31, 2009, and to reappoint Ms. Troxel to the City Planning Commission for a three-year term beginning January 1, 2010, and ending December 31, 2012.
10. **Public Hearings.**
 - A. Public hearing on the request from KRT Precision Tool & Manufacturing, Inc., for an Industrial Facilities Tax Exemption for 1300 Mitchell Street. (Rules and Personnel Committee recommends approval.)
 1. Consideration of a resolution approving the application.
11. **Resolutions.**
 - A. Consideration of a resolution recognizing Family Service & Children's Aid as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.
 - B. Consideration of a resolution amending the 2009-2010 (Year 35) HOME budget reallocating funds from the Rehabilitation Assistance Program to the Downpayment Assistance program in the amount of \$25,000.00.
12. **Executive Session to discuss legal opinions.**
13. **Return to Open Session.**
14. **Ordinances.**
 - A. Consideration of an Ordinance amending Chapter 28, Section 28-5, City Code, amending the definition of "Rooming House." (Postponed at the October 20, 2009, City Council meeting.)
 - B. Consideration of an Ordinance amending Chapter 28, Section 28-5, City Code, amending the definition of "Family." (Postponed at the October 20, 2009, City Council meeting.)
 - C. Consideration of an Ordinance amending Chapter 25, Section 25-31, City Code, authorizing the issuance of citations to district court, impounding vehicles, or immobilizing of vehicles where the owner of the vehicle has six or more unanswered parking tickets.
 - D. Final adoption of Ordinance No. 2009.14 amending Chapter 18, Section 18-185, City Code, clarifying that transporting, carrying, or possessing a dangerous weapon does not include firearms because state law exclusively regulates firearms for these purposes.
15. **Other Business.**
16. **New Business.**
 - A. Consideration of the request to approve the Neighborhood Stabilization Program (NSP) Construction Mortgage and Neighborhood Stabilization Program (NSP) Construction Mortgage Note in the total amount of \$916,000.00, and authorization for the City Attorney to make minor modifications if necessary, and for the Mayor to execute the appropriate document(s), in accordance with the recommendation of the Community Development Director.
 - B. Consideration of the request to approve the Neighborhood Resource Center (NRC), 1015 S. Francis Street, lease amendments for the Elnora Moorman Center, the Jackson County Branch NAACP, and Helping All People Excel (HAPE), and authorization for the City Attorney to make minor modifications if needed, and for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the

Community Development Director.

- C. Consideration of the request to exceed the Community Development Block Grant (CDBG) rehabilitation loan limit by \$1,885.00 for a total project cost of \$21,885.00, plus closing costs, for rehabilitation work at 404 S. Grinnell St., in accordance with the recommendation of the Community Development Director.
- D. Consideration of the request to approve the purchase of a 2010 Ford F450 from Gorno Ford, Woodhaven, (through the State of Michigan Extended Purchasing Program) in the amount of \$29,195.00, and the purchase of the body to complete the truck from Automotive Service Company, in the amount of \$7,493.00, for a total cost of \$36,688.00, in accordance with the recommendation of the Interim Water Department Director.
- E. Consideration the request to approve the low bid award to Falcon Road Maintenance Equipment, Midland, at their low bid of \$15,000.00 each, for a total of \$30,000.00, for the purchase of two (2) asphalt patching machines, and authorization for the Mayor and City Clerk to execute the appropriate document(s) and for staff to make any minor modifications needed, in accordance with the recommendation of the Purchasing Agent and the City Engineer.
- F. Consideration of the proposal from Councilmember Frounfelker, Rules and Personnel Committee Chairman, to reorganize the Rules and Personnel Committee to become the Personnel and Finance Committee taking effect on December 1, 2009.
- *G. Consideration of rescinding November 5, 2009, City Council action to remove Mr. Robert Mason's name from the list of candidates to be interviewed for the position of City Manager.

***17. Special Tribute to Mayor for his many years of service to the citizens of Jackson, Michigan.**

18. City Councilmembers' Comments.

19. Manager's Comments.

20. Adjournment.

PROCLAMATION

WHEREAS, all citizens of this community are proud to say, "We Like It Here," when talking about Jackson; and

WHEREAS, an important reason we can say this is the existence of a dedicated corps of City employees who constantly labor to deliver quality services to the people of this community; and

WHEREAS, over the years there have been many instances where outstanding and meritorious service has been rendered by these public servants; and

WHEREAS, it has been determined by the City Council that City employees as a group should be honored and recognized for their many contributions to the betterment of this community; and

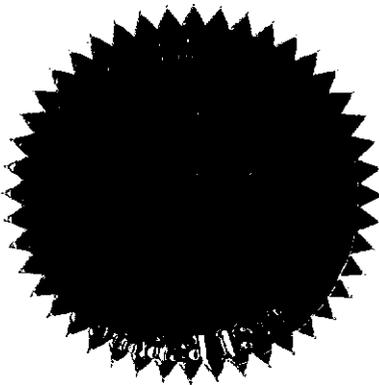
WHEREAS, the City Council has determined that it wishes to do so.

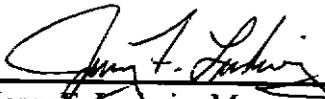
NOW, THEREFORE, I, JERRY F. LUDWIG, Mayor of the City of Jackson, Michigan, by virtue of the power vested in me under the Charter of the City, do hereby proclaim the week of November 8 through November 14, 2009, as:

CITY EMPLOYEE RECOGNITION WEEK

in the City of Jackson. During this week, I urge all citizens of this community to reflect upon the many valuable contributions toward community betterment made by its employees.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Jackson, Michigan, to be affixed this 10th day of October, 2009.





Jerry F. Ludwig, Mayor

JACKSON CITY COUNCIL MEETING

MINUTES

OCTOBER 20, 2009

CALL TO ORDER.

The Jackson City Council met in special and regular session in City Hall and was called to order at 6:05 p.m. by Mayor Jerry F. Ludwig.

PLEDGE OF ALLEGIANCE – INVOCATION.

The Council joined in the pledge of allegiance. Councilmember Frounfelker gave the invocation.

ROLL CALL.

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

Also Present: City Attorney Julius A. Giglio and City Clerk Lynn Fessel.

AGENDA.

Mayor Ludwig noted the addition of Item C. under New Business. Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to adopt the agenda, as amended. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: 0. Abstain: Councilmember Breeding—1.

EXECUTIVE SESSION TO REVIEW APPLICATIONS FOR THE CITY MANAGER SEARCH.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to go into closed executive session. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

RETURN TO OPEN SESSION.

At 7:15 p.m. a motion was made by Councilmember Greer and seconded by Councilmember Howe to return to open session. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

Interim City Manager Christopher W. Lewis was present.

A. CONSIDERATION AND SELECTION OF CANDIDATES FOR THE CITY MANAGER POSITION.

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to direct our consultant, Education Associates, to conduct background checks and reference calls on the following individuals for the City Manager search: Mr. Brake, Mr. Crawford, Mr. Hillard, Mr. Liyeos, Mr. Mason, Mr. O'Neal and Mr. Peterson. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

PRESENTATIONS/PROCLAMATIONS.

A. PRESENTATION BY THE CITY TREASURER REGARDING THE CITY TREASURER'S QUARTERLY REPORT FOR THE MONTHS OF JULY, AUGUST, AND SEPTEMBER 2009, AND THE COLLECTION OF DELINQUENT INCOME TAXES.

City Treasurer Andrew J. Wrozek, Jr. reviewed the City's pooled cash and investments for the months of July, August and September, 2009, as well as the financial institutions where the money is invested. He explained that the City spends approximately \$1M every week for payroll and payables and he targets maturities to cover these expenses. He continued the presentation by explaining the collection of City income tax, the compliance program he began in 1984 and the amnesty program he is working on that will begin November 9 and run through November 25. In closing, Mr. Wrozek explained that some cities allow people to donate their refunds to the city, but it must go to a specific fund. He hopes that Council will consider this for Jackson.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to refer the matter of specifying a fund where proposed donations would be placed to the City Affairs Committee for a recommendation to come back to the Council at the next regular meeting. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

CITIZEN COMMENTS.

The following people spoke in opposition to the proposed ordinance to amend the definitions of "family" and "rooming house:" Gail Mahoney, 114 Moore; Ira Combs, Jr., 327 W. Monroe; Robert McCarthy, Consumers Services, Inc.; Kaye Whitcher, 1205 W. Franklin; Kevin Thomson, representing Lifeways; Kellie Schiller, 907 Bennett; Robert McNitt, 621 Jefferson; Kathleen Conley, 714 Elmwood (read a letter from the Fair Housing Center of Southeastern Michigan); Jon Hart, 410 Garfield; Tim Sanders, owner of 1210 Waterloo; Jean Soltis, Michael Thompson, Concord; Jim Shotwell, 1207 S. Bowen; Jay Cummings, 109 E. Biddle, and George Brown, 312 S. Webster.

The following people spoke in favor of the proposed ordinance to amend the definitions of "family" and "rooming house:" Barry Platt, 916 Allen (presented petition sheets with 38 signatures); Gerald Montgomery, 341 Hill (presented petition sheets with 69 signatures); Francis Berkemeier, 1203

W. Washington; Peter Varga, 755 Lawrence (presented a petition sheet with 18 signatures), and Ron Andrews, 915 W. Washington (presented a petition sheet with 7 signatures).

Jean Weir, 100 Armory Court, spoke about her appointment to the Historic District Commission on tonight's agenda.

CONSENT CALENDAR.

Councilmember Greer requested Item K be removed for separate consideration. Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the following Consent Calendar, with Item K removed for separate consideration. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of October 6, 2009.
- B. Approval of City license renewals for the year ending April 30, 2010, in accordance with the recommendation of the City Clerk.
- C. Approval of the request from The Salvation Army to conduct its annual Christmas Kettle solicitation within the City of Jackson, beginning Friday, November 13th through Thursday, December 24, 2009. (Recommended approval received from the Police Department and the Downtown Development Authority. Hold Harmless Agreement executed in lieu of insurance coverage.)
- D. Approval of the request from the Jackson County Veterans Council to close First Street from Michigan Avenue to Wildwood, to hold the annual Veterans Day Ceremony and Memorial Service at Withington Park on Wednesday, November 11, 2009, beginning at 10:45 a.m. (Approval recommended by the Police, Fire, Traffic Engineering, Public Services and Parks/Forestry Departments, and the Downtown Development Authority. Hold Harmless Agreement executed in lieu of insurance.)
- E. Approval of the low bid award to Lonnie's Tree Service in the amount of \$18,930.00 for the 2009-2010 CDBG Ash Tree Removal, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Coordinator and the Superintendent of Cemeteries, Forestry and Parks.
- F. Approval of Traffic Control Order (TCO) Nos. 2034 through 2037, to review changing all downtown City parking lot visitor areas from a two-hour limit to a three-hour limit, in accordance with the recommendation of the Parking Advisory Committee.
- G. Approval of Amendment No. 1 to the Engineering Services Contract with DLZ at an additional not to exceed contract price by \$14,316.41, for additional scope of services for the Mechanic Street Bridge project, and authorization for the City Engineer and Interim City Manager to execute the appropriate document(s), in accordance with the recommendation of the City Engineer.
- H. Approval of the request for City water service to the property located at 1004 S. Brown Street (Summit Township) with recommended conditions, in accordance with the recommendation of the City Engineer and the Water Services Supervisor.
- I. Receipt of the Dangerous Building Report for September 30, 2009.
- J. Receipt of CDBG Financial Summary Report through September 30, 2009.
- K. *Removed for separate consideration.*

CONSENT CALENDAR ITEM K.

Establishment of November 10, 2009, at the City Council meeting as the time and place to hold a public hearing on the application for an Industrial Facilities Exemption Certificate filed by KRT Precision Tool & Manufacturing, located at 1300 Mitchell Street.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to establish the public hearing and refer the matter to the City Affairs Committee, in keeping with normal practice. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

COMMITTEE REPORTS.

None.

APPOINTMENTS.

- A. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT JEAN WEIR TO THE JACKSON HISTORIC DISTRICT COMMISSION FILLING A CURRENT VACANCY, BEGINNING IMMEDIATELY, AND ENDING DECEMBER 31, 2011.**

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

PUBLIC HEARINGS.

- A. PUBLIC HEARING TO CONSIDER A REQUEST TO REZONE PROPERTIES LOCATED AT 1001 AND 1005 LANSING AVENUE, 422 AND 428 HILL STREET, AND A VACANT HILL STREET LOT, FROM R-1 (ONE-FAMILY RESIDENTIAL) AND C-2 (COMMUNITY COMMERCIAL) TO R-4 (HIGH-DENSITY APARTMENT AND OFFICE). (CITY PLANNING COMMISSION AND STAFF RECOMMEND DENIAL.)**

Mayor Ludwig opened the public hearing. No one spoke; no correspondence was received. The Mayor closed the public hearing.

- 1. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, SECTION 28-32, CITY CODE, REZONING PROPERTY LOCATED AT 1001 AND 1005 LANSING AVENUE, 422 AND 428 HILL STREET, AND A VACANT HILL STREET LOT, FROM R-1 (ONE-FAMILY RESIDENTIAL) AND C-2 (COMMUNITY COMMERCIAL) TO R-4 (HIGH-DENSITY APARTMENT AND OFFICE).**

Motion was made by Councilmember Greer and seconded by Councilmember Howe to concur with the City Planning Commission and the Staff and deny the request to rezone. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

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

Motion was made by Councilmember Howe and seconded by Councilmember Frounfelker to recess as a City Council and convene as a Board of Review. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

B. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4181 FOR DELINQUENT MISCELLANEOUS GENERAL FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4181.

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

C. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4182 FOR DELINQUENT MISCELLANEOUS BUILDING DEPARTMENT FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4182.

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

D. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4183 FOR DELINQUENT MISCELLANEOUS COMMUNITY DEVELOPMENT BLOCK GRANT FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4183.

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

E. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4184 FOR DELINQUENT MISCELLANEOUS WASTEWATER FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4184.

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

F. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4185 FOR DELINQUENT MISCELLANEOUS WATER FUND ACCOUNTS RECEIVABLE.

Mayor Ludwig opened the public hearing. Jesse Griffin provided correspondence and addressed the Council regarding his property at 324 W. Morrell (Stencil No. 4-057) and a proposed assessment for two frozen water meters. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4185.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Breeding to waive the proposed special assessment on Stencil No. 4-057 (\$155.61) and adopt the resolution, as amended. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

G. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4186 FOR DELINQUENT MISCELLANEOUS PUBLIC WORKS FUND ACCOUNTS RECEIVABLE.

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

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 4186.

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

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

Motion was made by Councilmember Polaczyk and seconded by Councilmember Frounfelker to adjourn as a Board of Review and reconvene as a City Council. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

RESOLUTIONS.

A. CONSIDERATION OF A RESOLUTION ESTABLISHING THE HOURS OF 6:00 P.M. TO 8:00 P.M. ON SATURDAY, OCTOBER 31, 2009, FOR HALLOWEEN

TRICK OR TREATING, AND URGING RESIDENTS TO TURN PORCH LIGHTS ON BETWEEN SAID HOURS.

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

B. CONSIDERATION OF A RESOLUTION AMENDING THE 2009-2010 BUDGET TO REFLECT THE RECEIPT OF THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM GRANT, IN THE AMOUNT OF \$360,000.00.

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

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-185, CITY CODE, CLARIFYING THAT TRANSPORTING, CARRYING, OR POSSESSING A DANGEROUS WEAPON DOES NOT INCLUDE FIREARMS BECAUSE STATE LAW EXCLUSIVELY REGULATES FIREARMS FOR THESE PURPOSES.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk 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, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

B. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 28, SECTION 28-5, CITY CODE, AMENDING THE DEFINITION OF “FAMILY” AND “ROOMING HOUSE.” (DELAYED AT THE SEPTEMBER 22, 2009, CITY COUNCIL MEETING.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Howe to postpone consideration of the ordinance until the November 10, 2009, Council meeting and ask Staff to discuss this further with Attorneys Robert McCarthy and Kevin Thomson. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

C. FINAL ADOPTION OF ORDINANCE NO. 480, ESTABLISHING COMPENSATION RATES FOR ADMINISTRATIVE AND SUPERVISORY EMPLOYEES OF THE CITY OF JACKSON.

Motion was made by Councilmember Howe and seconded by Mayor Ludwig to adopt Ordinance No. 480. The motion FAILED adoption by the following vote. Yeas: Mayor Ludwig and Councilmember Howe—2. Nays: Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—5. Absent: 0.

OTHER BUSINESS.**A. CONSIDERATION OF THE REQUEST FOR APPROVAL OF THE PROPOSED REVISED 2011-2014 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) LIST.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the proposed revised TIP List.

Motion was made by Councilmember Greer and seconded by Councilmember Howe to amend the motion by switching fiscal years 2011 and 2012, so that Ganson Street will be done in 2011 and High Street will be done in 2012. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

The main motion, as amended, was then voted on and adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

NEW BUSINESS.**A. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO ALPHA & OMEGA CONSTRUCTION CO., IN THE AMOUNT OF \$23,995.00, FOR THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT LOCATED AT 308 ELLERY, IN ACCORDANCE WITH THE RECOMMENDATION OF THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

B. CONSIDERATION OF THE REQUEST TO APPROVE THE LOW BID AWARD FOR A CONSTRUCTION CONTRACT TO GREAT LAKES SYSTEMS, INC., JENISON, AT THEIR LOW BID OF \$157,200.00 FOR THE REMOVAL AND REPLACEMENT OF THE DEPARTMENT OF PUBLIC WORKS BUILDING ROOF, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), AND FOR STAFF TO MAKE ANY NECESSARY MODIFICATIONS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT, THE CITY ENGINEER AND THE ARCHITECT, WOODARD AND ASSOCIATES.

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

C. CONSIDERATION OF THE REQUEST TO APPROVE AMENDMENT NO. 1 TO THE TOPOGRAPHIC MAPPING SERVICES CONTRACT WITH ALPINE ENGINEERING, INC., NOVI, IN THE AMOUNT OF \$4,900.00, ALLOWING THE

CITY TO UTILIZE \$319,000.00 IN REMAINING STIMULUS FUNDS, FOR ADDITIONAL TOPOGRAPHIC MAPPING SERVICES AND SURVEYING FOR THE GRAND RIVER ARTSWALK PROJECT AND THE ARGYLE STREET PROJECT, AND AUTHORIZATION FOR THE CITY ENGINEER AND CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENT(S).

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

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Gaiser expressed his appreciation to the audience for their input tonight. He inquired about the status of the sale of City fire trucks. Acting Chief Beyerstedt responded that he is working on a way to generate the most revenue from the sale of the fire trucks.

Councilmember Greer echoed Councilmember Gaiser's appreciation of audience input. He requested the number of signatures presented on petitions tonight during citizen comments. He also encouraged everyone to vote on Tuesday, November 3, discussing what is on the ballot.

Councilmember Frounfelker reminded everyone that there are also 2 Charter Amendment Proposals on the November 3 ballot.

Mayor Ludwig reminded everyone of the City-wide clean up day on November 14. It will be held behind the old Consumers building off of Louis Glick Highway from 8 a.m. until 1 p.m. This is a free service and a driver's license is required to prove residency.

CITY MANAGER'S COMMENTS.

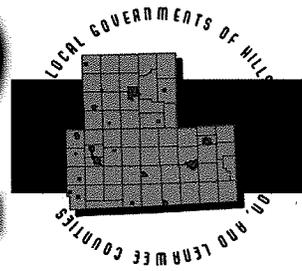
Interim City Manager Lewis announced that Parks and Recreation Director Jim Parrott and his Staff applied to the Weatherwax Foundation for a grant to open Ella Sharp Park Pool next year. The requested amount of \$15,000 was approved.

ADJOURNMENT.

No further business being presented, a motion was made by Councilmember Breeding and seconded by Councilmember Howe to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 9:18 p.m.

Lynn Fessel
City Clerk

Region 2 Planning Commission



INVOICE NO. 3035

DATE: October 19, 2009

TO: Mr. William Ross, City Manager
 City of Jackson (364 J)
 161 W. Michigan Avenue
 Jackson, MI 49201

cc: Phil Hones, CPA

DESCRIPTION		
Planning Services for September 2009		
Historic District	\$	379.78
Zoning Administration		3,299.04
Zoning Ordinance Rec/Information		6,596.01
Zoning Appeals/Variances		1,485.17
Metro Parks Study		1,901.89
Metro Parks Plan		832.45
Refer to the attached statement.		
Balance Due Region 2 Planning Commission.	\$	14,494.34

Memorandum

Lynn Fessel, City Clerk/Purchasing Agent

November 2, 2009

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk/Purchasing Agent 

SUBJECT: Consideration of First Renewal of Lease Agreement with Jackson Affordable Housing Corporation for the Suite of Offices Located on the 6th Floor of City Hall

Attached please find a letter of request from Karen A. Jackson, Executive Director of the Jackson Affordable Housing Corporation (JAHC), to exercise the first renewal of the lease agreement between the City and JAHC.

