

# Proposed Agenda

December 11, 2008

Honorable Mayor and  
Members of the City Council  
City of Jackson

Dear Mayor and City Councilmembers:

The next regular meeting of the City Council will be held on Tuesday, December 16, 2008, at 7:00 p.m. in the City Council Chambers. The following items will appear on Tuesday's agenda.

1. Call to Order.
2. Pledge of Allegiance – Invocation by Daniel P. Greer, 3rd Ward City Councilmember.
3. Roll Call.
4. Adoption of Agenda.
5. **Presentations/Proclamations.**
  - A. Presentation by the Honorable Michael J. Klaeren, District Judge, the Honorable R. Darryl Mazur, District Judge, 12<sup>th</sup> Judicial District Court, and the Honorable Chad Schmucker, Circuit Court Judge, Jackson County, Michigan, regarding specialty courts and the Mental Health Court.
  - B. Presentation by Robert Cole, Chairman of the Parking Advisory Committee, regarding proposed changes to the Meterless Parking District Budget Assessment.
6. **Citizen Comments. (3-Minute Limit)**
7. **Consent Calendar.**
  - A. Approval of the minutes of the regular City Council meeting of November 18, 2008, and the Special City Council meeting of December 2, 2008.
  - B. Approval of the request from St. John's United Church of Christ to conduct the Eve on the Ave - Partnership Park 5K Run/Walk on city streets, Wednesday, December 31, 2008, beginning at 9:45 p.m. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Works Departments, and the Downtown Development Authority. Proper insurance coverage received.)
  - C. Approval of the following street closure requests from the Downtown Development Authority regarding the Eve on the Ave celebration on Wednesday, December 31, 2008, and Thursday, January 1, 2009:
    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 and Public Services Departments.)
  - D. Approval of the contract between the City and Night Magic, Inc., in the amount of \$5,000.00, for the December 31, 2008, Eve on the Ave fireworks display, authorization for the Mayor and City Clerk to execute the contract and fireworks permit, and authorization for staff to make minor modifications to the contract, in accordance with the recommendation of the Deputy City Attorney.
  - E. Approval of Traffic Control Order (TCO) Nos. 1990 and 1991 for changes in lane assignments related to the High Street reconstruction project, in accordance with the

- recommendation of the City Engineer.
- F. Approval of Traffic Control Order (TCO) No. 1992 reviewing the request of possibly limiting parking near the Aeroquip Credit Union on the south side of Plymouth Street from 100 feet west of State Street to State Street and from State Street to 100 feet west of Waterloo Avenue to allow customer parking, in accordance with the recommendation of the City Engineer.
  - G. Approval of Final Change Order No. 1 to the contract with Concord Excavating and Grading, Inc., in the increased amount of \$12,331.53, for the Center Street Water Main, Sanitary Sewer, and Pavement project, and authorization for the City Manager, Director of Public Services, and City Engineer to execute the appropriate document(s), in accordance with the recommendation of the City Engineer.
  - H. Approval of payment of the Region 2 Planning Commission invoice, in the amount of \$10,481.04 for planning services for the month of November 2008, in accordance with the recommendation of the City Manager.
  - I. Receipt with regret the resignation of Sean Campbell from the Jackson Transportation Authority.
  - J. Receipt of the City of Jackson's summary of revenue and expenditures for four (4) months ended, October 31, 2008.
  - K. Receipt of Dangerous Building Report through November 30, 2008.
  - L. Receipt of Community Development Department CDBG Financial Report through October 31, 2008.
  - M. Establishment of January 20, 2009, at the City Council meeting as the time and place to hold a public hearing of necessity for the 2008-2009 Meterless Parking System.
  - N. Establishment of January 6, 2009, at the City Council meeting as the time and place to hold a public hearing for the consideration of a Brownfield Plan for 228 W. Michigan Avenue (Hayes Commons Development, LLC), as recommended by the Jackson Brownfield Redevelopment Authority (JBRA), and the Community Development Director.