Also attached is the original lease agreement, which states the 1st renewal will commence on December 1, 2009, and end on November 30, 2010, for the sum of \$1.00 annually.

It is my recommendation that Council approve this 1st renewal to the lease for office space in City Hall.

c: Interim City Manager



*Improving the quality
of life in
Jackson area neighborhoods*

Jackson Affordable Housing Corporation
www.jacksonaffordablehousing.org

Board of Directors

Greg Shack,
President
Citizens Bank

Karen Hawley,
Vice President
JTV

Terry Willyard,
Treasurer
Baker College

Phil Fracker,
Secretary
*Jackson Housing
Commission*

Ron Clingerman,
Past President
Fifth Third Bank

Mike Archer,
Member at Large
Flagstar Bank

Willie Walters
Homeowner

Jay Hoffman
*Julius J. Hoffman,
P.C. Attorney at
Law*

Judy Williams
Homebuyer

Kitrina Sims
Homebuyer

October 28, 2009

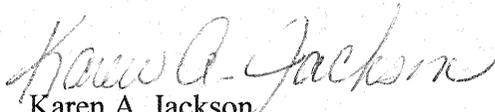
Lynn Fessel
Purchasing Agent
City of Jackson

Dear Ms. Fessel:

Per the terms of our lease agreement dated November 20, 2008 I would like to exercise my option for renewal.

Thank you for your consideration.

Sincerely,


Karen A. Jackson
Executive Director

RECEIVED
CITY of JACKSON
OCT 22 2009
CLERK'S OFFICE

BY _____



Equal Housing Opportunity
Equal Opportunity Employer



Assisting people to become homeowners in Jackson County

161 West Michigan Avenue, Jackson, Michigan 49201 517.788.4626. Facsimile 517.780.4721

LEASE

THIS AGREEMENT, entered into as of the date appearing below, by and between the City of Jackson, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan (hereinafter "City"), and Jackson Affordable Housing Corporation, a Michigan non-profit corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan (hereinafter "JAHC" or "Lessee").

WITNESSETH:

WHEREAS, the City and JAHC have previously entered into a Lease for the suite of offices comprising 600 square feet, more or less, situated in the southern half of the 6th Floor of the building located at 161 West Michigan Avenue, Jackson, Michigan, known as Jackson City Hall; and

WHEREAS, the previous Lease and its extensions expired by its terms on the 30th day of November, 2008; and

WHEREAS, it is the desire of the parties hereto to enter into another Lease for a three (3) year term, together with all other covenants and obligations herein contained; and

WHEREAS, the City Council has determined that JAHC's activities of providing affordable housing services to low and moderate income residents of the City, and JAHC's activities of renovating vacant/substandard houses for sale to first-time home buyers, are services deemed necessary and serving a public purpose; and

WHEREAS, the City Council has further determined that providing of housing services by JAHC within the City are services deemed to be in the public interest; and

WHEREAS, JAHC is the only Guidance on Community Housing Development Organization (CHDO) under the Federal HUD HOME Program that is located within the City of Jackson; and

WHEREAS, the City Council has determined that it wishes to have JAHC provide its services and continue to conduct its operations, and that JAHC only be charged a nominal rent so that its resources may be used for providing its services; and

WHEREAS, Section 2.18 of the Jackson City Charter authorizes the City Council to enter into contracts with organizations for "public purpose" services considered necessary by the City Council.

NOW, THEREFORE, for and in consideration of the services to be provided by JAHC and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to the following terms, conditions, and provisions of a Lease as follows:

1. CITY, in consideration of the rents and covenants herein specified, does hereby let, lease and demise to LESSEE, the suite of offices comprising the southern half of the 6th Floor of the building known as Jackson City Hall, 600 square feet, more or less, situated at 161 West Michigan Avenue, Jackson, Michigan 49201, for the term of one (1) year, to commence on the 1st day of December, 2008 and ending on the 30th day of November, 2009, on the terms and conditions hereinafter mentioned, to be occupied by said LESSEE for professional offices, and agrees to furnish said rooms with heat when required, electricity, air conditioning, and water.

2. LESSEE shall furnish cleaning, maintenance and preventive maintenance at its own expense.

3. LESSEE shall, at its expense, provide remodeling and renovation necessary for its purposes, and will receive prior written approval from City for any remodeling or renovation undertaken.

4. LESSEE does hereby hire the said premises for the term of one (1) year, as above mentioned, and at the rental rate established in subparagraph (a) below; provided, however, CITY may, at its option, grant two (2) one-year renewals or extensions of this Lease at rental

rates established in subparagraphs (b) and (c) below (Lessee shall submit request of renewal or extension sixty (60) days prior to expiration of the then current term); and LESSEE does hereby covenant and promise to pay to CITY, its representatives and assigns, for rent of said premises for said term(s), as follows:

a. For the first year, commencing the 1st day of December, 2008, and ending on the 30th day of November, 2009, the sum of One Dollar (\$1.00) annually, payable on the 1st day of December, 2008.

b. If the Lease is renewed or extended for a second year, commencing the 1st day of December, 2009, and ending on the 30th day of November, 2010, the sum of One Dollar (\$1.00) annually, payable on the 1st day of December, 2009.

c. If the Lease is renewed or extended for a third year, commencing the 1st day of December, 2010, and ending on the 30th day of November, 2011, the sum of One Dollar (\$1.00) annually, payable on the 1st day of December, 2010.

5. LESSEE shall keep the said premises and every part thereof in good repair and, at the expiration of said term, yield and deliver up the same in like condition as when taken, reasonable use and wear thereof excepted.

6. LESSEE shall make punctual payments of the rent as aforesaid, and shall observe and perform all rules and regulations in regard to said building, as contained in paragraph 17 of this Lease. LESSEE further agrees it will not assign or transfer this Lease or sublet the said premises or any part thereof, nor use the same nor permit the same to be used for any other purpose than as above described, nor make any alterations therein or additions thereto, without the written consent of CITY, and that all additions, fixtures or improvements which may be made to or placed in or upon said premises, except movable office furniture and professional

equipment, shall be the property of CITY and shall remain upon and be surrendered with said demised premises as a part thereof at the termination of this Lease.

7. All personal property in the demised premises shall be at the risk of LESSEE only, and CITY shall not be liable for any damage to said personal property, to said premises, or to LESSEE arising from the bursting or leaking of any water or steam pipes, or from any acts or neglect of co-tenants or other occupants of the building, or any other persons.

8. CITY shall not be liable for any damage resulting from the stoppage of any of the elevators, caused either through accident or stoppage, or any other reason.

9. CITY shall have the right to enter said premises at any time to examine the same, or to make such repairs, additions or alterations as may be necessary for the safety, improvement or preservation thereof.

10. LESSEE shall maintain a valid commercial general liability insurance policy which is acceptable to the CITY, insuring against liability for bodily injury and property damage, with a minimum general aggregate limit of Five Hundred Thousand Dollars (\$500,000.00). Said policy shall be maintained in full force and effect during the term of this lease, or any extension thereof, and shall name the CITY as an additional insured. In addition, LESSEE shall maintain in full force and effect during the term of this lease, or any extension thereof, a policy of Workers' Compensation to the statutory limits. Notwithstanding any other provision contained herein, failure to comply with this paragraph shall be grounds for immediate cancellation of this Lease by CITY.

11. CITY and LESSEE agree that any right of recovery as against each other which shall arise during the term of this Lease due to any loss or damage from fire or other peril, whether occurring by reason of the negligence of either party, is hereby waived to the extent that same is covered by the policies of insurance carried by either party.

12. If default shall be made by LESSEE in the payment of said rent, or any part thereof, or in the performance of any condition, agreement, rule or regulation, such action shall be deemed a material breach of this Lease and termination of this Lease agreement, and CITY may immediately commence legal proceedings to remove all persons from the premises.

13. If during the continuance of this Lease, said demised premises shall be so injured by fire or other casualty as to be rendered untenable, such injury shall be repaired as speedily as possible, and the rent shall cease until the same is repaired, provided said fire damage is not caused by carelessness or neglect on the part of LESSEE or its guests, agents, employees or servants.

14. CITY does covenant that LESSEE, on paying the aforesaid installments and performing all the covenants aforesaid, shall and may peacefully and quietly have, hold and enjoy the said demises premises for the term aforesaid.

15. LESSEE further agrees in the event any action is commenced in any Court for the recovery of any damages arising from its operation or maintenance of its facilities located on the 7th Floor, 161 West Michigan Avenue, Jackson, Michigan, where the CITY is a named defendant, that said LESSEE shall completely and without reservation defend same and hold harmless said CITY from any and all allegations and liability arising therefrom.

16. This Lease may not be assigned by a party without the prior written consent of the other party. This Lease will be binding upon and inure to the benefits of the parties to this Lease and their respective successors and assigns.

17. The covenants, conditions and agreements made and entered into by the parties hereto are declared binding on their respective heirs, successors, representatives and assigns.

18. **RULES AND REGULATIONS**

a. The entries, passages, corridors, stairways and elevators shall not be obstructed by any of the tenants or used by them for any other purpose than ingress and egress to and from their respective offices.

b. No sign shall be put in or upon any part of the building, except on the glass of the doors of the room leased, and then of such size, form and material as may be prescribed in writing by the CITY; nor shall any electric wires for lighting, telephone, power or for any purpose be brought into the premises, except with the written permission of the CITY, and the same be located, and of such form, as may be specified by CITY.

c. The water closets or other water fixtures shall not be used for any purpose other than those for which they were designed and constructed, and any damage resulting to them from misuse shall be borne by the tenant who shall occasion it.

d. No tenant shall, personally or by its clerks, employees or servants, disturb the other tenants by any unseemly noises, or by any interference in any way, or deface any part of the building.

e. Nothing shall be thrown out of the windows of the building by the tenants, their clerks, agents, employees or servants.

f. Any janitor or janitorial service employed by any tenant may be employed only with prior written permission of CITY.

g. Safes, machinery and other heavy articles shall be placed by tenants in such places only as shall be first specified in writing by City.

h. CITY may prescribe reasonable restrictions on and tenant and its visitors or clients in regard to security measures designed to protect the building and its contents and occupants, including but not limited to such sign-in-sign-out procedures as are deemed necessary by CITY.

19. Should LESSEE lose its funding source during the term of this Lease, or any extension thereof, so that it is unable to conduct its professional business, then LESSEE may terminate this Lease upon sixty (60) days' written notice and shall be obligated to pay as rent only those sums owing at the time of termination.

20. This Lease represents the entire agreement and understanding between the parties with respect to the transactions contemplated by this Lease, and supersedes all prior Leases, agreements, understandings, arrangements, drafts, covenants, representations and warranties, written or oral, of any party dealing with such subject matter. Provided; however, anything to the contrary in this lease notwithstanding, a certain Modification of Lease, entered into between

the parties, dated July 1, 2005, regarding office furniture of Lessee, shall remain full force and effect.

21. If any provision of this Lease, or any portion thereof, is invalid or unenforceable under any statute, regulation, ordinance, executive order, or other rule of law, such provision, or portion thereof, shall be deemed reformed or deleted, but only to the extent necessary to comply with such statute, regulation, ordinance, order or rule, and the remaining provisions of this Lease shall remain in full force and effect.

22. This Lease and the rights, duties and remedies of the parties relating to this Lease will be construed and enforced in accordance with the laws of the State of Michigan.

23. This Lease may be executed by the parties in separate counterparts, each of which, when so executed and delivered, will be an original, but all such counterparts will together constitute one and the same instrument. All signatures of any party may be transmitted by facsimile, and a facsimile will, for all purposes, be deemed to be the original signature of the person whose signature reproduces and will be binding upon the persons and on the party on whose behalf that person signed.

24. Any extension or waiver of any provision of this Lease will be valid only if set forth in a written instrument signed by the party sought to be bound. No waiver will constitute or be construed as a waiver of any other provision, and no waiver of a failure to comply with any provision of this Lease will constitute or be construed as a continuing waiver of that provision, or as a waiver of any other failure to comply with any provision of this Lease or of any other document.

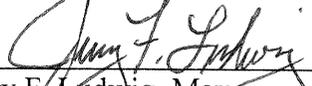
25. No failure or delay on the part of any party in the exercise of any right or remedy under this Lease will impair that right or remedy or be construed to be a waiver of, or acquiescence in, any breach of any agreement in this Lease, nor will any single or partial exercise of any right or remedy preclude other or further exercise of that right or remedy, or of any other right or remedy. All rights or remedies existing with regard to this Lease are cumulative to, and not exclusive of, any right or remedy otherwise available, and each party will

have and may enforce all of its rights and remedies at law, in equity or otherwise, upon a breach of this Lease by any other party.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 20 day of November 2008.

CITY OF JACKSON, MICHIGAN

A municipal corporation

By 
Jerry F. Ludwig, Mayor

By 
Lynn Fessel, City Clerk

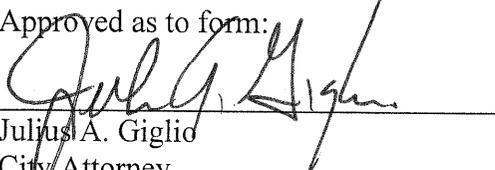
**JACKSON AFFORDABLE
HOUSING CORPORATION**

By 
Karen A. Jackson
Its Executive Director

Approved as to substance:


William R. Ross
City Manager

Approved as to form:


Julius A. Giglio
City Attorney

X:MAHC MODIFICATION



City Clerk

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

November 3, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk 
RE: Kiwanis Club Newspaper Sale

The Kiwanis Club of Jackson is requesting to hold their annual newspaper sale in the downtown area on Friday, December 11, 2009, from 6:30 a.m. until 5:00 p.m.

The Kiwanis Club sells a special edition newspaper to raise funds for shoes and boots for needy school children.

Recommended approvals have been received from the Police and Fire Departments and the Downtown Development Authority. Proper insurance coverage has been received.

Please consider this request for approval at your November 10th meeting.

Attachment

C: Chris Lewis, Interim City Manager



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

Date Received By Clerk's Office: 10/13/09 Time: _____ By: _____

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

Sponsoring Organization's Legal Name: KIWANIS CLUB OF JACKSON, MICHIGAN

Organization Address: 1203 FIRST STREET, JACKSON, MI 49203

Organization Agent: JOE WOLFE Title: SECRETARY

Phone: Work 517-787-1704 Home 517-780-4965 During event 517-740-3008

Agent's Address: 1203 FIRST STREET, JACKSON, MI 49203

Agent's E-Mail Address: JWOLFE@THEPROTECTIONCENTER.COM

Event Name: ANNUAL NEWSPAPER SALE

Please give a brief description of the proposed special event: KIWANIS CLUB HAS SOLD A SPECIAL EDITION NEWSPAPER SINCE 1918 TO RAISE FUNDS FOR SHOES & BOOTS FOR NEEDY SCHOOL CHILDREN

Event Day(s) & Date(s): FRIDAY, DECEMBER 11, 2009 Event Time(s): 6:30 AM - 5:00 PM

Set-Up Date & Time: N/A Tear-Down Date & Time: N/A

Event Location: CITY STREETS (SPECIFICALLY DOWNTOWN JACKSON)

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 90

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

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

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

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

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

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

If yes, what time? _____ until _____



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

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

ATTENDANCE: What is the expected (estimated) attendance for this event? N/A

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

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

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

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

KIWANIS INTERNATIONAL PROVIDES \$1,000,000 OF LIABILITY INSURANCE
A CERTIFICATE WILL BE FORWARDED TO CITY CLERK

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.

10-12-09
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: **Kiwanis Annual Newspaper Sale - Friday, December 11, 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>M. Beyerstedt</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>N/A</u>	Recommend Approval: YES	NO	Est. Economic Impact: \$ <u>-0-</u>
Public Services: <u>N/A</u>	Recommend Approval: YES	NO	Est. Economic Impact: \$ <u>-0-</u>
Parks/Forestry: <u>N/A</u>	Recommend Approval: YES	NO	Est. Economic Impact: \$ <u>-0-</u>
DDA: <u>J. Greene</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>

Have businesses been notified for street closures?: YES NO

Reason for disapproval: _____

Any special requirements/conditions:

Insurance/Indemnification Received: 10/23/2009 Insurance Approved: 10/26/2009

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



City Clerk

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

November 3, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk 
RE: Downtown Jackson Christmas Parade

The Downtown Jackson Christmas Parade committee is requesting the following street closures for the annual Christmas Parade on Friday, November 20, 2009, beginning at 4:45 p.m. (parade scheduled to run from 6:00 p.m. through 7:00 p.m.)

Michigan Avenue from Steward Avenue to Louis Glick Highway
First Street from Washington Avenue to Wildwood Avenue
Wildwood Avenue from Michigan Avenue to Louis Glick Highway
Cortland Street from First Street to Francis Street
Blackstone Street from Washington Avenue to Pearl Street
Jackson Street from Washington Avenue to Pearl Street
Mechanic Street from Washington Avenue to Pearl Street
Francis Street from Washington Avenue to Michigan Avenue
Hayes Street from Michigan Avenue to Pearl Street

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Works, and Parks/ Forestry Departments and the Downtown Development Authority.

Please consider this request for approval at your November 10th meeting.

Attachment

C: Chris Lewis, Interim City Manager



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

Date Received By Clerk's Office: 10/19/09 **Time:** 8 AM **By:** aa

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

Sponsoring Organization's Legal Name: Downtown Jackson Christmas Parade

Organization Address: One Energy Plaza, Jackson MI

Organization Agent: Ed Hatfield, Jr. Title: Committee Chair

Phone: Work 517-788-1420 Home _____ During event _____

Agent's Address: 1955 Parnall Rd. Jackson, MI 49202

Agent's E-Mail Address: ehatfield@cmsenergy.com

Event Name: Annual Christmas Parade

Please give a brief description of the proposed special event: Annual Christmas Parade complete with costumed characters, bands, floats and Santa through downtown along Michigan Ave

Event Day(s) & Date(s): Friday, November 20, 2009 Event Time(s): 6:00 - 7:00 PM

Set-Up Date & Time: 4:00 PM Tear-Down Date & Time: 9:00 PM

Event Location: See attached map for Parade Route

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 19

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: 4:45 PM through Date/ Time: 8:00 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:

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 _____



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? 22,000 - 22,500

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

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

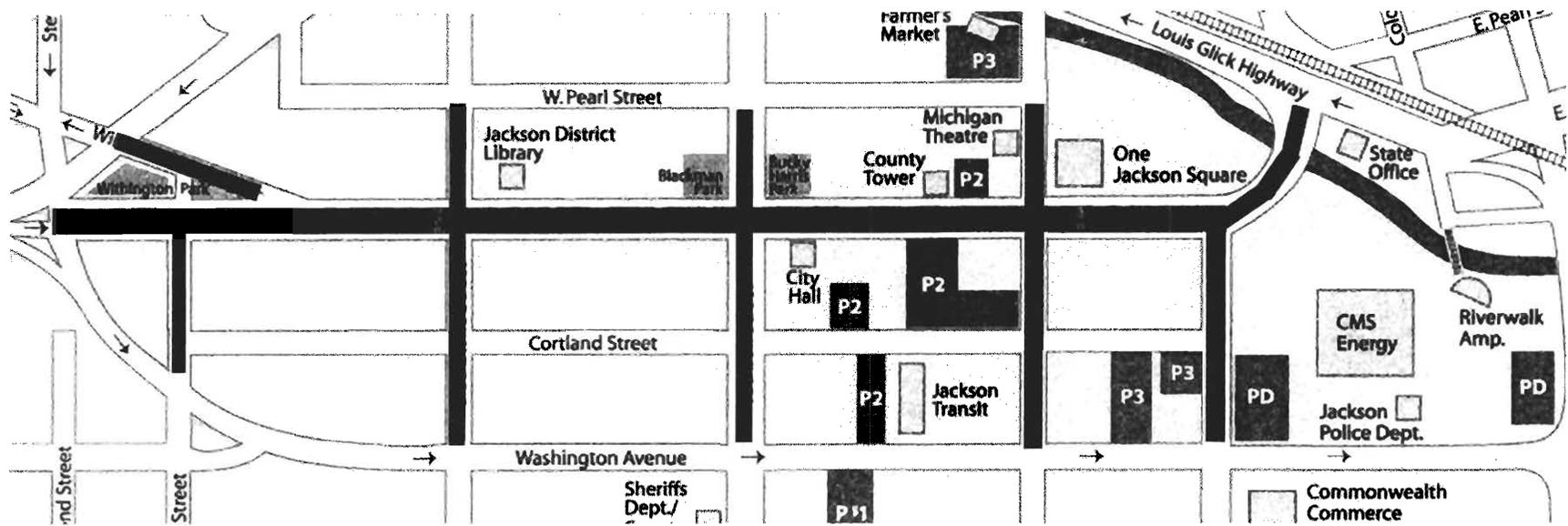
INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council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

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.

10-06-2009
 Date

Edward Hatfield, 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



 **Parade Street Closures**

Christmas Parade: November 27, 2019 9:00-11 p.m.

- Michigan Ave (Steward Ave to Louis Glick Hwy)
- First St (Washington Ave to Wildwood Ave)
- Wildwood Ave (Michigan Ave to Louis Glick Hwy)
- Cortland St (First St to Francis St)
- Blackstone St (Washington Ave to Pearl St)
- Hayes St (Michigan Ave to Pearl St) - **NOT REFLECTED ON MAP**
- Jackson St (Washington Ave to Pearl St)
- Mechanic St (Washington Ave to Pearl St)
- Francis St (Washington Ave to Michigan Ave)

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

Event Title: Downtown Jackson Christmas Parade – Friday, November 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: \$ 300.00

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

Traffic Eng.: R. Dietz Recommend Approval: YES NO Est. Economic Impact: \$ 764.91

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 Coverage 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

November 4, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela*
RE: Holiday Discover Downtown Again "DDA" Day

The Downtown Development Authority is requesting use of Bucky Harris Park in conjunction with their Holiday Discover Downtown Again "DDA" Day on Saturday, November 21, beginning at 8:30 a.m.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, and the Parks/ Forestry Departments.

Please consider this request for approval at your November 10th meeting.

Attachment

C: Chris Lewis, Interim City Manager



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 10/14/09 Time: 8 AM By: 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: Downtown Development Authority

Organization Address: 161 W. Michigan Ave.

Organization Agent: Jonathan Greene Title: Executive Director

Phone: Work 768-6408 Home During event

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

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

Event Name: Holiday DDA Day—Discover Downtown Again

Please give a brief description of the proposed special event: DDA Day is a day to rediscover downtown and all that it has to offer. This year there will a large scale post office box located in Bucky Harris park so children can write letters to Santa Claus at the North Pole

Event Day(s) & Date(s): Saturday, November 21st 9:30 am-2:30 pm

Set-Up Date & Time: 8:30 am Tear-Down Date & Time: 3:00 pm

Event Location: Bucky Harris Park - with Santa walking the Downtown Sidewalks

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 3

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: None through Date/ Time: None

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

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



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? 5,000

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

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

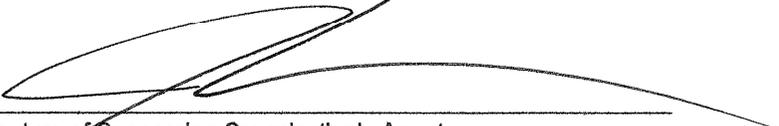
INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson as an additional insured party on the policy. A sponsor of a Low Hazard event may request that City Council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

Covered under City's insurance.

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.

10/17/09

 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

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

Event Title: **Holiday Discover Downtown Again "DDA" Day – Saturday, November 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>FYI</u>	Recommend Approval: YES 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>FYI</u>	Recommend Approval: YES 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 coverage 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

November 4, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela*
RE: Eve on the Ave

The Downtown Development Authority is requesting the following street closures to conduct the annual Eve on the Ave event:

Michigan Avenue from Jackson Street to Mechanic Street, between 11:00 p.m. and 12:30 a.m.

Michigan Avenue from Mechanic Street to Louis Glick Highway, and Francis Street from Cortland to Michigan Avenue, between 11:30 p.m. until 1:30 a.m.

The Eve on the Ave celebration is scheduled to begin Thursday, December 31, 2009 at 11:00 p.m. through 12:30 a.m. on January 1, 2010.

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

Please consider this request for approval at your November 10th meeting.

Attachment

C: Chris Lewis, Interim City Manager



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 10/13/09 Time: 1 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: Downtown Development Authority

Organization Address: 161 W. Michigan Ave.

Organization Agent: Jonathan Greene Title: Executive Director

Phone: Work 768-6408 Home During event

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

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

Event Name: Eve on the Ave

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

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

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

Event Location: Throughout Downtown

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

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

STREET CLOSURES: Start Date/ Time: Thursday, December 31st 11 pm through Date/ Time: Friday, January 1st 1:30 am

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

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

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

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

If yes, what time? until



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

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

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

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
See attachment for street closures. Use of City's bandstand. Placement and removal of snow fence/ barrels for fireworks area.

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

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

10/13/09
 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



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

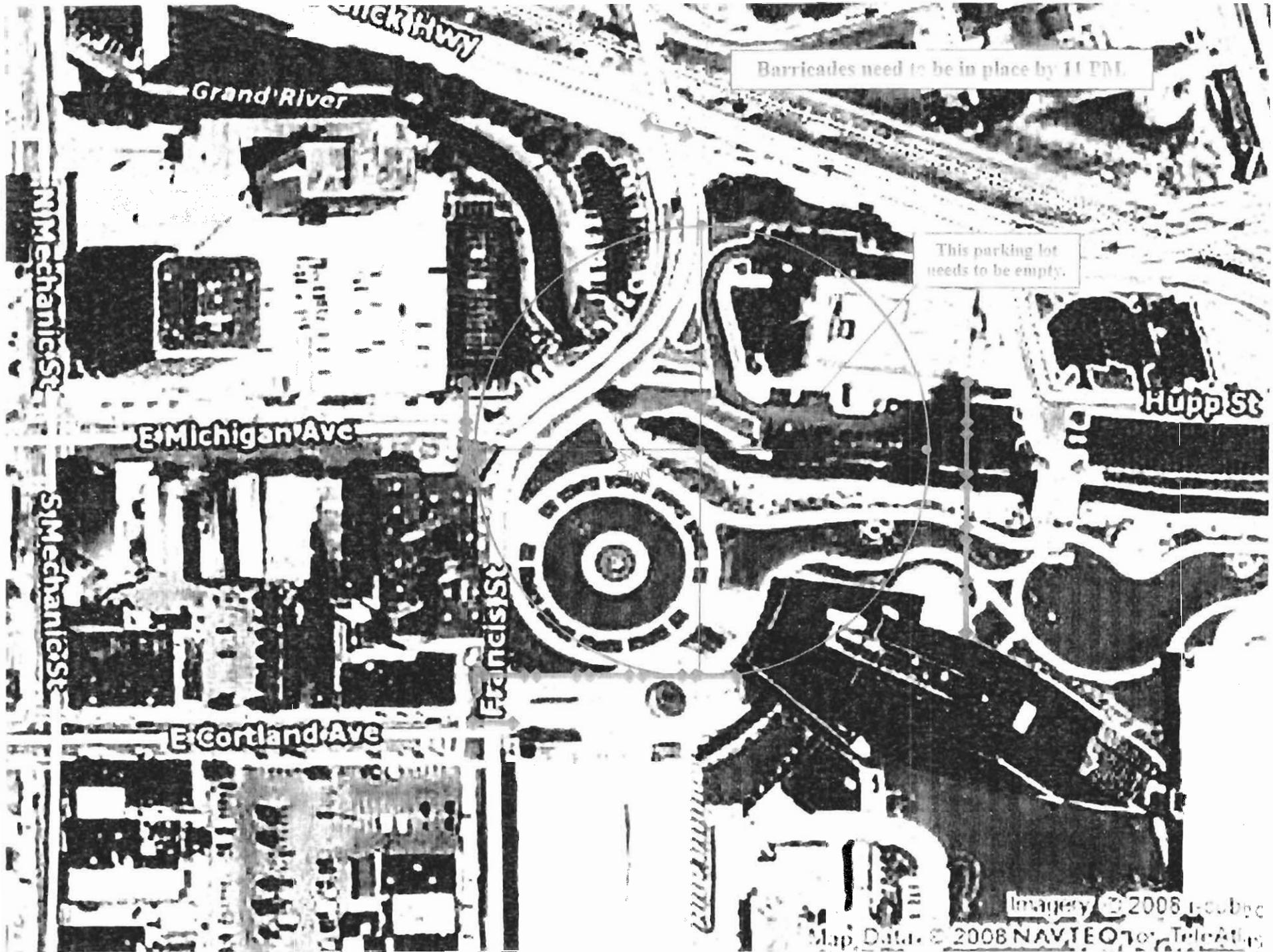
Michigan Ave. (Jackson St. to Mechanic St.)



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

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

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



Barricades need to be in place by 11 PM

This parking lot needs to be empty.

Imagery © 2008 Google

Map Data © 2008 NAVTEQ, Inc., TeleAtlas

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

Event Title: Eve on the Ave – Thursday & Friday, December 31, 2009 and January 1, 2010

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

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

Police Dept: <u>C. Simpson</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>500.00</u>
Fire Dept.: <u>M. Beyerstedt</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>-0-</u>
Traffic Eng.: <u>R. Dietz</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>325.57</u>
Public Services: <u>S. Porter</u>	Recommend Approval: <u>YES</u>	NO	Est. Economic Impact: \$ <u>500.00</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:

Insurance/Indemnification Received: City Coverage Insurance Approved: _____

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



Downtown Development Authority (DDA)

Memorandum

Date: 11/4/2009

To: Mayor's Office

From: Jonathan Greene

Re: Agenda Item

At the next regularly scheduled City Council meeting the DDA respectfully requests you consider the following:

Approval of the attached Permit for Fireworks Display, pending adequate insurance coverage received by the City Attorney's Office for the Downtown Development Authority's Eve on the Ave event.

Jonathan Greene, Executive Director

DDA



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

DATE: November 4, 2009
TO: Chris Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Traffic Control Order 2039, Burr and Oak Streets

The Department of Engineering received a request to review the traffic control at the intersection of Burr and Oak Streets. It is the Department of Engineering's recommendation that westbound traffic on Burr Street shall be required to yield the right of way to traffic on Oak Street.

With your concurrence, I request the above Traffic Control Order 2039 be placed on the Council Agenda for its meeting on November 10, 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. 2039

LOCATION: Burr Street and Oak Street

DATE: October 30, 2009

ASSIGNED TO: Engineering

TCO DESCRIPTION

Review traffic control at the intersection of Burr and Oak Streets.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Westbound traffic on Burr Street shall be required to yield the right of way to traffic on Oak Street.

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

October 15, 2009

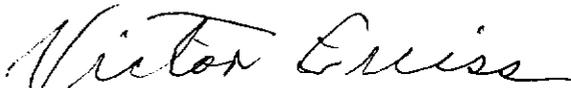
Mr. Jerry F. Ludwig, Mayor
City of Jackson
161 W. Michigan Avenue
Jackson, MI 49201

Dear Mayor Ludwig:

It is with regret that I must resign my position on the Downtown Development Authority. I am finding that due to scheduling conflicts I am unable to fulfill my duties, and feel that it would be best if another interested person fill my term.

Thank you for the opportunity to serve the City of Jackson.

Sincerely,

A handwritten signature in cursive script that reads "Victor Cuiss".

Victor Cuiss
911 Briarcliff
Jackson, MI 49203



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

October 19, 2009

Mayor Jerry Ludwig
City of Jackson
161 W. Michigan Ave.
Jackson, MI 49203

Subject: City of Jackson Planning Commission Resignation

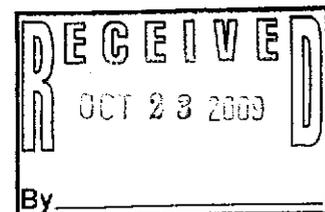
Dear Mayor Ludwig:

Please accept this letter as my resignation to the City Planning Commission.

I, Richard Lawson hereby resign my appointment to the City Planning Commission, effective immediately.

Sincerely,

Richard Lawson





City of Jackson, Michigan Financial Statements

As of and For the 3 Months Ended September 30, 2009
(Unaudited)

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

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

Function Department	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Legislative :</u>						
101-101 City Council	85,857	81,857	6,289	26,132	31.92%	55,725
<u>Judicial:</u>						
101-137 Administrative Hearings Bureau	23,742	23,742	2,332	6,204	26.13%	17,538
	23,742	23,742	2,332	6,204	26.13%	17,538
<u>General Government :</u>						
101-172 City Manager	259,967	259,967	17,904	57,690	22.19%	202,277
101-192 City Clerk-Elections	157,629	157,629	6,048	34,525	21.90%	123,104
101-201 Finance	447,572	447,572	33,789	101,046	22.58%	346,526
101-209 City Assessor	403,112	403,112	22,292	128,730	31.93%	274,382
101-210 City Attorney	564,993	564,993	40,753	119,570	21.16%	445,423
101-215 City Clerk	223,579	223,579	16,521	51,207	22.90%	172,372
101-226 Personnel	350,816	350,816	31,081	87,456	24.93%	263,360
101-233 Purchasing	113,034	113,034	5,803	57,566	50.93%	55,468
101-253 City Treasurer	332,816	332,816	24,812	70,908	21.31%	261,908
101-254 City Income Tax	221,916	221,916	8,169	46,660	21.03%	175,256
101-258 Management Information Services	346,189	346,189	21,606	77,398	22.36%	268,791
101-265 City Hall & Grounds	339,717	339,717	48,996	87,571	25.78%	252,146
101-276 Cemeteries	481,523	481,523	43,001	118,329	24.57%	363,194
101-299 Unallocated	515,342	515,342	55,771	106,922	20.75%	408,420
	4,758,205	4,758,205	376,546	1,145,578	24.08%	3,612,627
<u>Police Department :</u>						
101-301 Police	8,433,711	8,433,711	624,821	1,951,190	23.14%	6,482,521
101-303 Police Youth Services - JPS	320,763	320,763	22,767	70,116	21.86%	250,647
101-311 JCCAE Grant	0	0	0	4,136	N/A	(4,136) <i>Note 2</i>
101-313 Consortium Training	26,313	26,313	0	13	0.05%	26,300
101-314 In-Service Training	10,217	10,217	(780)	2,350	23.00%	7,867
	8,791,004	8,791,004	646,808	2,027,805	23.07%	6,763,199
<u>Fire Department :</u>						
101-337 Fire Administration	284,800	284,800	59,633	102,337	35.93%	182,463
101-340 Fire Suppression	4,964,074	4,964,074	429,148	1,169,641	23.56%	3,794,433
101-341 Fire Prevention	15,938	15,938	1,861	2,210	13.87%	13,728
101-343 Fire Training	87,887	87,887	(17,863)	4,594	5.23%	83,293
	5,352,699	5,352,699	472,779	1,278,782	23.89%	4,073,917
<u>Other Public Safety :</u>						
101-350 Public Safety - Unallocated	1,534,967	1,534,967	141,583	410,252	26.73%	1,124,715
101-401 Planning	135,349	135,349	1,131	22,667	16.75%	112,682
101-426 Office of Emergency Measures	66,493	66,493	4,550	13,446	20.22%	53,047
	1,736,809	1,736,809	147,264	446,365	25.70%	1,290,444

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

- Continued -

Function Department	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Public Works :</u>						
101-441 Tax Property Maintenance	10,000	10,000	1,497	2,725	27.25%	7,275
101-442 Civic Affairs	57,475	57,475	3,899	11,538	20.07%	45,937
101-445 Drains at Large	72,088	72,088	3,301	4,259	5.91%	67,829
101-446 Storm Drain Construction	10,000	10,000	2,322	3,430	34.30%	6,570
101-447 Grounds Maintenance	154,515	64,514	1,595	4,784	7.42%	59,730
101-448 Sidewalk Construction	60,000	60,000	384	4,444	7.41%	55,556
101-450 Street Lighting	407,412	407,412	45,803	91,210	22.39%	316,202
101-455 Weed Control	30,461	30,461	2,562	7,928	26.03%	22,533
	801,951	711,950	61,363	130,318	18.30%	581,632
<u>Recreation & Culture :</u>						
101-690 Forestry	576,720	545,266	62,181	130,359	23.91%	414,907
101-692 Parks, Recreation & Grounds Admin	714,740	714,740	48,539	195,045	27.29%	519,695
101-697 Parks & Facilities Maintenance	522,172	522,172	47,071	121,647	23.30%	400,525
101-698 Lt. Nixon Memorial Pool	142,368	142,368	24,143	77,071	54.14%	65,297
101-699 Sharp Park Swimming Pool	131,266	111,266	11,873	68,536	61.60%	42,730
101-803 Historical District	14,203	14,203	0	2,851	20.07%	11,352
	2,101,469	2,050,015	193,807	595,509	29.05%	1,454,506
<u>Health & Welfare :</u>						
101-896 Human Relations	70,418	70,418	6,778	23,090	32.79%	47,328
<u>Contributions to Other Funds:</u>						
101-999 Contributions to Other Funds:	217,575	217,575	0	0	0.00%	217,575
Total General Fund Expenditures	23,939,729	23,794,274	1,913,966	5,679,783	23.87%	18,114,491

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

Fund Type/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Special Revenue Funds :</u>						
202 Major Street	7,868,522	7,958,523	330,184	886,419	11.14%	7,072,104
203 Local Street	1,616,802	1,616,802	120,628	291,945	18.06%	1,324,857
208 Ella W. Sharp Park Operating	744,413	744,413	79,006	224,160	30.11%	520,253
210 Land Acquisition Fund	50,000	50,000	5,820	10,615	21.23%	39,385
211 Housing Initiative Fund	30,000	30,000	951	4,865	16.22%	25,135
245 Public Improvement	1,266,517	1,266,517	2,322	116,386	9.19%	1,150,131
249 Building Department	476,248	476,248	28,377	86,227	18.11%	390,021
257 Budget Stabilization	40,000	40,000	0	0	0.00%	40,000
265 Drug Law Enforcement	41,931	41,931	648	19,323	46.08%	22,608
266 Project Safe Neighborhood Grant	0	0	1,964	12,416	N/A	(12,416) <i>Note 2</i>
268 BYRNE/JAG Grants	136,104	182,049	24,697	24,297	13.35%	157,752
269 COPS Hiring Recovery Prog. Grant	591,920	591,920	0	0	0.00%	591,920
270 LAWNET Grant	30,589	30,589	0	17,745	58.01%	12,844
288 Lead Hazard Control Grant	721,495	721,495	123,538	209,753	29.07%	511,742
289 Neighborhood Stabilization Grant	0	0	14,879	18,821	N/A	(18,821) <i>Note 2</i>
293 Waterfront Redevelopment Grant	277,777	277,777	0	0	0.00%	277,777
295 2008 Brownfield Assessment Grant	97,466	97,466	50,671	50,671	51.99%	46,795
296 Recreation Activity	294,299	294,299	32,353	68,128	23.15%	226,171
297 JPS Recreation Millage Program	250,000	250,000	19,777	81,823	32.73%	168,177
<u>Debt Service Funds :</u>						
323 Mich. Urban Land Assembly D/S	144,000	144,000	24,000	48,000	33.33%	96,000
324 2003 MTF Bond D/S	277,815	277,815	0	265,645	95.62%	12,170
365 City Hall D/S	616,186	616,186	0	500	0.08%	615,686
368 Building Authority D/S	128,784	128,784	0	112,956	87.71%	15,828
395 2001 DDA TIF D/S	1,139,263	1,139,263	0	0	0.00%	1,139,263
398 2002 BRA TIF D/S	590,848	590,848	0	0	0.00%	590,848
399 2007 BRA TIF Refunding D/S	448,929	448,929	0	0	0.00%	448,929
<u>Capital Projects Funds :</u>						
401 Capital Projects Fund	177,827	177,827	14,670	42,600	23.96%	135,227
402 Water Equipment and Replacement	2,320,187	2,320,187	249,349	376,824	16.24%	1,943,363
404 Sanitary Sewer Maintenance Fund	484,720	484,720	57,843	156,693	32.33%	328,027
405 Sanitary Sewer Replacement	700,000	700,000	14,227	289,265	41.32%	410,735
406 Wastewater Equip. Replacement	1,090,000	1,090,000	9,500	22,697	2.08%	1,067,303
494 Brownfield Redevelopment Auth.	1,342,864	1,342,864	5,955	17,923	1.33%	1,324,941
496 DDA Project	1,388,102	1,388,102	25,648	54,972	3.96%	1,333,130
<u>Enterprise Funds :</u>						
583 Sharp Park Golf Practice Center	81,900	81,900	5,490	18,262	22.30%	63,638
585 Auto Parking System	91,613	91,613	3,692	9,742	10.63%	81,871
586 Parking Assessment	197,456	197,456	4,734	18,167	9.20%	179,289
590 Sewer	6,868,145	6,868,145	339,445	1,026,090	14.94%	5,842,055
591 Water	7,817,555	7,817,555	356,937	1,197,952	15.32%	6,619,603
599 Parking Deck Fund	440,512	440,512	11,950	23,813	5.41%	416,699