8. **Committee Reports.**

9. **Appointments.**

- A. Approval of the Mayor's recommendation to reappoint Carlene M. Lefere and Charles H. Aymond to the Administrative Hearings Bureau for a two-year term each beginning January 1, 2009, and ending December 31, 2010.
- B. Approval of the Mayor's recommendation to reappoint Jeannette Woodard to the Building Code Board of Appeals for a three-year term beginning January 1, 2009, and ending December 31, 2011.
- C. Approval of the Mayor's recommendation to appoint Katherine J. Klaus and John Henegar to the Civil Service Commission filling current vacancies beginning immediately and ending August 31, 2010.
- D. Approval of the Mayor's recommendation to appoint Patrick Colligan to the City Planning Commission for a three-year term beginning January 1, 2009, and ending December 31, 2011, and to reappoint Jeanne Kubish and John Guidinger to the City Planning Commission for a three-year term each beginning January 1, 2009, and ending December 31, 2011.
- E. Approval of the Mayor's recommendation to reappoint Victor Cuiss to the Downtown Development Authority for a four-year term beginning January 1, 2009, and ending December 31, 2012.
- F. Approval of the Mayor's recommendation to reappoint Jeannette Woodard to the Historic District Commission for a three-year term beginning January 1, 2009, and ending December 31, 2011.
- G. Approval of the Mayor's recommendation in concurrence with the Human Relations Commission recommendation to appoint Joe W. Smith, Jr., to the Human Relations Commission for a three-year term beginning January 1, 2009, and ending December 31, 2011.

- H. Approval of the Mayor's recommendation to appoint Katherine J. Klaus to the Local Officer's Compensation Commission filling a current vacancy beginning immediately and ending February 28, 2014.
  - I. Approval of the Mayor's recommendation to appoint John Henegar and Gary Minix to the Telecommunications Advisory Board filling current vacancies beginning immediately and ending December 31, 2009.
  - J. Approval of the Mayor's recommendation to reappoint Karen T. Dunigan and Elaine Crawford to the Zoning Board of Appeals for a three-year term each beginning January 1, 2009, and ending December 31, 2011.
10. **Public Hearings.**
- A. Public hearing to consider a request from Right Direction, LLC (The Car Company), to rezone property located at 616 N. Wisner Street from one and two-family residential (R-2) to general commercial (C-4). (City Planning Commission recommends approval.)
    - 1. Consideration of an ordinance amending Chapter 28, Section 28.183, City Code, rezoning the property located at 616 N. Wisner Street from R-2 to C-4.
11. **Resolutions.**
- A. Consideration of a resolution establishing City Council meeting dates for 2009.
  - B. Consideration of a resolution approving the use of the Receiving Boards at elections held in the City on May 5, August 4, and November 3, 2009.
  - C. Consideration of a resolution from the Liquor Control Commission regarding the request to transfer ownership of 2008 Class C licensed business with dance permit, located in escrow at 310 S. Mechanic, Jackson, from Patrick J. McDonald, Jr. to Mancino's of Jackson, Inc., and transfer location to 1196 N. West Avenue, Jackson with a new request for official permit (food).
  - D. Consideration of a resolution amending the 2008-2009 budget to reflect receipt of the Drive Michigan Safely Task Force grant, in the amount of \$11,429.00.
  - E. Consideration of a resolution suspending enforcement of Ordinances that would prohibit the possession and use of fire arms within the City as it applies to employees and agents of Aaron's Nuisance Animal Control during said deer harvest within Ella Sharp Park during the months of January and February 2009.
    - 1. Authorization for the City Manager to close Ella Sharp Park and designated streets on an as-needed basis during the dates and times the Deer Harvest occurs within the park.
  - F. Consideration of a resolution to approve a Michigan Department of Transportation (MDOT) Performance Resolution related to the annual permit for trunkline right-of-way, authorization for the City Clerk to execute the resolution and authorization for the City Engineer (Street Administrator) to execute the permit, in accordance with the recommendation of the City Engineer.
  - G. Consideration of resolution amending the 2008-2009 (Year 34) Community Development Block Grant (CDBG) budget, in the amount of \$100,000.00, for the City Emergency Hazard Repair Program, in accordance with the recommendation of the Community Development Director.
12. **Ordinances.**
- A. Final reading of Ordinance No. 2008.13 amending Chapter 24, Article III, City Code, providing Blair Park 2005 Limited Dividend Housing Association LLC, be granted Tax Exempt status subject to a Payment In Lieu of Taxes (PILOT).
13. **Other Business.**
14. **New Business.**
- A. Consideration of the request to approve the utilization of the Oakland County Purchasing Contract with Advanced Wireless, Wixom, for a total purchase price of \$110,292.00, for the purchase of 22 Panasonic ToughBook Mobile Data Computers (MDC's), in accordance with