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

- Continued -

Fund Type/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Internal Service Funds :</u>							
641	Public Works Administration	644,715	644,715	51,746	150,751	23.38%	493,964
642	Engineering Administration	342,863	342,863	21,887	66,534	19.41%	276,329
643	Local Site Remediation Revolving	184,000	184,000	0	0	0.00%	184,000
661	Motor Pool and Garage	1,660,549	1,660,549	77,689	182,657	11.00%	1,477,892
663	Equipment Revolving Fund	75,071	75,071	0	0	0.00%	75,071
677	Workers' Compensation	459,400	459,400	2,375	518,854	112.94%	(59,454) <i>Note 2</i>
678	Prescription Drug	1,043,700	1,043,700	70,886	136,558	13.08%	907,142
679	Health Care Deductible Reimb.	214,175	214,175	6,968	21,352	9.97%	192,823
680	Health Care Deductible Reimb.-Fire	0	0	36,127	38,311	N/A	(38,311) <i>Note 2</i>
<u>Trust & Agency Funds :</u>							
702	County & School Tax Collection	50,000	50,000	0	0	0.00%	50,000
711	Cemetery Perpetual Maintenance	71,000	71,000	0	0	0.00%	71,000
718	Ella W. Sharp Endowment	46,300	46,300	0	0	0.00%	46,300
731	Employees' Retirement System	2,300,000	2,300,000	0	457,188	19.88%	1,842,812
732	Policemen's/Firemen's Pension	1,310,000	1,310,000	0	0	0.00%	1,310,000
733	Policemen's/Firemen's Pens.-345	4,350,000	4,350,000	0	2,000,377	45.99%	2,349,623
736	Public Employees Health Care	10,000	10,000	0	0	0.00%	10,000
<u>Special Assessment Funds :</u>							
895	Special Assessment	331,992	331,992	0	0	0.00%	331,992

City of Jackson
All Funds - Revenue Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

Fund/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<u>General Fund :</u>					
Property Taxes	7,692,601	7,692,601	644,000	5,302,611	68.93%
Income Taxes	8,000,000	8,000,000	148,223	1,610,036	20.13%
Licenses & Permits	244,250	244,250	864	3,130	1.28%
Federal Grants	4,650	4,650	3,635	3,635	78.17%
State Grants	15,381	15,381	0	0	0.00%
State Revenue Sharing	5,129,901	5,129,901	852,466	881,914	17.19%
Contributions From Local Units	153,073	153,073	0	765	0.50%
Charges For Goods & Services	1,146,822	1,146,822	24,427	168,539	14.70%
Fines & Forfeits	214,200	214,200	18,995	58,181	27.16%
Investment Income	190,000	190,000	204	1,744	0.92%
Contributions From Other Funds	190,750	220,750	2,322	12,242	5.55%
Miscellaneous	864,847	864,847	21,048	369,330	42.70%
Total General Fund Revenues	23,846,475	23,876,475	1,716,184	8,412,127	35.23%
<u>Special Revenue Funds :</u>					
202 Major Street	7,603,765	7,603,765	180,559	212,510	2.79%
203 Local Street	1,609,411	1,609,411	54,702	65,130	4.05%
208 Ella W. Sharp Park Operating	743,800	743,800	72,743	265,242	35.66%
210 Land Acquisition Fund	50,000	50,000	0	0	0.00%
211 Housing Initiative Fund	30,000	30,000	0	0	0.00%
245 Public Improvement	1,190,880	1,190,880	98,275	814,423	68.39%
249 Building Inspection	476,248	476,248	23,752	78,598	16.50%
257 Budget Stabilization	40,000	40,000	0	2,708	6.77%
265 Drug Law Enforcement	36,000	36,000	1,145	29,593	82.20%
266 Project Safe Neighborhood Grant	0	0	104,952	18,576	N/A Note 2
268 BYRNE/JAG Grants	136,104	136,104	0	0	0.00%
269 COPS Hiring Recovery Prog. Grant	591,920	591,920	0	0	0.00%
270 LАWNET Grant	30,589	30,589	0	17,745	58.01%
288 Lead Hazard Control Grant	721,495	721,495	146,384	250,371	34.70%
289 Neighborhood Stabilization Grant	0	0	5,000	5,000	N/A Note 2
293 Waterfront Redevelopment Grant	277,000	277,000	0	0	0.00%
295 2008 Brownfield Assessment Grant	97,466	97,466	0	0	0.00%
296 Recreation Activity	290,000	290,000	20,731	51,782	17.86%
297 JPS Recreation Millage Program	250,000	250,000	0	4,676	1.87%
<u>Debt Service Funds :</u>					
323 Mich. Urban Land Assembly D/S	144,000	144,000	24,000	48,000	33.33%
324 2003 MTF Bond D/S	277,815	277,815	0	265,645	95.62%
365 2003 City Hall D/S	587,500	587,500	70,287	415,264	70.68%
368 Building Authority D/S	128,784	128,784	0	112,956	87.71%
395 2001 DDA TIF D/S	1,139,300	1,139,300	0	0	0.00%
398 2002 BRA TIF D/S	591,000	591,000	0	0	0.00%
399 2007 BRA TIF Refunding D/S	449,000	449,000	0	0	0.00%
<u>Capital Projects Funds :</u>					
401 Capital Projects Fund	177,827	177,827	0	12,130	6.82%
402 Water Equipment and Replacement	1,721,000	1,721,000	0	305,118	17.73%
404 Sanitary Sewer Maintenance Fund	484,720	484,720	57,843	161,540	33.33%
405 Sanitary Sewer Replacement	681,000	681,000	0	112,133	16.47%
406 Wastewater Equip. Replacement	664,000	664,000	0	106,983	16.11%

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

- Continued -

Fund/Fund Name	2009/10 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<u>Capital Projects Funds : (Continued)</u>						
494	Brownfield Redevelopment Auth.	1,450,094	1,450,094	0	5,079	0.35%
496	DDA Project	1,000,760	1,000,760	750	3,376	0.34%
<u>Enterprise Funds :</u>						
583	Sharp Park Golf Practice Center	76,000	76,000	4,910	20,788	27.35%
585	Auto Parking System	112,710	112,710	1,377	4,816	4.27%
586	Parking Assessment	120,500	120,500	3,749	12,544	10.41%
590	Sewer	5,343,000	5,343,000	370,324	1,078,130	20.18%
591	Water	7,065,296	7,065,296	481,498	1,767,575	25.02%
599	Parking Deck Fund	272,000	272,000	0	2,472	0.91%
<u>Internal Service Funds :</u>						
641	Public Works Administration	647,215	647,215	47,123	167,249	25.84%
642	Engineering Administration	342,863	342,863	31,526	119,676	34.90%
643	Local Site Remediation Revolving	183,112	183,112	0	600	0.33%
661	Motor Pool and Garage	1,324,083	1,324,083	108,144	332,143	25.08%
663	Equipment Revolving Fund	75,071	75,071	0	0	0.00%
677	Workers' Compensation	355,300	355,300	22,901	77,189	21.73%
678	Prescription Drug	1,056,060	1,056,060	59,547	196,735	18.63%
679	Health Care Deductible Reimb.	417,300	417,300	9,255	25,346	6.07%
680	Health Care Deductible Reimb.-Fire	0	0	9,327	32,298	N/A <i>Note 2</i>
<u>Trust & Agency Funds :</u>						
702	County & School Tax Collection	50,000	50,000	0	5,482	10.96%
711	Cemetery Perpetual Maintenance	96,000	96,000	2,266	6,556	6.83%
718	Ella W. Sharp Endowment	46,300	46,300	0	0	0.00%
731	Employees' Retirement System	4,211,310	4,211,310	0	1,993,433	47.34%
732	Policemen's/Firemen's Pension	1,017,537	1,017,537	0	0	0.00%
733	Policemen's/Firemen's Pension-345	7,731,531	7,731,531	0	1,401,195	18.12%
736	Public Employees Health Care	120,480	120,480	0	0	0.00%
<u>Special Assessment Funds :</u>						
895	Special Assessment	331,992	331,992	234	1,256	0.38%

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 3 Months Ended September 30, 2009
(Prepared on the Adopted Budget - Basis)

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

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



November 4, 2009

TO: Christopher Lewis, Interim City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: Request to Establish the December 15, 2009 City Council Meeting as the Time and Place to Hold a Public Hearing for Consideration of a Resolution Creating an Obsolete Property Rehabilitation District (OPRD #7) at Property Located at 230 West Cortland Street

The Developer, **MiraMed Properties, LLC**, is requesting City Council hold a Public Hearing to consider establishing an Obsolete Property Rehabilitation District (OPRD) for the property located in the Downtown Development Authority District at 230 West Cortland Street (Attachment A: Legal Description), in accordance with the Obsolete Property Rehabilitation Act of 2000, PA 146 (OPRA).

Placing the property within an OPRD will allow a developer to apply for a Tax Exemption Certificate through the State of Michigan Treasury Department that would assist with the rehabilitation and redevelopment of the property. Approval of such a certificate would freeze the existing Ad Valorem property taxes collected under the General Property Tax Act of 1893, PA 206, on a designated building (not land) for up to 12 years. An application to the State Tax Commission is subject to City Council approval prior to submission.

Requested action at this time is to establish the December 15, 2009 City Council Meeting as the time and place to hold a Public Hearing for consideration of establishing OPRD #7 for property located at 230 West Cortland Street. Please place this request on the November 10, 2009 agenda for consideration. If a hearing date is established, staff will provide all public notices in accordance with Public Act 146 of 2000.

CLK/bjh

cc: Michael Ordonez, MiraMed Revenue Group
Jonathan Greene, DDA Executive Director
Dave Taylor, City Assessor
Barry Hicks, Economic Development Project Manager

Att': A: Legal Description

ATTACHMENT A – LEGAL DESCRIPTION

Legal Description for 230 West Cortland Street, Jackson, MI 49201

E 50 FT 11 INCHES OF W 83 FT 11 INCHES OF LOTS 3 & 4 B1S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG



November 4, 2009

TO: Christopher Lewis, Interim City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: Request to Establish the December 15, 2009 City Council Meeting as the Time and Place to Hold a Public Hearing for Consideration of an Obsolete Property Rehabilitation Act Tax Exemption Certificate for Property Located at 230 West Cortland Street

The Developer, **MiraMed Properties, LLC**, is requesting City Council hold a Public Hearing for the consideration of an application for an Obsolete Property Rehabilitation Act (OPRA) Tax Exemption Certificate for the property located in the Downtown Development Authority District at 230 West Cortland Street (Attachment A: Legal Description), in accordance with the Obsolete Property Rehabilitation Act of 2000, PA 146.

An OPRA will allow a developer to submit their request for a Tax Exemption Certificate to the State of Michigan Treasury Department. Approval of the certificate would freeze the Ad Valorem property taxes collected under the General Property Tax Act of 1893, PA 206, on a designated building (not land) for up to 12 years.

Requested action at this time is to establish the December 15, 2009 City Council Meeting as the time and place to hold a Public Hearing for consideration of an OPRA Tax Exemption Certificate for the property located at 230 West Cortland Street. Please place this request on the November 10, 2009 agenda for consideration. If a hearing date is established, staff will provide all public notices in accordance with Public Act 146 of 2000 and will analyze the request to determine the appropriate length of the abatement in accordance with the adopted City Policy.

CLK/bjh

cc: Michael Ordonez, MiraMed Revenue Group
Jonathan Greene, DDA Executive Director
Dave Taylor, City Assessor
Barry Hicks, Economic Development Project Manager

Att': A: Legal Description

ATTACHMENT A – LEGAL DESCRIPTION

Legal Description for 230 West Cortland Street, Jackson, MI 49201

E 50 FT 11 INCHES OF W 83 FT 11 INCHES OF LOTS 3 & 4 B1S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG



November 4, 2009

TO: Christopher Lewis, Interim City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: **Request to Establish the December 15, 2009 City Council meeting as the time and place to hold a Public Hearing for the Consideration of an Amendment to a Brownfield Plan for 249-269 West Michigan Avenue (Anesthesia Business Consultants) as recommended by the Jackson Brownfield Redevelopment Authority**

At their regularly scheduled meeting on November 4, 2009, the JBRA accepted the amendment to the Brownfield Plan for the **Developer Anesthesia Business Consultants (ABC), a subsidiary company of the MiraMed Revenue Group**, and moved to recommend the plan to City Council for approval.

The original Brownfield Plan was adopted May 24, 2005 and included property located at 249-269 West Michigan Avenue. The amended plan will include property located at 230 West Cortland. The amendment includes the renovation of approximately 13,000 square feet of building at 230 West Cortland Street. The amendment will allow ABC to pursue a Michigan Business Tax Credit based on \$1.6 million of eligible investments they intend to make with the redevelopment of the property. The site has been designated as functionally obsolete by a Level IV Property Assessor (Attachment B) and thus meets the definition of an eligible property in a Core Community as defined by the Brownfield Redevelopment Financing, Act, PA 381 of 1996.

The Developer does not plan to use Brownfield Tax Increment Financing for reimbursement of eligible activities. The Developer is pursuing an Obsolete Property Rehabilitation Tax Exemption in accordance with Obsolete Property Rehabilitation Act, PA 146 of 2000.

Requested action at this time is to establish the December 15, 2009 City Council meeting as the time and place to hold a Public Hearing to approve the amended Brownfield Plan for 249-269 West Michigan Avenue to include property located at 230 West Cortland Street. Please place this item on the November 10, 2009 agenda for consideration.

cc: Michael Ordonez, MiraMed Revenue Group
Barry Hicks, Economic Development Project Manager

Att': A: Legal Descriptions
B: Letter from Assessor

ATTACHMENT A – LEGAL DESCRIPTIONS

Legal Description for 249-269 West Michigan Avenue, Jackson, MI 49201

LOTS 7, 8 & 9 B1S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG

Legal Description for 230 West Cortland Street, Jackson, MI 49201

E 50 FT 11 INCHES OF W 83 FT 11 INCHES OF LOTS 3 & 4 B1S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG

ATTACHMENT A – LETTER FROM ASSESSOR



City Assessor

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4033 • Facsimile (517) 780-4762

October 20, 2009

Mike Ordonez
MiraMed
991 Oak Creek Drive
Lombard, IL 60148

RECEIVED
OCT 19 2009

Re: Obsolescence of 230 W Cortland Street

Dear Mr. Ordonez:

An inspection of the above-referenced property was completed on September 1, 2009 by the City Assessor David Taylor. The Assessor was accompanied by Debi Koehn, Deputy City Assessor, and Brian Guth and Mike Ordonez, Project Assistants for MiraMed.

Based on my observations are the following regarding the building:

1. Building was built about 1910 as office and retail.
2. Building is a 2-1/2 story brick building with a basement.
3. The last use of this building was as a school.
4. Floor layout is inconsistent with the proposed use.
5. Electrical systems are inadequate for the proposed use.
6. Plumbing on second floor is inadequate for proposed use.
7. Building needs to be completely rewired for computer cabling.
8. The building does not have fire suppression.
9. The third floor is inaccessible except thru a hatch.

Based on the above, I would estimate 230 W Cortland Street to be more than 50% obsolete, therefore making it eligible for designation as an obsolete building.

Sincerely,

David Taylor
City Assessor

DT:ty

cc: Barry Hicks, Economic Development Project Manager

N:\word_doe\ty\Letters\MiraMed-MOrdonez



November 6, 2009

TO: Christopher Lewis, Interim City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: **Request to Establish the December 15, 2009 City Council Meeting as the Time and Place to Hold a Public Hearing for Consideration of a Personal Property Act Tax Exemption Certificate for Property Located at 230 West Cortland Street**

The Developer, **MiraMed Properties, LLC**, is requesting City Council hold a Public Hearing for the consideration of an application for a New Personal Property Act (PA 328) Tax Exemption Certificate for the property located in the Downtown Development Authority District at 230 West Cortland Street (Attachment A: Legal Description), in accordance with the Personal Property Act of 1998, PA 328.

A PA 328 will allow a developer to submit their request for a Tax Exemption Certificate to the State of Michigan Treasury Department. Approval of the certificate would abate all taxes collected on new personal property.

Requested action at this time is to establish the December 15, 2009 City Council Meeting as the time and place to hold a Public Hearing for consideration of a PA 328 Tax Exemption Certificate for the property located at 230 West Cortland Street. Please place this request on the November 10, 2009 agenda for consideration. If a hearing date is established, staff will provide all public notices in accordance with Public Act 328 of 1998.

CLK/bjh

cc: Michael Ordonez, MiraMed Revenue Group
Dave Taylor, City Assessor
Barry Hicks, Economic Development Project Manager

Att': A: Legal Description

ATTACHMENT A – LEGAL DESCRIPTION

Legal Description for 230 West Cortland Street, Jackson, MI 49201

E 50 FT 11 INCHES OF W 83 FT 11 INCHES OF LOTS 3 & 4 B1S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG

Memorandum

Rules & Personnel Committee

Councilmember Andrew R. Frounfelker, Chair
Councilmember Daniel P. Greer
Councilmember Carl L. Breeding

November 2, 2009

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew R. Frounfelker, Chair

SUBJECT: Compensation for the Interim City Manager Christopher W.
 Lewis

On October 26, 2009, the Rules and Personnel Committee met with Councilmembers Frounfelker and Greer in attendance and Councilmember Breeding absent. On a vote of 2 - 0, the Committee voted to recommend to the City Council that Mr. Lewis be placed on the Administrative and Supervisory Employees Compensation Schedule at a Class Grade 18, Step 9 for his service as Interim City Manager, retroactive to October 1, 2009, and remain at the level when the Interim position ends.

c: Interim City Manager

Memorandum

Rules & Personnel Committee

Councilmember Andrew R. Frounfelker, Chair
Councilmember Daniel P. Greer
Councilmember Carl L. Breeding

November 2, 2009

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrew R. Frounfelker, Chair

SUBJECT: Recognition of the City Clerk Acting as the Purchasing Agent/Supervisor of City Hall and Grounds

On October 26, 2009, the Rules and Personnel Committee met with Councilmembers Frounfelker and Greer in attendance and Councilmember Breeding absent. On a vote of 2 - 0, the Committee voted to recommend that the City Council recognize City Clerk Lynn Fessel as the Purchasing Agent and Supervisor of City Hall and Grounds. In addition, on a vote of 2 – 0, the Committee voted to recommend to the City Council that Mrs. Fessel's employment agreement be amended to reflect that she be compensated at a Class Grade 18, Step 8 on the Administrative and Supervisory Employees Compensation Schedule, effective December 1, 2009, for taking on the additional responsibilities.

c: Interim City Manager

ADDENDUM TO EMPLOYMENT AGREEMENT

THIS ADDENDUM, made this _____ day of _____, 2009, by and between the *City of Jackson*, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "the City"), as Employer, and Lynn Fessel, 2203 Creglow Drive, Jackson, Michigan 49203 (hereinafter referred to as "Mrs. Fessel"), as Employee.

WITNESSETH:

WHEREAS, The City and Mrs. Fessel entered into a certain Employment Agreement dated June 28, 2005 ("Agreement"); and

WHEREAS, the City and Mrs. Fessel wish to make certain modifications to the Agreement as provided herein.

NOW, THEREFORE, the City and Mrs. Fessel hereby agree that the Agreement shall be modified as follows:

- 1) Paragraph 1, **TERMS AND DUTIES**, the first sentence shall be amended as follows: Mrs. Fessel shall serve as City Clerk for the City of Jackson for a term beginning on July 1, 2009, and ending on June 30, 2011.
- 2) Paragraph 2, **SALARY**, shall be amended as follows: As payment for her services as City Clerk and Purchasing Agent/Supervisor of City Hall and Grounds, Mrs. Fessel will be placed, as a guide, on the Administrative and Supervisory Compensation Schedule, Class Grade 18, Step 8 (Ordinance attached). Effective December 1, 2009, the City will pay Mrs. Fessel the base salary of Eighty-Five Thousand Four-Hundred Twenty-Nine Dollars (\$85,429.00) which is equal to a Class Grade 18, Step 8 per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid. Provided, however, if the City Council adopts a new compensation ordinance for Administrative and Supervisory Employees after September 16, 2009, for the 2009-2010 fiscal year, Mrs. Fessel will be paid equal to a class Grade 18, Step 8, in accordance with that ordinance. The City Council shall review this compensation prior to June 30, 2010, and, based on her performance, Council may adjust her Step and salary.
- 3) Except as modified herein, the Agreement, as amended, between the parties shall remain in full force and effect

IN WITNESS WHEREOF, the parties hereto have executed this Addendum this _____ day of _____, 2008, with an effective date of December 1, 2009.

In the presence of:

THE CITY OF JACKSON

By _____
Jerry F. Ludwig, Mayor

Lynn Fessel

SCHEDULE I (CONTD)
ADMINISTRATIVE AND SUPERVISORY EMPLOYEES
PAY RATES

EFFECTIVE JULY 1, 2008 - 3.0% (Contd)

Class Grade	Pay Basis	Minimum										Maximum Step 10
		Step 1	Step 1-1/2	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
16	Annual	59,705	60,841	61,977	64,335	66,783	69,324	71,956	74,693	77,538	80,487	83,548
	Bi-Wkly	2,296.36	2,340.05	2,383.73	2,474.43	2,568.56	2,666.30	2,767.55	2,872.83	2,982.22	3,095.65	3,213.37
	Hourly	28.7046	29.2506	29.7967	30.9304	32.1070	33.3287	34.5944	35.9103	37.2778	38.6956	40.1672
17	Annual	62,612	63,804	64,993	67,467	70,029	72,699	75,461	78,336	81,316	84,408	87,617
	Bi-Wkly	2,408.17	2,453.98	2,499.75	2,594.89	2,693.41	2,796.10	2,902.35	3,012.90	3,127.53	3,246.46	3,369.88
	Hourly	30.1021	30.6748	31.2468	32.4361	33.6677	34.9513	36.2794	37.6613	39.0941	40.5808	42.1235
18	Annual	65,715	66,969	68,223	70,829	73,532	76,341	79,257	82,284	85,429	88,691	92,078
	Bi-Wkly	2,527.51	2,575.73	2,623.95	2,724.19	2,828.17	2,936.18	3,048.35	3,164.78	3,285.75	3,411.20	3,541.47
	Hourly	31.5939	32.1967	32.7994	34.0523	35.3521	36.7022	38.1044	39.5598	41.0719	42.6401	44.2684
19	Annual	69,398	70,717	72,036	74,777	77,624	80,577	83,643	86,826	90,129	93,556	97,116
	Bi-Wkly	2,669.17	2,719.88	2,770.60	2,876.02	2,985.56	3,099.12	3,217.03	3,339.48	3,466.50	3,598.30	3,735.23
	Hourly	33.3646	33.9985	34.6325	35.9502	37.3194	38.7390	40.2129	41.7434	43.3313	44.9787	46.6904
20	Annual	73,081	74,476	75,870	78,761	81,763	84,882	88,120	91,480	94,970	98,589	102,351
	Bi-Wkly	2,810.82	2,864.45	2,918.08	3,029.29	3,144.75	3,264.69	3,389.22	3,518.47	3,652.67	3,791.87	3,936.58
	Hourly	35.1352	35.8056	36.4761	37.8661	39.3093	40.8087	42.3653	43.9809	45.6584	47.3984	49.2072
21	Annual	76,763	78,220	79,678	82,711	85,852	89,117	92,503	96,021	99,673	103,462	107,394
	Bi-Wkly	2,952.42	3,008.46	3,064.55	3,181.21	3,301.99	3,427.59	3,557.81	3,693.12	3,833.57	3,979.29	4,130.52
	Hourly	36.9053	37.6058	38.3069	39.7651	41.2749	42.8448	44.4726	46.1640	47.9196	49.7411	51.6315

A. The City Manager and City Attorney shall be compensated under separate contracts with the City Council.

Adopted: **MAY 27, 2008**



MEMO TO: Honorable Mayor and City Councilmembers

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

DATE: October 28, 2009

SUBJECT: Recommendations From the City Affairs Committee

The City Affairs Committee met on Monday, October 26, 2009, with Councilmember Polaczyk and myself in attendance along with various City staff. The Committee considered the Industrial Facilities Tax Exemption Application for KRT Precision Tool & Manufacturing, and the revision of the City's 1040 City Income Tax form to allow citizens to donate their refund to the City, and designate a line item for the receipt of the donations. An additional item discussed was the relocation of the City's Recycling Center on Louis Glick Highway.

It is the Committee's recommendation to the City Council to approve the following:

- The Industrial Facilities Tax Exemption Application for KRT Precision Tool & Manufacturing for a term of 12 years.
- To direct the City Treasurer to revise the City's 1040 City Income Tax form to allow citizens to donate their refund to the City Parks and Recreation Department; and
- Once the Goodwill Recycling Center is fully established, then the City's recycling center will cease operations.

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

DPG:CL:skh

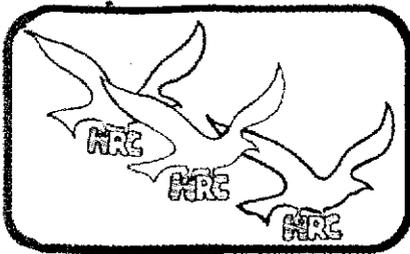


MEMO TO: City Councilmembers
FROM: Jerry F. Ludwig, Mayor
DATE: November 4, 2009
SUBJECT: Human Relations Commission

In accordance with City Code, Chapter 15, Section 15-33. The HRC shall consist of nine citizens; at least five must be City residents. Nominations to fill vacancies shall be made by City Council or HRC to Mayor; at least one for each appointment. Mayor appoints subject to Council confirmation. HRC may appoint up to three ex-officio citizen members for indefinite terms; in addition, one City Councilmember shall be an ex-officio member. Three appointments made annually for three-year terms upon expiration of appointments ending 12/31/99.

It is my desire, therefore, to reappoint Edward Peterson to the Human Relations Commission, in concurrence with the Human Relations Commission recommendation, for a three-year term, beginning January 1, 2010, and ending December 31, 2012.

JFL:skh



CITY OF JACKSON

HUMAN RELATIONS COMMISSION

161 W. MICHIGAN AVENUE

JACKSON, MICHIGAN 49201

PHONE: (517) 788-4167

FAX: (517) 768-5820

MEMO TO: The Honorable Mayor and City Councilmembers

FROM: Alice Lewis, Nominating Committee Chair

DATE: October 27, 2009

SUBJECT: Recommendation of Reappointment to the Human Relations Commission

In accordance with City Code, Chapter 15, there are nine members to be appointed by the Mayor, with the approval of the City Council. The Human Relations Commission will submit one nominee to the Mayor for each vacancy as it occurs. At least five of the nine must be City residents.

At its October 21, 2009, meeting the HRC voted to recommend the reappointment of the following candidate to the HRC. The application is attached. The candidate is:

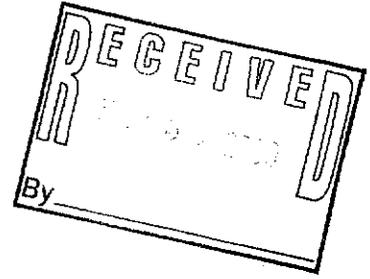
Edward Peterson (reappointment) beginning January 1, 2010, and ending December 31, 2012.

We currently have two vacancies, which will be advertised in the near future.

AL:skh

Attachment

cc: HRC Members
Frank Weathers, Staff



City of Jackson Board/Commission Application

Name: Edward D. Peterson

Address: 10249 Tims Lake Zip: 49240

Home Phone: _____ Other Phone: 706 7810 cell

Occupation: Elementary Principal 841-3901 work

*copy to
Nov. 3, 2009*

Community Involvement/Activity

Revive the Pride Executive Committee

First Congregational Church Mentoring

Are you a registered voter? yes Ward? 6th

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

1. Human Relations Commission

3. _____

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Edward D. Peterson
Signature of Applicant

Sept. 30, 2009
Date

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



MEMO TO: City Councilmembers
FROM: Jerry F. Ludwig, Mayor
DATE: November 4, 2009
SUBJECT: City Planning Commission

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

It is my desire, therefore, to appoint Sheila M. Troxel to the City Planning Commission filling a current vacancy beginning immediately, and ending December 31, 2009.

It is also my desire to reappoint Sheila M. Troxel to the City Planning Commission for a three-year term beginning January 1, 2010, and ending December 31, 2012.

JFL:skh

PLANNING
COMM.



City of Jackson Board/Commission Application

Name: SHEILA M. TROXEL

Address: 905 BRIARCLIFF RD Zip: 49203

Home Phone: 517-796-2534 Other Phone: 517-740-2027

Occupation: Director of Financial Education, CP Federal Credit Union

Big Sister through the Community Involvement/Activity

Big Brothers Big Sisters

JACKSON CITIZENS FOR ECONOMIC GROWTH

YOUTH SEED FUND COMMITTEE

CASCADES CYCLING CLUB

Are you a registered voter? YES Ward? 6

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

- Parks - Recreation
- City Planning Commission
- Sharp Park Board

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

[Signature]
Signature of Applicant

June 4, 2009
Date

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

Sheila M. Troxel

905 Briarcliff Road
Jackson, MI 49203

troxel@voyager.net

Home: 517-796-2534
Cell: 517-745-2027

OBJECTIVE

To volunteer my time and expertise to grow, develop and expand Jackson so that we can continue to enjoy the quality of life afforded through Jackson's parks, recreation, arts and cultural events.

SUMMARY OF QUALIFICATIONS

Business Development

- Developed creative strategies for generating new business
- Developed client bases and new business markets
- Re-established relationships with expired accounts
- Developed venture capital and increased sales

Project Management

- Effectively managed client projects and million-dollar budgets
- Managed critical aspects of multi-faceted communications and marketing for projects

Customer Service

- Provided recognized outstanding customer service
- Recommended suitable solutions and improved marketing strategies to meet customer goals

Teamwork

- Provided teams with effective coaching
- Constructed standard operating procedures to implement proper external communications

Expertise

- Developed and implemented marketing strategies in various media
- Coordinated market research
- Established creative oversight for public relations campaign

EMPLOYMENT

Director of Financial Education (2008 – Present)

CP Federal Credit Union, Jackson, Michigan

Licensed Financial Consultant (2005–2008)

National City/Natcity Investments, Jackson, Michigan

Financial Advisor (2004–2005)

Ameriprise Financial Inc. (Formerly American Express Financial Advisors, Inc.), Okemos, Michigan

Customer Relations Manager (2002–2004)

MSU Department of University Relations/Printing Services, East Lansing, Michigan

Marketing/Communications Specialist (2001–2002)

EcoSynthetix, Inc., Lansing, Michigan

Account Executive (1999–2001)

Marketing Resource Group, Inc., Lansing, Michigan

Account Executive (1997–1999)

WILX NBC TV10 (Benedek Broadcasting Corporation), Lansing, Michigan

EDUCATION

Bachelor of Arts Degree, German with Broadcast Communications Minor (August 1997)

St. Cloud State University, St. Cloud, Minnesota

MEMBERSHIPS, AFFILIATIONS, & AWARDS

Chair, Youth Seed Fund Committee, Jackson, MI (2008 – Present)

Big Sister Volunteer, Big Brothers Big Sisters, Jackson, MI (2006–Present)

Jackson Citizens for Economic Growth, Jackson, MI (2007 - Present)

Council Member, International Business Forum Council, East Lansing, MI (1998–2005)

Vice President, Lansing Advertising Club, Lansing, MI (2001–2002)

International Business Forum's Volunteer of the Year (2000)

Board of Directors, Lansing Advertising Club, Lansing, MI (1999–2001)

LICENSES & SKILLS

NASD Series 66, NASD Series 7, and Life, Accident and Health Insurance Licenses

Advanced computer software knowledge



City Clerk

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

November 2, 2009

TO: Honorable Mayor and City Councilmembers
FR: Angela Arnold, Deputy City Clerk *Angela*
RE: Public Hearing and Resolution on the Application filed by KRT Precision Tool & Manufacturing, Inc., located at 1300 Mitchell Street, for an Industrial Facilities Exemption Certificate

Attached please find a resolution, along with supporting documentation on the application filed by KRT Precision Tool & Manufacturing for an Industrial Facilities Exemption Certificate for their facility located at 1300 Mitchell Street. If the Council adopts the resolution, it will be forwarded to the State Tax Commission for their consideration.

Please place the attached resolution on the November 10th agenda for the City Council to consider after the public hearing is held.

Thank you.

Attachments

C: David Taylor, City Assessor
Barry Hicks, Comm. Dev. EDPM

RESOLUTION

BY THE CITY COUNCIL:

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

WHEREAS, the Jackson City Council, acting under the authority of said Act, did on December 18, 1992, create by resolution Industrial Development District No. 71, made up of property located at 1300 Mitchell Street, Jackson, Michigan, and more particularly described in said resolution; and

WHEREAS, pursuant to the provision of said Act, KRT Precision Tool & Manufacturing, Inc. filed on October 2, 2009, an application for an Industrial Facilities Exemption Certificate for a facility located within said district for 12 years; and

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

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

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

WHEREAS, a public hearing on said application was held on November 10, 2009; and

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

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

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on November 10, 2009.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 11th day of November, 2009.

Lynn Fessel, City Clerk

Application for Industrial Facilities Tax Exemption Certificate

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

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Gynn Fessel, City Clerk</i>	Date received by Local Unit <i>October 2, 2009</i>
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) KRT Precision Tool & Manufacturing, Inc.	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3490	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1300 Mitchell St., Jackson, Mi. 49203	1d. City/Township/Village (indicate which) Jackson	1e. County Jackson
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located Jackson	3b. School Code 38170
	4. Amount of years requested for exemption (1-12 Years) 12 years	

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

Principal business: **Machining of metal components used in various industries.**
See attached schedule for detail of new equipment.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$0.00
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$82,500.00
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$82,500.00
	Total of Real & Personal Costs

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

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>		
Real Property Improvements	▶ _____	▶ _____	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased
Personal Property Improvements	▶ 10/1/09	▶ 10/15/09	▶ <input checked="" type="checkbox"/> Owned	<input type="checkbox"/> Leased

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

9. No. of existing jobs at this facility that will be retained as a result of this project. 3	10. No. of new jobs at this facility expected to create within 2 years of completion. 1
---	---

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

a. TV of Real Property (excluding land)	<u>N/A</u>
b. TV of Personal Property (excluding inventory)	<u>N/A</u>
c. Total TV	<u>N/A</u>

12a. Check the type of District the facility is located in:

Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 12/18/92 # 71	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

APPLICANT CERTIFICATION - complete all boxes.

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

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

13a. Preparer Name Kuhl & Schultz, P.C.	13b. Telephone Number 789-8185	13c. Fax Number 789-8188	13d. E-mail Address
14a. Name of Contact Person John Schultz	14b. Telephone Number 789-8185	14c. Fax Number 789-8188	14d. E-mail Address schultz.cpa@modempool.com
▶ 15a. Name of Company Officer (No Authorized Agents) Timothy Hawkins			
15b. Signature of Company Officer (No Authorized Agents) <i>Tim Hawkins</i>		15c. Fax Number 783-1475	15d. Date 10-2-09
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1300 Mitchell St., Jackson, Mi. 49203		15f. Telephone Number 783-5715	15g. E-mail Address thawkins@krtmfg.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

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

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

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

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

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

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

KRT Precision Tool & Manufacturing, Inc.
Industrial Facility Exemption
Machinery & Equipment List

Beginning date of construction: Oct. 1, 2009
Estimated date of completion: Oct. 15, 2009

<u>Equipment</u>	<u>Installation date - estimated</u>	<u>Cost</u>
Contura G2 AKTIV 700/1000/600 S/N 200904501943	Oct. 15, 2009	\$82,500.00

**INDUSTRIAL FACILITIES EXEMPTION APPLICATION
AFFIDAVIT OF PROJECT BEGIN DATES**

I swear and affirm by my signature below that the real property project beginning of construction date and/or personal property project installation begin date, associated with the application for Industrial Facilities Exemption Certificate under PA 198 of 1974, as amended, in the amount of \$ 82,500., filed with the city/township/village of City of Jackson, for a facility located at 1300 Mitchell, Jackson, MI 49203. are as follows:

Real Property Project Begin Date: N/A

Personal Property Project Installation Date: Begin Date 10-1-09

Applicant Name:

KRT Precision Tool & Manufacturing, Inc.

Signature: Tim Hawkins

Printed Name: Timothy Hawkins

Title: President

Date: 10-2-09

CITY ASSESSOR'S OFFICE
PHONE: (517) 788-4033



161 W. MICHIGAN AVENUE
JACKSON, MICHIGAN 49201

X0500
CITY OF JACKSON

MUNICIPAL TAX SYSTEMS

93

LAND FILE INQUIRY

PROPERTY # 6-158500000000

**** REAL PROPERTY ****

LAST CHANGED ON 2/11/86
BY KELLY

***** LEGAL DESCRIPTION *****

LOTS 14 TO 21 ALSO LOTS 25 & 26 BLK 3 ALSO A PC
OF LAND 33 FT E & W & 327 FT N & S ADJACENT TO
LOTS 14, 16, 18, 20 & 26 ON THE W FORMERLY PLATTED
AS PART OF BEACH ST. NOW VACATED J L MITCHELL'S
ADDITION.

CMD 5 - ADDITIONAL LEGAL

7 - RETURN TO SELECT

RESOLUTION

BY THE CITY COMMISSION:

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

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

WHEREAS, the tenant, KRT Precision Tool & Manufacturing Co., 1300 Mitchell Street, Jackson, Michigan, more fully described below, has petitioned the City of Jackson to declare this area to be an Industrial Development District; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Jackson hereby creates and so designates Industrial Development District No. 71, consisting of the following lands within the City of Jackson:

LOTS 14 TO 21 ALSO LOTS 25 & 26 BLK 3 ALSO A PC OF LAND 33 FT E
& W & 327 FT N & S ADJACENT TO LOTS 14, 16, 18, 20 & 26 ON THE W
FORMERLY PLATTED AS PART OF BEACH ST. NOW VACATED J L
MITCHELL'S ADDITION.

* * * * *

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

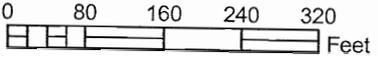
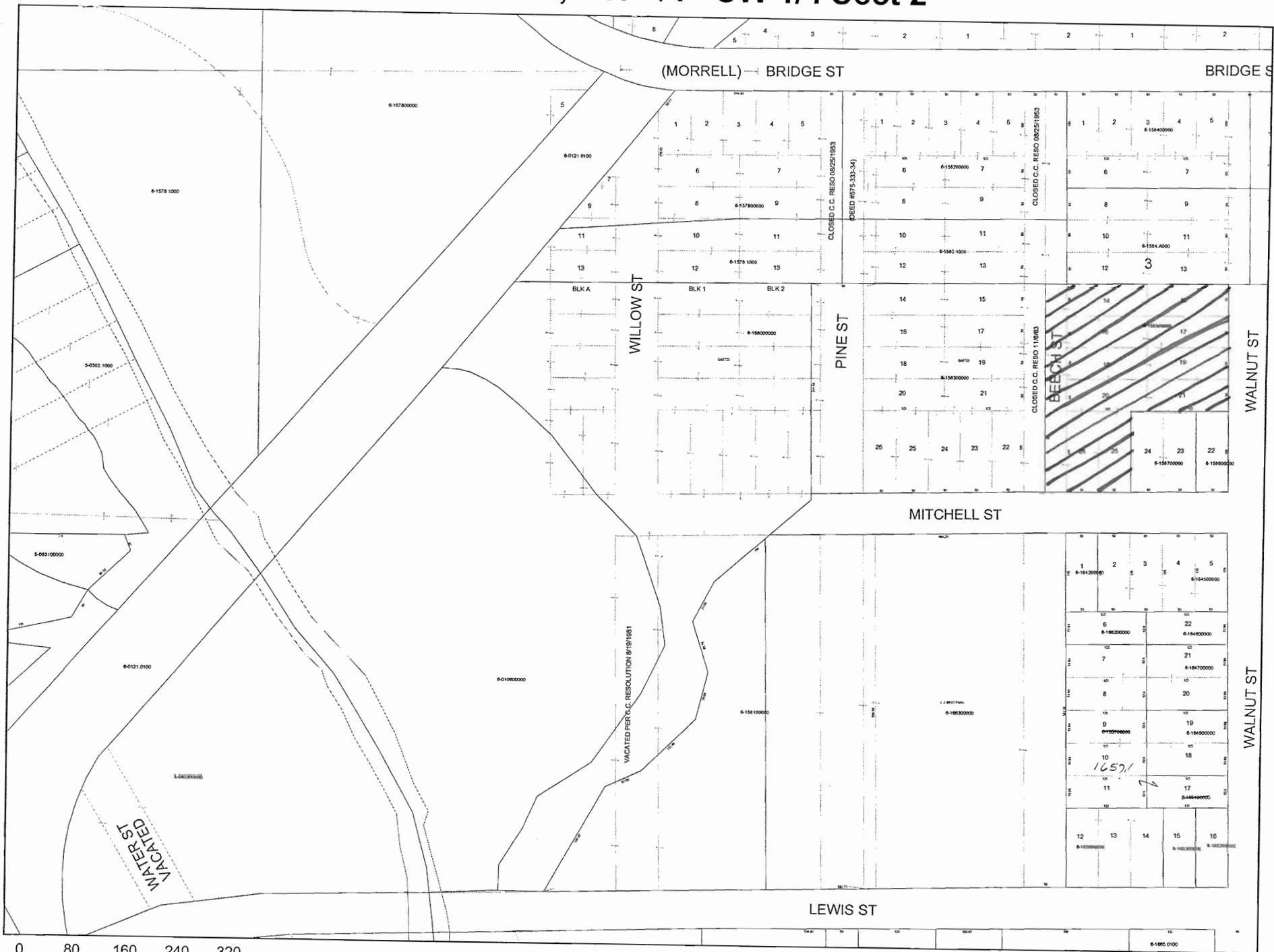
I, Lynn Fessel, Deputy City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Commission on December 18, 1992.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 18th day of December, 1992.