- the recommendation of the Chief of Police.
- B. Consideration of the request to approve Change Order No. 1 to the contract with Paul E. Bengal Company, in the amount of \$45,476.21, bringing the total contract amount to \$1,855,476.21, for Power House Piping Improvements, in accordance with the recommendation of the Director of Sewage Treatment and Facilities.
  - C. Consideration of the request to approve an eight (8) month extension agreement with Broadspire Services, Inc., for third party administrator of workers compensation cases in the amount of \$14,373.00, in accordance with the recommendation of the Director of Personnel & Labor Relations.
  - D. Consideration of the request to increase the Community Development Block Grant (CDBG) Emergency Hazard Loan Income limits.
  - E. Consideration of the request to approve a deviation from the current Community Development Block Grant (CDBG) guidelines authorizing the City Manager to approve Emergency Hazard projects exceeding the \$10,000.00 limit up to a maximum of \$15,000.00 until the complete update to the rehabilitation guidelines is final.
  - F. Consideration of the request to approve Amendment #4 to the contract with Hamilton Anderson Associates in the amount of \$163,721.00, for the Grand River Artswalk, and authorization for the City Manager and City Engineer to execute the appropriate document(s).
15. **City Councilmembers' Comments.**
16. **City Manager's Comments.**
17. **Executive Session to discuss a legal opinion.**  
A. Consideration of a PILOT for Armory Arts Phase 2.
18. **Adjournment.**

Respectfully submitted,



William R. Ross  
City Manager

*Copy to City Council*

# ARCHITONICS

Robert F. Cole, Architect

18 November 2008

Re: Parking Advisory Committee

Mr. William Ross  
City Manager  
City of Jackson  
161 W. Michigan Ave.  
Jackson, MI 49201

Dear Mr. Ross:

Enclosed you will find two copies of a Report to the City Council from the Parking Advisory Committee. We would like to have the Report placed on the Council Agenda for presentation and discussion.

If appropriate, we would welcome a short study session with the council to present and answer questions.

Other items the Committee is working on and will report on at a later date include parking protocol (rolling parking) and a downtown information brochure.

Please advise as to when Report will be placed on the Council agenda. Call with any questions.

Very truly yours,



Robert F. Cole

## REPORT TO JACKSON CITY COUNCIL FROM THE PARKING ADVISORY COMMITTEE

DATE: 17 NOVEMBER 2008

Below is a report of the Parking Advisory Committee (P.A.C.) containing recommended changes to the Meterless Parking District Budget Assessment process for your consideration. These recommendations are the outgrowth of several meetings with the Engineering Department, Assessors office and Mid-Town Merchants Association. I will be at the next Council Meeting to discuss this report and answer questions.

Committee recommendations include:

1. In our meeting with the Mid-Town Merchants Association we learned there was confusion related to the budget process and assessment. The P.A.C. was able to answer their questions and clarify the process.

Recommendation: Refer future budgets to the P.A.C. for review, presenting to the Mid-Town Merchants Association and reporting our comments to the Council. This should occur prior to the Council's public hearing for the assessment.

2. The current structure of the Meterless Parking District Budget tends to be confusing and leads to misalignment of budget and expenses.

Recommendation: We recommend that below listed changes be made to the budget process. Attached, for your reference is the current format and a draft for proposed changes.

- a. Expenses - Personnel: These expenses, with the exception of Temporary Wages which cover staff costs for enforcement, covers snow removal and other seasonal maintenance work. Due to variation in snowfall these expenses vary from year to year. This could be resolved if these items were budgeted based on a five year average and the funds budgeted for lean snowfall years carry over to cover heavier snowfall years. This acknowledge adjust actual cost for five years be adjusted for inflation. The average cost for the past four years is \$52,240.00. The 08/09 budget for personnel items is \$80,643.00. The budget has traditionally been based on a heavy snowfall year resulting in a higher than needed assessment.
- b. Contract Snow Removal, line item #937 should be included in "Personnel" portion of the Budget and factored in the budget based on a five year average.

- c. The Material and Supply portion of the budget includes the purchase of salt for snow and ice control for the District Parking Lots. Salt purchased should be included in "Personnel" portion of the budget and averaged over five years.
- d. Over the past years, excess funds have been placed in a "Working Capital" fund. This fund, we have been advised, is being reserved for reconstruction and major repairs to the District Lots. The Committee and Mid-Town Merchants Association members concurred with building a fund for this purpose. Their concern is how the fund has been used. This past year, \$103,441.20 was spent on purchase (Lot #8) and reconstruction (Lot #7). These items should have been paid for out of the Working Capital fund.

The Committee has reviewed with Engineering as to projected reconstruction and major repair to the lots in the Meterless District. Over the next 34 years this work will amount to \$1,000,000.00 in today's dollars. By funding this account line item at the rate of \$21,000.00 per year will provide funds to repair and maintain the lots.

- e. Business and Property Owners have expressed concern over the charging overhead expenses for City Hall, DPW and Engineering to the Meterless Parking District Budget. Their position is that they pay property taxes and income taxes as do other City residents for the operation of the City Government. They are not pleased with being charged twice.

3. Currently, assessment of property to operate the Meterless Parking District is based on six categories;

<u>Classification</u>	<u>Factor</u>
a. Retail	0.65
b. Restaurant	0.50
c. Business and Service	0.75
d. Occasional use Banquet	0.083
e. Churches	0.17
f. Theatre	0.3

There are businesses that incorporate activities that include a combination of retail, restaurant, service and banquet use. Business owners are requesting that assessments be based on space allocated to actual use.

END OF REPORT

Submitted by:

Robert F. Cole - Chair  
 William Holda - Vice Chair  
 Donna Blake - Secretary  
 James Shotwell

RECOMMENDED RESTRUCTURING OF BUDGET

EXPENSES

Seasonal Maintenance:

ACCT#	ITEM	4 YR. ACTUAL	CURRENT BUDGET 08/09
706	Salaries	\$27,271.00	\$41,083.00
707	Temp. Wages	17,070.00	20,020.00
709	Overtime	1,630.00	3,000.00
715-725	Benefits	8,895.00	16,540.00
937	Contra. Snow Rem.	1,716.00	-
943	Eq. Rent Motor Pool	7,036.00	10,300.00
782	Materials	<u>2,687.00</u>	<u>3,090.00</u>
	Sub Total	\$66,305.00	\$94,033.00
		^ = \$27,728.00	

Supplies:

740	Oper. Supplies	\$ 1,168.00	\$ 3,090.00
741	Uniforms	<u>427.00</u>	<u>1,000.00</u>
	Sub Total	\$ 1,595.00	\$ 4,090.00
		^ = \$2,495.00	

Other Expenses:

808	Audit Fee	\$ 111.00	\$ 103.00
920	Utilities	3,937.00	5,600.00
936	Minor Repairs	91.00	10,000.00
956	Contingencies	-0-	1,000.00
962	Uncol. Accounts	-0-	1,000.00
965	Gen. Adm. Overhead	18,801.00	20,000.00
966	DPW Overhead	2,230.00	15,300.00
967	Eng. Overhead	<u>9,236.00</u>	<u>11,985.00</u>
	Sub Total	\$34,406.00	\$64,988.00
		^ = \$30,582.00	

Total      \$102,306.00      \$163,111.00

^ = \$60,805.00

Funding Reconstruction Working Capital      <\$21,000.00>  
 Budget Over Actual      \$39,805.00