 Deputy City Clerk

JL Mitchell's Addn; NW 1/4 - SW 1/4 Sect 2

6-31



6-31

Applicant Name
KRT PRECISION TOOL & MFG

Fiscal Statement (to be completed by local unit)

	<u>YES</u>	<u>NO</u>
Is this project:		
Real Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Personal Property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - New Facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Both Real and Personal Property - Rehabilitation Facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Both New and Replacement Facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Estimated Project Investment (not assessed value):

Real Property	Personal Property \$82,500.00	Total \$82,500.00
---------------	---	-----------------------------

	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official Lynn Fessel, City Clerk
-----------	--

FISCAL STATEMENT FOR TAX ABATEMENT REQUEST SUMMARY INFORMATION

This form is issued under authority of P.A. 198 of 1974,
as amended. Filing is voluntary.

	One Year After Construction is Done	After 5 Years	After 15 Years
Revenue			
1. Revenue from proposed property (from page 2, line 1).....	646	544	478
2. Revenue from related development (from page 2, line 2).....			
3. TOTAL (Add lines 1 and 2).....	646	544	478
Cost			
4. Roads (from page 3, line 6).....			
5. Sewer (from page 4, line 10).....			
6. Storm Drains (from page 5, line 14).....			
7. Water Systems (from page 6, line 18).....			
8. Police Personnel (Enter "total annual cost" from page 7, line 20).....			
9. Police Equipment (from page 7, line 22).....			
10. Police Buildings (from page 7, line 24).....			
11. Fire Personnel (Enter "total annual cost" from page 8, line 26).....			
12. Fire Equipment (from page 8, line 28).....			
13. Fire Buildings (from page 8, line 30).....			
14. Other Costs (from page 9, line 31).....			
15. TOTAL COST (Add lines 4 through 14).....			

FISCAL STATEMENT FOR TAX ABATEMENT REQUEST - DETAIL

File this form with your application for a tax abatement, unless you have already filed it. Your application cannot be processed without this information.

You must complete all sections of this form. Attach additional pages whenever you need more space. Carry all results to page 1 of this form.

Estimated Average Annual Revenue

1. What is the expected annual change in revenue for your local unit because of the proposed property? Include in these figures the expected increase (or decrease) in property taxes due to the addition of the proposed property to the tax base, the change in the value of surrounding property, and in income tax revenue as a result of the proposed property.

One Year After Construction is Done	After 5 Years	After 15 Years
646	549	478

2. What is the expected annual change in revenue for your local unit because of related development expected from the proposed property? Include in these figures the expected increase (or decrease) in property taxes due to the addition of the new development to the tax base when constructed, the change in the value of surrounding property, and in income tax revenues as a result of the expected development.

One Year After Construction is Done	After 5 Years	After 15 Years
0	0	0

INDUSTRIAL FACILITIES TAX EXEMPTION AGREEMENT

AGREEMENT made this day of , 2009, by and between the CITY OF JACKSON, a Michigan municipal corporation, with office at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"); and KRT Precision Tool & Manufacturing, Inc., a Michigan corporation, with offices located at 1300 Mitchell Street, City of Jackson, Jackson County, Michigan (hereinafter "Applicant").

WHEREAS, the City has received an application from Applicant for the issuance of an Act 198 Tax Exemption Certificate for its Equipment (describe project) (the "Project") that was established as an Industrial Development District (the "District") by the City of Jackson on December 18, 1992; and

WHEREAS, Public Act 334 of 1993 requires a written agreement between the City and the Applicant before an Industrial Facilities Exemption Certificate can be approved by the Michigan Department of Treasury;

NOW, THEREFORE, in consideration of the approval of the Industrial Facilities Exemption Certificate, it is hereby agreed by and between the parties hereto as follows:

1. The Applicant, as a result of said improvements, shall use its best efforts to create not less than 1 new full time equivalent jobs and relocate and retain not less than 1 full time equivalent existing jobs from its current location within two years after the completion of its Project.
2. Applicant expects that the costs of the improvements proposed to be constructed on the basis of which the Industrial Facilities Exemption Certificate is issued, shall be within 10 percent (10%) of the estimated amount stated in the Applicant's application for the certificate.

3. The Applicant will not cease its operations within the District prior to the termination of the Industrial Facilities Exemption Certificate without a transfer of the certificate being approved by the City to a third party that continues adequate operations within the District or elsewhere in the City with the City's approval. Applicant will not become delinquent in payment of taxes owing under this certificate.

4. The parties agree that the City, in approving the tax abatement, has relied on the good faith of Applicant's estimates and expectations described in its application. The parties agree that exclusive jurisdiction to resolve any disputes in this Agreement shall be in Jackson County, Michigan. The City's exclusive remedy for a default shall be the right to request that the State Tax Commission either reduce the term of, or revoke, the abatement prospectively except that for a default in section 3, the Applicant shall repay the City all abated taxes which previously benefited the Applicant for disbursement proportionately to all taxing units having taxing jurisdiction over the improvements, plus all accrued interest, penalties and administration fees applicable to this exemption in the same amount as would be collected if this tax were considered delinquent and the City may, at its option, seek repayment of the taxes as allowed under section 21(2) of the tax abatement statute, MCLA 207.571(2).

The City shall not seek any remedy under this section 4 until after all of the following have occurred:

a. The City shall have given written notice to the Applicant declaring a default and specifying the manner in which the Applicant is in default. Before a default is declared, the City and the Applicant shall meet informally with appropriate representatives to discuss the claimed default and how it may be cured.

b. The Applicant has not cured that default within thirty (30) days after receiving the notice, except that if the Applicant is diligently pursuing a cure, this thirty (30) day period shall automatically be extended for an additional thirty (30) days, and further extensions of this time period may be made only upon mutual agreement of the parties.

The parties acknowledge that certain conditions beyond Applicant's control may prevent Applicant from being able to make the capital investment, create or retain jobs or comply with other conditions in this Agreement. Therefore, Applicant shall not be in default to the extent the Applicant clearly shows, to the satisfaction of the City, that the failure was caused by unfavorable economic or other business conditions, loss of business, or some other reason beyond the actual or foreseeable control of Applicant.

5. Any payments due under Paragraph 4 above may be collected by either court proceedings or by adding to the next taxes due against the Applicant's property on the next tax roll of the City.

6. It is understood that the City of Jackson encourages the Applicant to review job applications of city residents, prior to filling new jobs in its facilities. Applicant will use its best efforts to employ City residents.

7. The Applicant further agrees that it shall submit annual reports to the City and the City Assessor setting forth the progress in attaining and maintaining the requirements of this Agreement and the provisions of the application for the Industrial Facilities Exemption Certificate.

8. The Applicant further agrees that during the term of the certificate, the Applicant shall not discriminate against any person on the basis of race, creed, color, sex, religious orientation, age, or other criteria not reasonably related to any jobs created as part of the grant of this tax abatement.

9. The Applicant further agrees that if Applicant ceases its use of the Project, and another entity asks the City for a transfer of the abatement, the Applicant will cooperate with the City

regarding the transfer by advising the transferee or new owner of the terms and conditions of this Agreement and by assisting the City to obtain the signature of the authorized agent of the transferee or new owner on this Agreement or one substantively the same.

10. This Agreement contains all of the terms of the agreement between the parties with respect to its subject matter and may be amended only in writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Signed in the presence of:

CITY OF JACKSON

By _____

Its Mayor



APPLICANT

By Timothy Hawken

Its President



City Clerk

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

November 2, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela Arnold*
RE: Consideration of a Resolution for Charitable Gaming License

Attached is a resolution submitted by Family Service & Children's Aid. It is their intention to apply for a charitable gaming license through the Charitable Gaming Division of the State of Michigan. In order to do so, the State requires the local body of government to adopt a resolution, recognizing them as a non-profit organization operating in the community.

Please place the resolution on the City Council's November 10th agenda for consideration.

Thank you.

Attachments



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 _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

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

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, 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/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)

FAMILY SERVICE



CHILDREN'S AID

330 W. Michigan Avenue
P.O. Box 6128
Jackson, Michigan 49204
Tel: 517/787-7920
Fax: 517/787-2440
www.strong-families.org.

FSCA Programs

- 330 W. Michigan Avenue
Jackson, Michigan 49201
 - Adoption Resource Center
 - Breakout Drug Education
 - Dept. of Corrections
 - Employee Resource Network
 - Families and Schools Together (FAST)
 - Family Counseling
 - First Time Offenders Program
 - Foster Care Services
 - Kinship Care
 - Michigan Adoption Resource Exchange (MARE)
 - Parent Education
 - Substance Abuse Services
 - Wendy's Wonderful Kids
- Adrian Office
3266 North Adrian Highway
Adrian, MI 49221
Ph: (517) 263-2625
Fax: (517) 263-7369
- Born Free
817 West High Street
Jackson, MI 49203
Ph: (517) 782-9905
Fax: (517) 796-7022
- Jackson County
Guardian Services
1715 Lansing Ave., Ste 150
Jackson, MI 49202-2193
Ph: (517) 788-4242
Fax: (517) 768-5827
- Diversion
211 W. Ganson, Ste. 105
Jackson, MI 49203
Ph: (517) 768-0493
Fax: (517) 768-0493



ACCREDITED

COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

Strong Families Build Strong Communities

Family Service & Children's Aid BOARD OF DIRECTORS, FY2010

President Becky Billingsley	Human Resources Director, CP Federal Credit Union
Vice President Elaine Crosby	Professional Golfer, LPGA
Vice President Theresa Horne	Childbirth Educator, In The Beginning
Treasurer Rick Hitt	Owner, Navigant Consulting, Inc.
Secretary Deb Powell	Principal, Columbia Middle School
Past President None	
Member at Large Anne Heyns	Attorney, Best, Heyns & Schroeder PC
Directors	
William Abbott	Attorney, Abbott & Thomson, PLC
Denise Adams	Self Employed, Weekenders - Fashion Coordinator
Mark Becker	Retired Deputy Warden, Michigan Department of Corrections
Lisa Brook	Information Systems Specialist, Spring Arbor University
Daryl Frederick, DDS	The Jackson Center for Cosmetic and Restorative Dentistry
Mary Jo Huff	Community Volunteer
Ron Jones	Chairman, Dawn Food Products
LeeAnn Kendall	Marketing Coordinator, Hospice of Jackson and Oaklawn
Cynthia Landrum	Minister, Universalist Unitarian Church of East Liberty
Jon Nowinski	CPA, Partner, Lally Group, PC
Brian Richmond	VP Account Management, Richmond Agency, Inc.
Harold White, Jr.	Retired Warden, Michigan Department of Corrections
Honorary Board	
Erin Dubois	Vice President - Business Banking, LaSalle Bank Midwest
Margaret "Peg" Eaton	Retired
James Grace	A. G. Edwards
Art Henrie	Retired
Leo Hollenbeck	Treasurer, Alro Steel
Bruce Inosencio	Law Office of Bruce Inosencio, Jr.
Marvel Jones	Marvelous Creations, Inc.
Sheila Patterson	Business Support Consultant, Consumers Energy
Earl Poleski	CPA
Bernie Reizner, MD	Retired
Cecelia Sampson	Practice Coordinator, Argyle Plastic & Reconstructive Surgery
Rick Shore	Owner, Rick Shore Builders, Inc.
Kathy Swihart	Corporate Accounts Representative, Allegiance Health

Internal Revenue Service**Department of the Treasury**

P. O. Box 2508
Cincinnati, OH 45201

MAY 01 2001

Date: April 26, 2001

Person to Contact:

Steve Brown 31-07422
Customer Service Representative

Toll Free Telephone Number:

8:00 A.M. to 9:30 P.M. EST
877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

38-6088382

Group Exemption Number:

2738

Family Service and Children's Aid
330 W. Michigan Ave
Jackson, MI 49204

Dear Sir or Madam:

We have received your request dated March 8, 2001 concerning your organization's correct name. We have updated our records to reflect the name change as indicated above.

Your organization is exempt under section 501(c)(3) of the Code because it is included in a group ruling issued to Child & Family Services of Michigan, Inc., located in Okemos, Michigan.

Individual exemption letters are not available to organizations included in group rulings. The group exemption letter applies to all of the subordinate organizations on whose behalf the Child & Family Services of Michigan, Inc has applied for recognition of exemption. If you want a copy of the group exemption letter, please contact your parent organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

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

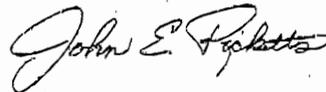
The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of

-2-

Family Service and Children's Aid
38-6088382

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



John E. Ricketts, Director, TE/GE
Customer Account Services



Community Development

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

November 2, 2009

TO: Christopher Lewis, Interim City Manager
FROM: **Carol L. Konieczki, Community Development Director**
RE: Resolution to Amend the Fiscal Year 2009/2010 (Year 35) HOME Budget

Jackson Affordable Housing Corporation (JAHC) has recently experienced increased interest in their homebuyer Downpayment Assistance program (DPA). As such, available HOME funds for the program are expected to be depleted by the end of November. JAHC anticipates interest in DPA to continue with current home prices and the possible extension of the tax credit for first-time homebuyers.

In order to continue providing DPA, Staff recommends reallocating funds from the Rehabilitation Assistance Program to DPA in the amount of \$25,000. The Rehabilitation Assistance Program has a current balance of \$572,129. A resolution to amend the HOME budget for fiscal year 2009/2010 is attached, to reallocate the funds.

Please place this item for consideration on the November 10, 2009 City Council agenda.

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

CLK:hls

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Susan G. Murphy, Deputy City Attorney 

RE: Definition of Rooming House

DATE: November 4, 2009

We previously included the change to the rooming house definition with the ordinance changing the definition of family. Given the specific community concerns related to the definition of family, we have separated the ordinances for independent consideration.

Our current Ordinance defines rooming and boarding house as:

Rooming and/or boarding house means a building containing rooms for guests in which lodging is provided with or without meals for compensation or on a short-term basis in response to a family crisis, and where no provision is made for cooking in any guestroom.

Staff considered the State Construction Code and Housing Act definitions of rooming houses (as well as other ordinances) to reach a definition which staff believes is most consistent with the current rooming houses located within the City. A number of rooming houses are inspected through the inspection department to ensure compliance with the State's building and housing codes.

The proposed definition contained in the attached proposed Ordinance was approved at the August 5, 2009 Planning Commission meeting.

This is placed on the November 10, 2009 Agenda for consideration of an Ordinance amending the definition of Rooming house in Chapter 28 Code of Ordinances, City of Jackson, Michigan.

cc: Julius A. Giglio, City Attorney
Christopher W. Lewis, Interim City Manager
Carol Koniackzi, Director of Community Development
Charles Reisdorf, Region 2 Planning Commission
Frank Donovan, Chief Building Official

ORDINANCE 2009 - _____

An Ordinance amending the definition of Rooming house in Chapter 28 Code of Ordinances, City of Jackson, Michigan as contained in Section 28-5.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Intent

The City seeks to continue the reasonable regulation of rooming houses to promote the residential quality of life in such rooming houses and in their neighboring community. The City's current definition of rooming house includes the situation where a family is responding to a temporary crisis. This is inconsistent with the typical rooming house situation. While residents of rooming houses are less transient than hotels or motels, the residents of rooming houses are independent of each other.

Section 2. That the definition of Rooming and/or boarding house contained in Chapter 28, Section 28-5 of the code of Ordinances, City of Jackson, Michigan be amended to read as follows:

Rooming house means a building or dwelling, where for compensation or by prearrangement for definite periods of time, lodging or lodging and meals are provided for three (3) or more unrelated persons. A rooming house may provide kitchen facilities for the use of the residents. A single structure containing a combination of any number of apartments or sleeping rooms is a rooming house. A boarding house or lodging house is also a rooming house for the purposes of this chapter. However, a rooming or boarding house does not include a hotel, motel, or bed and breakfast establishment/tourist home.

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

OFFICE OF THE

Julius A. Giglio
City Attorney

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



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

CITY ATTORNEY

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Susan G. Murphy, Deputy City Attorney 

RE: Definition of Family

DATE: November 5, 2009

Attached is the proposed Ordinance amending the definition of family and functional equivalent of the domestic family that was postponed from the October 20, 2009 meeting.

We have added a provision to the definition that removes any doubt that handicapped persons, as defined by the Fair Housing Act, may seek a variance through the Zoning Board of Appeals for a reasonable accommodation.

This is on the November 10, 2009 City Council agenda for consideration of an Ordinance amending the definition of Family in Chapter 28 Code of Ordinances, City of Jackson, Michigan as contained in Section 28-5.

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

ORDINANCE 2009 - _____

An Ordinance amending the definition of Family in Chapter 28 Code of Ordinances, City of Jackson, Michigan as contained in Section 28-5.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Findings and Intent

The City seeks to reasonably regulate the number of persons who can live in a residential dwelling unit. Occupancy limits help to promote the quality of life of our neighborhoods by managing the population density; preserving residential neighborhoods as stable, quiet places for citizens to live and raise children; protecting the safety and welfare of our citizens; and maintaining property values.

The R-1 and R-2 zoning districts serving our single-family and two-family units are the core to preserving the traditional family environments. The remaining zoning districts provide a variety of residential options which are often found in multi-family housing complexes and are routinely more densely populated areas of our community. The 2000 Census found that the average Jackson household is 2.48 persons with the average family size of 3.12 persons. The 2000 Census also found that owner-occupied housing provided an average household size of 2.55 persons while non-owner occupied units average 2.38 persons.

Population density estimates are needed to ensure that proper city planning may be maintained throughout the community, including, without limitation, planning and maintenance of adequate public and private facilities such as off-street parking, sufficient utility services, and adequate lot size to accommodate the residents of each dwelling unit without impairing the character of the neighborhood.

The City finds there are a number of residential living arrangements other than the traditional domestic family. This section is intended to make provision for and accommodate the traditional domestic family as well as the alternative living arrangements, and to establish reasonable occupancy limits for all families in order to achieve the critical objective of maintaining relatively consistent and stable densities of population in the several planned areas of the City.

Because of the consistency and stability of average domestic family size over the years, the City finds that it is not necessary to regulate a maximum number of domestic family members who may occupy a home (i.e., it has been self-regulating), and to achieve equality among various living arrangement families, the average domestic family size can be used as a basis for general residential occupancy limitations for other types of family living arrangements, subject to exceptions and reasonable accommodations provided for in this ordinance.

It is the intent of the City to recognize and permit occupancy as required by law with regard to state licensed residential facilities.

Section 2. That the definition of Family contained in Chapter 28, Section 28-5, of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

Family means either of the following:

(1) A domestic family.

One (1) or more persons living together and related by the bonds of consanguinity, marriage or adoption, together with servants of the principal occupants and not more than one (1) additional unrelated persons, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in the dwelling.

(2) The functional equivalent of the domestic family.

A group of unrelated persons whose relationship is of a continuing, nontransient, domestic character, and who are cooking and living as a single, nonprofit housekeeping unit, provided the total number of occupants in such group does not exceed three (3) in the R-1 and R-2 districts and four (4) in all other districts. This definition does not include a rooming house, society, club, fraternity, sorority, association, lodge, coterier, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school or term or terms or other similar determinable period.