07/08 BUDGET, 07/08 ACTUAL AND 08/09 BUDGET

	<u>ACCT#</u>	<u>ITEM</u>	<u>07/08 BUDGET</u>	<u>07/08 ACTUAL</u>	<u>08/09 BUDGET</u>
<u>Income</u>	652	Parking Fines	\$ 39,000.00	\$ 42,420.00	\$ 40,000.00
	653	Parking Permits	29,577.00	30,527.50	30,625.00
(1)	664	Interest on Wkg. Cap	13,000.00	16,823.50 (2)	10,000.00
	699.101	Contrab. Gen Fund	20,588.00	20,051.44	20,588.00
	699.599	“ Pkg DeckFund	25,000.00	-0-	25,000.00
	699.895	“ Sp. Assess.Fund	66,063.00	66,063.44	66,063.00
	694.661	Motor Pool Ref.	148.00	147.50	-0-
Total			\$193,376.00	\$176,033.38	\$192,276.00
		Pkg.DeckFund <25,000.00>			
			\$168,376.00		
<u>Expenses</u>					
(A)Personnel	706	Salaries	\$ 38,000.00	\$ 31,919.40	\$ 41,083.00
(3)	707	Temp Wages	17,000.00	15,857.48	20,020.00
	709	Overtime	5,000.00	2,850.17	3,000.00
	715-725	Benefits	13,381.00	11,007.05	16,540.00
		Sub Total	\$ 73,381.00	\$ 61,633.70	\$ 80,643.00
Mat & Sup.	740	Oper Supplies	\$ 3,000.00	\$ 1,666.00	\$ 3,090.00
	744	Uniforms	600.00	419.15	1,000.00
	782	Materials	2,000.00	2,540.62	3,090.00
		Sub Total	\$ 5,600.00	\$ 4,625.77	\$ 7,180.00
Contra &					
Other	808	Audit	\$ 100.00	\$ 100.00	\$ 103.00
(B) (4)	818	Contract	65,000.00	61,217.20	1,540.00
	920	Utilities	5,100.00	3,185.61	5,600.00
	936	Pavement Repairs	5,000.00	-0-	10,000.00
(A)	937	Contr Snow Rem.	-0-	6,863.79	—
(D) (5)	941	Bond Pmt.Lot #8	42,224.00	42,224.00	43,492.00
	943	Equ Rent Motor Pool	10,300.00	11,080.23	10,300.00
	956.001	Contingencies	-0-	-0-	1,000.00
	960	Education	500.00	308.06	500.00
	962	Uncol Acct.	-0-	-0-	1,000.00
(6)	965.101	Gen Admin Overhead	19,540.00	31,400.00	20,000.00
(7)	966.000	DPW Overhead	11,781.00	3,314.04	15,300.00
(8)	967	Eng. Overhead	\$ 10,500.00	12,714.50	11,985.00
			\$170,045.00	\$172,407.43	\$120,820.00
		Contr Exp	<65,000.00>	<61,217.20>	
			\$105,045.00	\$111,190.23	

## **JACKSON CITY COUNCIL MEETING**

### **MINUTES**

**NOVEMBER 18, 2008**

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

The Jackson City Council met in regular session in City Hall and was called to order at 7:02 p.m. by Mayor Jerry F. Ludwig.

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

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

#### **ROLL CALL.**

Present: Mayor Jerry F. Ludwig and Councilmembers Carl L. Breeding, Daniel P. Greer, Kenneth E. Gaiser, Andrew R. Frounfelker and John R. Polaczyk—6. Absent with excuse: Councilmember Robert B. Howe—1.

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

#### **AGENDA.**

Motion was made by Councilmember Breeding and seconded by Councilmember Gaiser to delete Item 12. A. (Consideration of an ordinance amending Chapter 24, Article III, City Code, providing Blair Park 2005 Limited Dividend Housing Association LLC, be granted Tax Exempt status subject to a Payment in Lieu of Taxes PILOT.) from the agenda. The motion FAILED adoption by the following vote. Yeas: Councilmembers Breeding and Gaiser—2. Nays: Mayor Ludwig and Councilmembers Greer, Frounfelker and Polaczyk—4. Absent: Councilmember Howe—1.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to adopt the agenda. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding--1. Absent: Councilmember Howe—1.

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

- A. PRESENTATION BY JON DOWLING, CITY ENGINEER, AND STEVE DUKE, REGION 2 TRANSPORTATION PLANNER, REGARDING FEDERAL AID PROJECTS.**

Region 2 Transportation Planner Steve Duke provided background on federal aid project procedures, explaining the role of the Jackson Area Comprehensive Transportation Study Committee. Their goal is to maintain and improve the transportation network for the citizens of Jackson County. The objective each year is to complete projects using all state and federal funds available to the Jackson area.

City Engineer Jon Dowling listed federal aid projects for the remaining portion of the FY 2008-2011 Transportation Improvement Plan and explained the process for putting together the funding for these projects. He asked Council if they wished to continue spending as they have been on major and local streets or is there to be a shift with more spending going to local streets.

Motion was made by Mayor Ludwig and seconded by Councilmember Greer to continue on the present course with all federal and/or state assisted projects and to direct staff to re-focus on streets with what monies are left over and to develop different strategies as far as the paving/repair of local streets. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: Councilmember Howe—1.