Unless occupancy by family members is of a long-term nature for therapeutic purposes required for handicapped persons, the term "nontransient" as used in this section shall require clear evidence of such character, such as a showing that at least one person in the functional family, on behalf of the family, is the record or equitable owner of the property or dwelling unit, or the primary tenant under a written lease having at least one year's duration.

The Zoning Board of Appeals may grant a variance from the occupancy limits specified in this section to the extent a reasonable accommodation is required to give handicapped persons, as defined in 42 USC 3602, equal opportunity to use and enjoy a dwelling.

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

OFFICE OF THE

Julius A. Giglio
City Attorney

Susan G. Murphy
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney



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

CITY ATTORNEY

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Susan G. Murphy, Deputy City Attorney 

RE: Unpaid Parking Ticket Fines

DATE: November 2, 2009

Staff has reviewed the Parking Plan and explored other ways to recover lost revenue from unpaid parking tickets. State law allows for delinquent parking ticket cases to be filed with the district court and for the impounding or immobilizing of vehicles owned by someone who has more than 6 unanswered tickets (unpaid fines).¹

The Parking Plan recommends that both of these methods be used to encourage the prompt payment of parking fines. To that end, we propose to impound or immobilize the vehicles of owners before resorting to action in district court. This will keep internal costs down, result in quicker recovery, and prevent additional costs for the owner of the vehicles by way of court costs.

While the City has adopted the Motor Vehicle Code, it only allows us to regulate the impounding or immobilizing of vehicles, but does not specifically set the regulation. Therefore, the proposed Ordinance will establish that regulation and also clarify the use of the district court process – without limiting us to any particular enforcement method.

This item is on your November 10th Agenda for consideration of an Ordinance amending Chapter 25, Code of Ordinances, City of Jackson, Michigan to add Section 25-31 that will authorize issuing citations to district court, impounding of vehicles, or immobilizing of vehicles where the owner of the vehicle has six or more unanswered parking tickets as recommended by the City Clerk, City Parking Manager, and Deputy City Attorney.

Should you have questions, please call us.

cc: Christopher W. Lewis, Interim City Manager
Julius A. Giglio, City Attorney
Lynn Fessel, City Clerk
Bob Dietz, City Parking Manager

¹ The state law calls them unanswered tickets because a citation may be challenged in district court until it is paid. Therefore, we will call them unanswered tickets, although we consider them unpaid fines.

ORDINANCE 2009 - _____

An Ordinance amending Chapter 25, Code of Ordinances, City of Jackson, Michigan to add Section 25-31 that will authorize issuing citations to district court, impounding of vehicles, or immobilizing of vehicles where the owner of the vehicle has six or more unanswered parking tickets.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

State law authorizes the City to regulate the impounding and immobilizing of vehicles whose owner has six or more unanswered parking tickets. State law also allows for the City to issue citations to the district court for similar violators. The City's Parking Plan provides for these methods but should be set forth in the City Ordinance as the methods for recovering the fines and costs for unanswered parking tickets.

Section 2. That Chapter 25, of the Code of Ordinances, City of Jackson, Michigan be added to read as follows:

25-31. Multiple Parking Violations

a. Issuance of citation

The City Clerk or Designee, through the City Attorney's office, may take district court action, under the Michigan Motor Vehicle Code, being MCL 257.321a (7)(b), or any amendment thereof, to bring a person who has six (6) or more unanswered parking tickets before the Jackson County District Court to enforce the payment of the parking ticket fines. The decision to proceed with a district court action does not limit the City's ability to use other methods to obtain payment of parking ticket fines.

b. Impoundment or Immobilization

The City Clerk or Designee may impound or immobilize any vehicle of an owner who has failed to answer 6 or more parking tickets consistent with the authority in MCL 267.606, or any amendment thereof. The vehicle may remain impounded or immobilized until the owner has paid the fines for all unanswered parking tickets or addressed the issues with the Jackson County District Court.

If the owner seeks to recover the vehicle while the parking tickets are being addressed by the Jackson County District Court, the owner must post a cash deposit in the total amount of the fines for the unanswered parking tickets plus any costs for the impounding/immobilizing or \$500, whichever is less. Upon the posting of the cash deposit, the vehicle must be released pending the conclusion of the district court action.

Impounding or immobilizing a vehicle does not limit the City's ability to use other methods to obtain payment of parking ticket fines.

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



City Clerk

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

November 2, 2009

TO: Honorable Mayor and City Councilmembers
FROM: Angela Arnold, Deputy City Clerk *Angela Arnold*
RE: Final Adoption of Ordinance No. 2009.14

Attached is Ordinance No. 2009.14, which amends Chapter 18, Section 18-185, City Code, clarifying that transporting, carrying, or possessing a dangerous weapon does not include firearms because state law exclusively regulates firearms for these purposes. This Ordinance was approved on October 20th.

Please place this item on the Council's November 10th agenda for final adoption.

Attachment

C: Christopher Lewis, Interim City Manager
Matthew Heins, Police Chief
Susan Murphy, Deputy City Attorney

ORDINANCE 2009 - 14

An Ordinance amending Chapter 18, Section 18-185 Code of Ordinances, City of Jackson, Michigan to clarify that transporting, carrying, or possessing a dangerous weapon does not include firearms because state law exclusively regulates firearms for these purposes.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Chapter 18, Section 18-185 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

18-185. Possession of weapons.

A dangerous weapon means a weapon, other than a firearm, such as a knife, razor, taser, self-defense spray, gas ejecting device, club, bludgeon, or other similar item.

It is unlawful to transport, carry, or possess a dangerous weapon in any vehicle or public place unless it is done under any of the following conditions:

- a. while transporting the encased item from the place of purchase to the home or place of business of the purchaser;
- b. while transporting the encased item to and from hunting/target practice;
- c. while the possessor is transporting the encased item between the possessor's home and place of business;
- d. while the possessor is within or upon the possessor's home, land, or place of business; or
- e. while the possessor does so under authority granted by a concealed weapons permit or other statutory exception.

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

Julius A. Giglio
City Attorney

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

OFFICE OF THE



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

CITY ATTORNEY

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Susan G. Murphy, Deputy City Attorney
RE: Possession of Dangerous Weapons
DATE: October 5, 2009

State law exclusively controls (preempts) the possession, carrying, and transporting of firearms. We recently noted that our ordinance failed to reflect this very important change in state law. The current ordinance provides:

Sec. 18-185. Possession of weapons.

No person shall transport, carry or have in his possession in any public place or vehicle any firearm, dirk, stiletto or other dangerous weapon except hunting knives adapted and carried as such. This section shall not apply where such transportation, carrying or possession:

- (1) Is under the authority of a valid concealed weapons permit.
- (2) Occurs within the home, place of business or upon the land of the person engaging in such transportation, carrying or possession.
- (3) Involves the transportation of an encased firearm for hunting or target practice purposes.
- (4) Involves the transportation of an encased firearm, dirk, stiletto or other dangerous weapon from the place of purchase to the home of the purchaser.

The attached proposed ordinance would remove firearms from this provision, but still keep the rule of law as it applies to other dangerous weapons. This item is placed on your October 20th agenda for consideration of an ordinance amending Section 18-185 to clarify that firearms are not regulated dangerous weapons under our local ordinance because of the state law preemption.

cc: Christopher W. Lewis, Interim City Manager
Julius A. Giglio, City Attorney
Matthew Heins, Chief of Police
Gilbert Carlson, Assistant City Attorney



Community Development

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

November 2, 2009

TO: Christopher Lewis, Interim City Manager
FROM: **Carol L. Konieczki, Community Development Director**
RE: Approval of Neighborhood Stabilization Program Construction Mortgage and Construction Mortgage Note for Individual NSP Rehabilitation Properties

Effective March 17, 2009, the City of Jackson entered into an agreement with the Michigan State Housing Development Authority (MSHDA) for Neighborhood Stabilization Program (NSP) funds. Per the NSP guidelines, the City of Jackson is required to execute a Construction Mortgage and Construction Mortgage Note with MSHDA rehabilitation project utilizing NSP funds. The City has received an initial award of \$280,000 to complete four rehabilitation projects on city-owned property. An additional \$636,000 to acquire and complete an estimated nine rehabilitation projects may be released at MSHDA's discretion at a future date. A construction mortgage and note will be recorded against each property to be discharged at the time the property is sold. Proceeds from the subsequent sale to an eligible homebuyer will satisfy the required MSHDA mortgage regardless if the sale proceeds are less than the mortgage note.

Attached are the NSP Construction Mortgage and NSP Construction Mortgage Note. They have been reviewed and approved by the City Attorney.

Requested action is for City council to:

- 1) Approve the NSP Construction Mortgage and NSP Construction Mortgage Note and authorize the City Attorney to make minor modifications if needed; and
- 2) Authorize the Mayor to execute the NSP Construction Mortgage and NSP Construction Mortgage Note as each property is rehabilitated on behalf of the City up to a total of \$916,000.

Please place this item for consideration on the November 10, 2009 City Council agenda.

Cc: Heather Soat, Financial Analyst

CLK:hls

**NEIGHBORHOOD STABILIZATION PROGRAM
CONSTRUCTION MORTGAGE**

THIS MORTGAGE, made and entered into this **1st, 2nd ...** day of **Month** , **Year** , by and between the **City of Jackson**, a Michigan Municipal Corporation, whose address is 161 W. Michigan Avenue, Jackson, MI 49201 (hereinafter referred to as the "Mortgagor"), initiated under Grant # **NSP-2008-0274-ENT**, Activity # _____ , and the **MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY**, a public body corporate and politic of the State of Michigan, 735 East Michigan Avenue, PO Box 30044, Lansing, MI 48909 (hereinafter referred to as the "Authority").

WITNESSETH:

WHEREAS, the Mortgagor, for itself, its successors and assigns, has acquired the property described in this Mortgage pursuant to the Authority's Neighborhood Stabilization Program (NSP) for the purpose of acquiring property and rehabilitating or constructing a single family home and assisting an eligible homebuyer; and

WHEREAS, the Mortgagor is justly indebted to the Authority in the principal sum of Amount Spelled Out (\$ Numeric Amount) Dollars, evidenced by its Note made Month Date, Year , (hereinafter referred to as the "Note"), which Note is identified as being secured hereby by a statement thereon. Said Note and all of its terms are incorporated herein by reference and this conveyance shall secure any and all extensions thereof, however evidenced.

NOW, THEREFORE, the said Mortgagor, for the better securing of the payment of such principal sum of money and the performance of the covenants and agreements herein contained, does by these presents, MORTGAGE AND WARRANT into the Authority, its successors or assigns, the lands, premises and property located in the City/Township of Jackson and in the County of Jackson and State of Michigan, described in the attached Exhibit A.

TOGETHER with the privileges and appurtenances to the same belonging and all of the rents, issues, and profits which may arise or be had there from.

TO HAVE AND TO HOLD the above-mortgaged premises, together with the appurtenances thereunto appertaining unto the said Authority forever, provided that if the Mortgagor shall pay the principal and all interest as provided in the Note executed by the Mortgagor to the Authority and shall pay all other sums hereinafter provided for, and shall well and truly keep and perform all of the covenants herein contained, then this Mortgage and the Note shall be null and void; otherwise to remain in full effect.

AND the Mortgagor hereby COVENANTS as follows:

1. The Mortgagor will pay the Note at the times and in the manner provided therein.
2. The Mortgagor will not permit or suffer the use of the property for which this mortgage is given for any purpose other than the principal place of residence for an eligible homebuyer under the Neighborhood Stabilization Program; nor will it permit or suffer alteration of or addition to any structure upon said property without the prior written consent of the Authority.
3. The Mortgagor will pay before the same becomes delinquent or subject to interest or penalties, all ground rents, taxes, assessments, water rates, and all other charges and encumbrances which now are or shall hereafter be or appear to be a lien upon the said premises or any part thereof (unless otherwise agreed to in writing), and that in default thereof, the Authority may, without demand or notice, pay the said taxes, assessments, charges or encumbrances, and pay such sum of money as the Authority may deem to be necessary therefor, and shall be the sole judge of the legality or validity thereof and of the amount necessary to be paid in satisfaction thereof.
4. The Mortgagor will keep the improvements now existing or hereafter erected on the mortgaged property insured against loss by fire and such other hazards, casualties, and contingencies as may be stipulated by the Authority, unless otherwise agreed to in writing.
5. The Mortgagor will not permit or commit any waste on said premises and will keep the buildings thereon and all equipment therein mortgaged, if any, in good repair, and promptly comply with all laws, ordinances, regulations, and requirements of any governmental body affecting the said mortgaged premises, and should said premises or any part thereof require inspection, repair, care, or attention of any kind or nature not provided by the Mortgagor, or by another party responsible therefor, the Authority, being hereby made sole judge of the necessity therefor, may, after notice to the Mortgagor, enter or cause entry to be made on said property, and inspect, repair, protect, care for or maintain said property as the Authority may deem necessary, and may pay such sum of money as the Authority may deem to be necessary therefor, and shall be the sole judge of the amount necessary to be paid.
6. Should any default be made in the covenants of this Mortgage, the Authority may cause the abstract or abstracts of title, or Title Insurance Policy and the tax histories of said premises to be certified to date, or may procure new abstracts of title or Title Insurance Policies and tax histories or title search in case none were furnished to the Authority, and may pay therefor such sums as it may deem to be necessary, and if unpaid, may pay the Mortgage tax on this instrument, and shall be the sole judge of the amount necessary to be paid therefor.

7. The Mortgagor shall pay the Authority forthwith the amounts of all sums of money which the Authority shall pay or expend pursuant to the provisions of the Note and this Mortgage, and such payments by the Authority shall be a further lien on the premises under this Mortgage.
8. Should any default be made in the payment of principal, or should default be made in the performance of any other covenants of this Mortgage or the Note secured hereby, or any part thereof, when the same is payable or the time of performance has arrived, as above provided, then all sums due hereunder shall, at the option of the Authority, without notice, become immediately payable thereafter, although the period above limited for the payment thereof may not have expired, anything herein contained or contained in the Note to the contrary notwithstanding, and any failure to exercise such option shall not constitute a waiver of the right to exercise the same at any other time with respect to the same default or any subsequent default.
9. No forbearances on the part of the Authority and no extension of the time for the payment of the debt hereby secured, given by the Authority, shall operate to release, discharge, modify, change or affect the original liability of the Mortgagor herein either in whole or in part.
10. Upon default being made in the payment of the sums of money herein agreed to be paid or in the performance of any of the covenants or agreements herein contained according to the terms hereof or of the Note secured hereby the Authority is hereby authorized and empowered to sell or cause to be sold the property hereby mortgaged, and to convey the same to the purchaser, pursuant to the statute in such case made and provided, and out of the proceeds of such sale to retain the monies due under the terms of this Mortgage, the costs and charges of such sale and also the attorney's fee provided by statute, rendering the surplus monies (if any there should be) to the said Mortgagor.
11. The NSP Grant Agreement executed by the Mortgagor as of March 17, 2009 is incorporated by reference herein and made a part hereof the same as if said instrument was set forth in its entirety herein, and a default under any of the provisions contained therein shall be deemed a default under the terms of this Mortgage.
12. Mortgagor agrees that in the event it sells or otherwise transfers ownership of the property, it will enter into such agreements with the purchaser or transferee as may be prescribed by the Authority which have the effect of causing such purchaser or transferee to be bound by the occupancy and use restrictions of the Neighborhood Stabilization Program.
13. The covenants herein contained shall bind, and the benefits and advantages shall inure to, the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Mortgagor has caused these presents to be signed as of the day and year first above written.

The City of Jackson
Mortgagor

By: Jerry F. Ludwig
Its: Mayor

STATE OF MICHIGAN)
 :
COUNTY OF _____)

On this _____ day of _____, _____, before me appeared Jerry F. Ludwig, to me personally known, who, being by my duly sworn, did say that he/she is the Mayor of Jackson, a Michigan Municipal Corporation, and that the foregoing instrument was signed and sealed on behalf of said corporation and that she/he acknowledged said instrument to be the free act and deed of said Corporation.

Notary Public, _____ County, MI
Acting in the County of _____
My Commission Expires: _____

**DRAFTED BY AND
WHEN RECORDED RETURN TO:**
Willard G. Moseng
Michigan State Housing Development Authority
Office of Community Development
735 East Michigan Avenue, P.O. Box 30044
Lansing, MI 48909

**EXHIBIT A
LEGAL DESCRIPTION**

Legal Description, e.g. Lot 1 of Block 1 of Smith's Addition to the City of Anytown, Alpena County, as recorded in Liber 1 Page of Plats.

Commonly known as:

Property Address, e.g. 101 Main Street, Anytown, Michigan 49999

**NEIGHBORHOOD STABILIZATION PROGRAM
CONSTRUCTION MORTGAGE NOTE**

FOR VALUE RECEIVED, this **1st, 2nd ...** of **Month** , **Year** by the **City of Jackson** (herein called the "Mortgagor"), initiated under Grant # NSP-2008-0274-ENT, Activity # _____ , promises to pay the **MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY**, whose address is 735 East Michigan Avenue, PO Box 30044, Lansing, Michigan 48909, a public body corporate and politic of the State of Michigan (herein called the "Authority"), or order, the principal sum of Amount Spelled Out (\$ Numeric Amount) Dollars, bearing no interest.

Upon the sale, or resale, of the property for which this mortgage is given to a qualified homebuyer under the Authority's Neighborhood Stabilization Program (NSP), the Mortgagor shall pay to the Authority an amount equal to the lesser of the principal amount outstanding or the net proceeds of the sale, and such sums shall be accepted as payment in full of this Note. In the event the Mortgagor sells or transfers any interest in the property to a non-qualified household, the Mortgagor shall pay an amount equal to the principal amount or the outstanding balance on the Note which ever is less. The net proceeds of a sale, or resale, shall mean the sales price of the property minus Authority approved closing costs and any repayment(s) of a senior loan or loans.

The undersigned shall have the right to prepay the principal amount outstanding in whole or in part. Any partial prepayment shall be applied against the principal amount outstanding and shall not extend or postpone the due date of any subsequent payments unless the holder hereof shall otherwise agree in writing.

Principal alone shall be payable at the Finance Division, Michigan State Housing Development Authority, 735 East Michigan Avenue, PO Box 30044, Lansing, Michigan 48909, or such other place as an Authorized Officer of the Authority or holder of this Note may designate in writing.

In the event of default in the payment of this Mortgage Note, and if the same is collected by an attorney at law, the undersigned hereby agree(s) to pay all cost of collection, including a reasonable attorney's fee.

All parties to this Mortgage Note, whether principal, surety, guarantor or endorser, hereby waive presentment for payment, demand, protest, notice of protest and notice of dishonor and consent to any number of renewals or extensions of the time of payment thereof. Any such renewals or extensions may be made without notice to any of said parties and without affecting their liability.

This Note shall be the joint and several obligation of all makers, sureties, guarantors and endorsers, and shall be binding upon them and their heirs, personal representatives, successors, and assigns.

Any notice to Mortgagor provided for in this Note shall be given by mailing such notice by regular or certified mail addressed to Mortgagor at the Property Address stated below, or to such other address as Mortgagor may designate by notice to the Note holder. Any notice to the Note holder shall be given by mailing such notice by certified mail, return receipt requested, to the Note holder at the address stated in the first paragraph of this Note, or at such other address as may have been designated by notice to Mortgagor.

This is the Mortgage Note described in and secured by a Note of even date in the same principal amount as herein stated.

Signed as of the **1st, 2nd ...** day of **Month** , **Year** .

The City of Jackson
Mortgagor

By: _____
Jerry F. Ludwig
Its: Mayor

Activity Address:
Activity Address
Activity City, State, Zip



Department of Community Development

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

To: Christopher W. Lewis, Interim City Manager

DATE: November 6, 2009

FROM: Carol L. Konieczki, Community Development Director

SUBJECT: 1015 S. Francis St. - Neighborhood Resource Center (NRC) lease amendments for Elnora Moorman Center, Jackson County Branch NAACP and Helping All People Excel (HAPE)

The City owned property at 1015 S. Francis Street is occupied by three agencies; Elnora Moorman Center, Jackson County Branch NAACP, and Helping All People Excel (HAPE). In previous years, this site operated as a Neighborhood Resource Center and was funded with CDBG funds. In conducting regular site monitoring visits, Community Development staff discovered there was a lack of adequate programming, which is required to make the facility eligible to operate with CDBG funds. At the May 12, 2009 City Council meeting, no CDBG funds were allocated to extend the operation of the facility for FY 2009/2010. Due to the lack of funding and the short notice for the tenants to vacate the premises, no action was taken to give notice to the tenants to vacate within a specified time period. The tenants were permitted to stay in the facility until an alternate location could be identified or a new lease could be negotiated. Since the beginning of the fiscal year (July 1), we have been working with the tenants to find a new location, but none has been acceptable; therefore, we have been in negotiation with all three tenants to amend the existing lease. The amended leases will permit all three tenants to each pay \$1.00 a year rent for their portion of the facility, but will require them to pay all maintenance and utilities of the facility. Accordingly, because of the condition of the facility, if any one (1) repair exceeds \$500.00, the tenants will be required to vacate the premises. The lease has been drafted as a week-to-week lease due to the need to vacate the premise within seven (7) days if the repair should violate health or safety codes. A monthly lease would not permit immediate vacation of the premises in a timely manner.

The tenants wish to retain the right to renegotiate the lease prior to expiration June 30, 2010, because they intend to apply for CDBG funds for FY 2010-2011.

Requested action is to approve the lease amendments for the Elnora Moorman Center, NAACP, and Helping All People Excel, authorizing the City Attorney to make minor modifications if needed, and authorize the Mayor and City Clerk to sign this amendment on behalf of the City.

cc: Julius Giglio
Heather Soat
Michelle Pultz

LEASE AMENDMENT

This Lease Amendment ("Amendment") is made on _____, 2009, between the City of Jackson, a Michigan municipal corporation ("Lessor") and Helping All People Excel, Inc., a Michigan not-for-profit corporation registered to do business in the State of Michigan ("Lessee").

Recitals

By a lease executed by the parties dated August 28, 2004 ("Lease"), Lessor leased to Lessee a portion of certain property located in the City of Jackson described as follows: Rooms 1 and 6 at 1015 Francis Street, Jackson, Michigan ("Premises").

Funds were obtained by Lessor for the maintenance and operation of the Premises from the United States Department of Housing and Urban Development ("HUD").

Lessor has informed Lessee it may no longer use HUD funds for the maintenance and operation of the Premises. Lessee is willing to use its funds for the maintenance and operation of the Premises as hereinafter provided. Lessee wishes to continue at the Premises until June 30, 2010, unless Lessor otherwise terminates Lessee's tenancy sooner as hereinafter provided.

In order to promote the above-described objectives, Lessor and Lessee seek to amend the Lease.

Consequently, in consideration of the Premises, and for other valuable consideration received, the parties agree as follows:

1. Incorporation Of Recitals.

The recitations set forth above constitute an integral part of the Amendment and are incorporated here by this reference with the same effect as if set forth here as agreements of the parties.

2. Term.

Subject to the provisions of the Lease, Lessor leases to Lessee and Lessee leases from Lessor the Premises on a week to week tenancy commencing on the execution date of the Amendment.

3. Operation Of The Premises.

(a) The operation and management of the Premises by Lessee are subject to review and approval by Lessor.

(b) Paragraph 2 of the Lease shall be modified as follows: Lessee shall be responsible for all utilities, upkeep, maintenance, repairs at the Property and its Premises at Lessee's sole expense. As used herein, "utilities" shall mean water, sewer, gas and electric service. As used herein, "maintenance" shall include, but not be limited to, snow removal, lawn maintenance, pest control, janitorial supplies and services. Provided, however, Lessee shall be responsible for one-third contribution for maintenance and utility costs at the Property. Lessee shall make arrangements with the other tenants at the Property to pay its one-third share for utilities. Further provided, the Lessor shall accept "one time" responsibility for repair to the Property that does not exceed \$500.00 (including all labor and materials for said repairs.) As used herein, "Property" shall be the structure located at 1015 Francis Street, Jackson, Michigan.

(c) Paragraphs 4 and 16 of the Lease shall be modified as follows: Anything in the Lease to the contrary notwithstanding, either party may terminate this Lease at any time by providing the other party with a seven (7) day notice of termination. Unless terminated sooner pursuant to this subsection, Lessee must vacate the Premises by June 30, 2010. Provided, however, sixty days prior to the expiration of the Lease, the parties may enter into negotiations for an extension of the Lease.

4. Amendment Provisions.

The parties agree that the provisions of the Amendment shall supersede all provisions of the Lease, where applicable. If any provision of the Amendment conflicts with any provision of the Lease, the provision contained in the Amendment shall govern.

5. Notices.

Any notice called for here shall be in writing and delivered by registered or certified mail, return receipt requested, or hand delivered and receipted, as follows:

If to Lessor: Community Development Department, 161 West Michigan Avenue, Jackson, Michigan 49201

With a copy to: City Attorney's Office, 161 West Michigan Avenue, Jackson, Michigan 49201

If to Lessee: Helping All People Excel, Inc., 1015 Francis Street, Jackson, Michigan 49203

Notices are deemed to have been received by the parties three days after mailing. The parties, by notice given here, may designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

6. Headings.

The headings of the various paragraphs of the Lease have been inserted for convenient reference only and shall not in any manner be construed as modifying, amending or affecting in any way the express terms and provisions here.

7. Severability.

If any provision of the Lease, or any paragraph, sentence, clause, phrase, or word, or the application thereof, is held invalid, the remainder of the Lease shall be construed as if such invalid part were never included here and the Lease shall remain valid and enforceable to the fullest extent permitted by law.

In Witness, the parties have set their hands and seals on the date first written.

The parties have entered unto this agreement as of the date appearing above.

CITY OF JACKSON, a
Michigan municipal corporation

By _____
Jerry F. Ludwig, Mayor

By _____
Lynn Fessel, City Clerk

HELPING ALL PEOPLE EXCEL,
a Michigan non-profit corporation

By _____

Its: _____

Approved as to substance:

Approved as to form:

Christopher Lewis
Interim City Manager

Julius A. Giglio
City Attorney

LEASE AMENDMENT

This Lease Amendment ("Amendment") is made on _____, 2009, between the City of Jackson, a Michigan municipal corporation ("Lessor") and Elnora V. Moorman Community Help Center, a Michigan not-for-profit corporation registered to do business in the State of Michigan ("Lessee").

Recitals

By a lease executed by the parties dated January 21, 2009 ("Lease"), Lessor leased to Lessee a portion of certain property located in the City of Jackson described as follows: Rooms 3 and 4 at 1015 Francis Street, Jackson, Michigan ("Premises").

Funds were obtained by Lessor for the maintenance and operation of the Premises from the United States Department of Housing and Urban Development ("HUD").

Lessor has informed Lessee it may no longer use HUD funds for the maintenance and operation of the Premises. Lessee is willing to use its funds for the maintenance and operation of the Premises as hereinafter provided. Lessee wishes to continue at the Premises until June 30, 2010, unless Lessor otherwise terminates Lessee's tenancy sooner as hereinafter provided.

In order to promote the above-described objectives, Lessor and Lessee seek to amend the Lease.

Consequently, in consideration of the Premises, and for other valuable consideration received, the parties agree as follows:

1. Incorporation Of Recitals.

The recitations set forth above constitute an integral part of the Amendment and are incorporated here by this reference with the same effect as if set forth here as agreements of the parties.

2. Term.

Subject to the provisions of the Lease, Lessor leases to Lessee and Lessee leases from Lessor the Premises on a week to week tenancy commencing on the execution date of the Amendment.

3. Operation Of The Premises.

(a) The operation and management of the Premises by Lessee are subject to review and approval by Lessor.

(b) Paragraph 2 of the Lease shall be modified as follows: Lessee shall put all utilities for the Property in its name. Lessee shall be responsible for all utilities, upkeep, maintenance, repairs at the Property and its Premises at Lessee's sole expense. As used herein, "utilities" shall mean water, sewer, gas and electric service. As used herein, "maintenance" shall include, but not be limited to, snow removal, lawn maintenance, pest control, janitorial supplies and services. Provided, however, Lessee may seek contributions for property maintenance and utility costs from other tenants in the Property. Further provided, the Lessor shall accept "one time" responsibility for repair to the Property that does not exceed \$500.00 (including all labor and materials for said repairs.) As used herein, "Property" shall be the structure located at 1015 Francis Street, Jackson, Michigan.

(c) Paragraph 16 of the Lease shall be modified as follows: Anything contained in the Lease to the contrary notwithstanding, either party may terminate this Lease at any time by providing the other party with a seven (7) day notice of termination. Unless terminated sooner pursuant to this subsection, Lessee must vacate the Premises by June 30, 2010. Provided, however, sixty days prior to the expiration of the Lease, the parties may enter into negotiations for an extension of the Lease.

4. Amendment Provisions.

The parties agree that the provisions of the Amendment shall supersede all provisions of the Lease, where applicable. If any provision of the Amendment conflicts with any provision of the Lease, the provision contained in the Amendment shall govern.

5. Notices.

Any notice called for here shall be in writing and delivered by registered or certified mail, return receipt requested, or hand delivered and receipted, as follows:

If to Lessor: Community Development Department, 161 West Michigan Avenue, Jackson, Michigan 49201

With a copy to: City Attorney's Office, 161 West Michigan Avenue, Jackson, Michigan 49201

If to Lessee: Elnora V. Moorman Community Help Center, 1015 Francis Street, Jackson, Michigan 49203

Notices are deemed to have been received by the parties three days after mailing. The parties, by notice given here, may designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

6. Headings.

The headings of the various paragraphs of the Lease have been inserted for convenient reference only and shall not in any manner be construed as modifying, amending or affecting in any way the express terms and provisions here.

7. Severability.

If any provision of the Lease, or any paragraph, sentence, clause, phrase, or word, or the application thereof, is held invalid, the remainder of the Lease shall be construed as if such invalid part were never included here and the Lease shall remain valid and enforceable to the fullest extent permitted by law.

In Witness, the parties have set their hands and seals on the date first written.

The parties have entered unto this agreement as of the date appearing above.

CITY OF JACKSON, a
Michigan municipal corporation

By _____
Jerry F. Ludwig, Mayor

By _____
Lynn Fessel, City Clerk

ELNORA V. MOORMAN
COMMUNITY HELP CENTER,
a Michigan non-profit corporation

By _____
Its: _____

Approved as to substance:

Approved as to form:

Christopher Lewis
Interim City Manager

Julius A. Giglio
City Attorney

LEASE AMENDMENT

This Lease Amendment ("Amendment") is made on _____, 2009, between the City of Jackson, a Michigan municipal corporation ("Lessor") and Jackson County National Association for the Advancement of Colored People (NAACP), a Michigan not-for-profit corporation registered to do business in the State of Michigan ("Lessee").

Recitals

By a lease executed by the parties dated June 15, 2007 ("Lease"), Lessor leased to Lessee a portion of certain property located in the City of Jackson described as follows: Rooms 1 and 6 at 1015 Francis Street, Jackson, Michigan ("Premises").

Funds were obtained by Lessor for the maintenance and operation of the Premises from the United States Department of Housing and Urban Development ("HUD").

Lessor has informed Lessee it may no longer use HUD funds for the maintenance and operation of the Premises. Lessee is willing to use its funds for the maintenance and operation of the Premises as hereinafter provided. Lessee wishes to continue at the Premises until June 30, 2010, unless Lessor otherwise terminates Lessee's tenancy sooner as hereinafter provided.

In order to promote the above-described objectives, Lessor and Lessee seek to amend the Lease.

Consequently, in consideration of the Premises, and for other valuable consideration received, the parties agree as follows:

1. Incorporation Of Recitals.

The recitations set forth above constitute an integral part of the Amendment and are incorporated here by this reference with the same effect as if set forth here as agreements of the parties.

2. Term.

Subject to the provisions of the Lease, Lessor leases to Lessee and Lessee leases from Lessor the Premises on a week-to-week tenancy commencing on the execution date of the Amendment.

3. Operation Of The Premises.

(a) The operation and management of the Premises by Lessee are subject to review and approval by Lessor.

(b) Paragraph 2 of the Lease shall be modified as follows: Lessee shall be responsible for all utilities, upkeep, maintenance, repairs at the Property and its Premises at Lessee's sole expense. As used herein, "utilities" shall mean water, sewer, gas and electric service. As used herein, "maintenance" shall include, but not be limited to, snow removal, lawn maintenance, pest control, janitorial supplies and services. Provided, however, Lessee shall be responsible for one-third contribution for maintenance and utility costs at the Property. Lessee shall make arrangements with the other tenants at the Property to pay its one-third share for utilities. Further provided, the Lessor shall accept "one time" responsibility for repair to the Property that does not exceed \$500.00 (including all labor and materials for said repairs.) As used herein, "Property" shall be the structure located at 1015 Francis Street, Jackson, Michigan.

(c) Paragraphs 4 and 22 of the Lease shall be modified as follows: Anything contained in the Lease to the contrary notwithstanding, either party may terminate this Lease at any time by providing the other party with a seven (7) day notice of termination. Unless terminated sooner pursuant to this subsection, Lessee must vacate the Premises by June 30, 2010. Provided, however, sixty days prior to the expiration of the Lease, the parties may enter into negotiations for an extension of the Lease.

4. Amendment Provisions.

The parties agree that the provisions of the Amendment shall supersede all provisions of the Lease, where applicable. If any provision of the Amendment conflicts with any provision of the Lease, the provision contained in the Amendment shall govern.

5. Notices.

Any notice called for here shall be in writing and delivered by registered or certified mail, return receipt requested, or hand delivered and receipted, as follows:

If to Lessor: Community Development Department, 161 West Michigan Avenue, Jackson, Michigan 49201

With a copy to: City Attorney's Office, 161 West Michigan Avenue, Jackson, Michigan 49201

If to Lessee: Jackson County NAACP, 1015 Francis Street, Jackson, Michigan 49203

Notices are deemed to have been received by the parties three days after mailing. The parties, by notice given here, may designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

6. Headings.

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In Witness, the parties have set their hands and seals on the date first written.

The parties have entered unto this agreement as of the date appearing above.

CITY OF JACKSON, a
Michigan municipal corporation

By _____
Jerry F. Ludwig, Mayor

By _____
Lynn Fessel, City Clerk

JACKSON COUNTY NAACP
a Michigan non-profit corporation

By _____
Its: _____

Approved as to substance:

Approved as to form:

Christopher Lewis
Interim City Manager

Julius A. Giglio
City Attorney



Water Department

515 Water Street - Jackson, MI 49203
Telephone: (517) 788-4090 — Facsimile: (517) 788-4691

November 5, 2009

TO: Christopher Lewis, Interim City Manager

FROM: Paul Vermaaten, Interim Director, Water Department *P. V.*

RE: Replacement vehicle for Water Distribution

The Water Department requests approval to purchase (1) one vehicle for Water Distribution.

We would like to purchase a 2010 Ford F450 truck. We will purchase the truck from Gorno Ford in Woodhaven, Michigan for a cost of \$29,195.00. We are purchasing the truck via the State of Michigan MI DEAL (Michigan Delivery Extended Agreements Locally).

When we receive the truck from Gorno Ford, we will need to have a dump body put on it. We plan to have Automotive Service Company of Jackson, Michigan put on the dump body for \$7,493.00.

The total cost of the truck will be \$36,688.00. The truck will replace a 1995 (vehicle #150) truck. We will give the 1995 truck to the Water Treatment Plant for them to use primarily in the plant and well fields. The Water Treatment Plant has an old truck that we plan to sell in the city auction.

Funds to cover these expenses are budgeted and available in the Water Department's 2009/2010 budget.

CC: Lynn Fessel
Lucy Schultz



Community Development

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

November 2, 2009

TO: Christopher Lewis, Interim City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: Request for Authorization to Exceed Community Development Block Grant (CDBG) Rehabilitation Loan Limit – 404 S. Grinnell St.

The current limit for a rehabilitation loan funded by CDBG funds is \$20,000.00, plus loan closing costs. Staff recently encountered a project in which the total cost of repairs exceeds this limit. When the project was originally bid the total cost was in excess of \$30,000.00. The owner borrowed other funds and completed the following repairs outside of the CDBG Rehabilitation program: new roof, chimney repair, new garage door, new living room ceiling, new updated water heater with plumbing and a new basement wall to replace one that had collapsed.

In the time since the homeowner completed the above work, the city inspector revised the work specifications to bring the home up to city code and re-bid the project. The revised low bid is \$21,885.00. The owner has expended the other borrowed funds and has no additional funding sources to cover the overage of \$1,885.00. This case has been ongoing for two and one-half years and is currently in the Administrative Hearing Bureau process. The homeowner has requested City Council approve increasing the loan the limit for this project to \$21,885.00 plus closing costs.

Please place this item for consideration on the November 10, 2009 City Council agenda.

CLK:kve

Cc: Dennis Diffenderfer, Rehabilitation Coordinator
Heather Soat, Financial Analyst
Kim VanEvery, Financial Assistant



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

DATE: November 3, 2009
TO: Christopher W. Lewis, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
RE: Request to Purchase Asphalt Paving Machines

The Department of Public Works is in need of two (2) asphalt patching machines. Bids were opened in the Purchasing Department on October 15, 2009. Three (3) bids were received as follows per machine:

Falcon Road Maintenance Equipment Midland, MI	\$15,000 each for a total of \$30,000
Bell Equipment Company Lake Orion, MI	\$20,600 each for a total of \$41,200
KM International North Branch, MI	\$20,669 each for a total of \$41,338

In concurrence with the Purchasing Agent, the Department of Public Works requests that two asphalt patching machines be purchased from Falcon Road Maintenance Equipment, Midland, MI for the low bid of \$15,000 each, for a total of \$30,000. This project will be paid from the Motor Pool and Garage Fund. With your concurrence, I request that this award be submitted for City Council approval and the Mayor and City Clerk be authorized to sign the contract.

If you have any questions, please do not hesitate to contact me.

JD:tjs

Internal Office Memorandum

City of Jackson

Fifth Ward Councilmember Andrew R. Frounfelker

125 East Michigan Avenue, Post Office Box 111, Jackson, MI 49204-0111; 517-783-2011, arfrounfelker@yahoo.com

TO: Honorable Mayor and Councilmembers

FROM: A.R. Frounfelker, Councilmember

DATE: November 4, 2009

SUBJ: Reorganization of Rules & Personnel Committee

CC: Christopher Lewis, City Manager
Sharon Hasen, Administration
Lynn Fessel, City Clerk & Rules and Personnel Staff

In an effort to continuously improve upon the operation of the city and this council, I am proposing with support from Councilmember Breeding the following changes to the structure of the Rules and Personnel Committee. These changes will bring our organization's operation more in line with other cities, counties, nonprofits and private business. The proposed changes are:

- 1) Change the name of the committee from "Rules and Personnel" to "Personnel and Finance"
- 2) Utilize this revised committee to handle (a) personnel issues for city employees, appointed officials and elected officials and (b) to have this committee serve as the designated committee to address at a committee level the city's finances
- 3) This committee will continue to meet at the call of the committee chair
- 4) Committee will still be staffed by an employee of the city, which currently is Clerk Lynn Fessel and will remain so by determination of the committee membership.
- 5) Membership will still consist of three members of the city council but will also increase to include the Personnel Director and the Finance Director who will serve in a non-voting capacity
- 6) This change will take place on December 1, 2009

Please place this item onto the November 10, 2009 city council agenda for consideration.



Community Development

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

November 3, 2009

****Informational Memo****

TO: Christopher Lewis, Interim City Manager
FROM: Carol L. Konieczki, Community Development Director
RE: Status of Community Development Block Grant – Recovery (CDBG-R) Funds

On May 26, 2009, City Council approved and authorized submission to HUD a Substantial Amendment to the Consolidated Plan 2008 Action Plan allocating \$366,000 in Community Development Block Grant – Recovery (CDBG-R) funds to Engineering to reconstruct Wesley Street between Blackstone and Jackson, and to mill and resurface State Street between Pearl and Ganson. HUD approved the Substantial Amendment without requiring revision and Mayor Ludwig entered the Funding Approval/Agreement with HUD on behalf of the City of Jackson on October 13, 2009.

A total of \$371,955 in CDBG-R funds was received by the City as an entitlement community under the American Reinvestment and Recovery Act of 2009 (ARRA). By allocating funds to infrastructure projects, the City met the primary intent of CDBG-R funds, which also included economic development or housing activities that would quickly spur further economic investment, increased energy efficiency, and job creation or retention. Engineering has conducted eligible pre-award activities by bidding and awarding a survey contract, and having the appropriate surveys completed. During the winter months, Engineering will be conducting design and specification development and plans to have the projects completed by the end of the 2010 construction season. Up to 60 jobs are anticipated to be created or retained due to the City's CDBG-R investment.

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

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