### **CITIZEN COMMENTS.**

Jeffrey Supowit, American Community Developers, spoke in support of the Ordinance providing a PILOT for the Blair Park 2005 Limited Dividend Housing Association.

Ric Walton, Chairman of The Enterprise Group, encouraged the City Council to support funding for the Enterprise Group.

Ronnie Coleman, Consumers Energy, also encouraged the City Council to support funding for the Enterprise Group. He also discussed two scheduled power outages in the downtown area, distributing a listing of addresses that will be affected.

Karen Dunigan, 1808 Broadcrest, asked the Council to fill the position of zoning officer to help the Zoning Board of Appeals/Sign Ordinance Board do its job. She also spoke in support of funding for the Enterprise Group.

Scott TenBrink, 225 N. Jackson; Kenny and Betty Price, 416 Bates, and Chris Gorton, 634 N. Mechanic, all spoke in support of the Grand River ArtWalk project.

Verla Custer, 814 Second, addressed the Council explaining the many services of the organization Love in the Name of Christ (Love, Inc.).

Thomas Ratchford, 615 N. East, urged the City to develop a program that teaches safety to bicyclists, walkers, skateboarders and drivers.

Kathleen Conley, 714 Elmwood, spoke in support of appointment and reappointments to the Human Relations Commission.

Randy Baker, 184 Cannes, and Margaret and Mark Riggle, 634 N. Mechanic, requested better lighting and smoother pavement on Mechanic Street north of Ganson.

### **CONSENT CALENDAR.**

Councilmember Frounfelker requested Item J be removed for separate consideration. Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to approve the following Consent Calendar, with Item J removed for separate consideration. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: Councilmember Howe—1.

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of October 21, 2008.
- B. Approval of the request from the Kiwanis Club of Jackson to hold their 90<sup>th</sup> annual newspaper sale on City streets on Friday, December 12, 2008.
- C. Approval of the request from the Downtown Jackson Christmas Parade Committee to hold the Christmas Parade on Friday, November 21, 2008, 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.)
- D. Approval of the request to extend support for the funding of the City Employee Christmas Luncheon, in accordance with the recommendation of the Purchasing Agent.
- E. Approval of the lease agreement between the City and Jackson Affordable Housing Corporation (JAHC) for a one-year period, with two one-year renewals, commencing on December 1, 2008, through November 30, 2009, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the City Attorney and the Purchasing Agent.
- F. Approval of the low bid award to Wonsey Tree Services, Inc., Alma, at their lump sum bid price of \$18,790.00 for the CDBG Ash Tree Removal Project, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the Superintendent of Cemeteries, Forestry, and Parks.
- G. Approval of payment of the Region 2 Planning Commission invoice, in the amount of \$7,827.55, for planning services for the month of October 2008, in accordance with the recommendation of the City Manager.
- H. Approval of Final Change Order No. 1 to the contract with Utility Services Authority, LLC, in the decreased amount of \$1,031.60, for the Michigan Avenue Sewer Rehabilitation (2008) project, and authorization for the City Manager and City Engineer to execute the appropriate document(s), in accordance with the recommendation of the City Engineer.
- I. Referral of an application to the City Planning Commission from Orthopaedic Rehab Specialists, PC to rezone property located at 206 and 216 Page Avenue from R-4 to C-2.
- J. *Removed for separate consideration.*
- K. Receipt of the Community Development Block Grant (CDBG) financial report through September 2008.

- L. Establishment of Community Development public hearings and approval of the timetable for the 2008-2009 Community Development Block Grant (CDBG) and HOME application process.

**CONSENT CALENDAR ITEM J.**

*Receipt of the Dangerous Building Report through October 31, 2008.*

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

**COMMITTEE REPORTS.**

None.

**APPOINTMENTS.**

- A. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT RYAN DOLL TO FILL A VACANCY ON THE CITY PLANNING COMMISSION BEGINNING IMMEDIATELY AND ENDING DECEMBER 31, 2010.**

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

- B. APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT PAUL A. MCWALTERS TO THE BUILDING CODE BOARD OF APPEALS FILLING A CURRENT VACANCY BEGINNING IMMEDIATELY, AND ENDING OCTOBER 13, 2011.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the recommendation. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding--1. Absent: Councilmember Howe—1.

- C. APPROVAL OF THE MAYOR'S RECOMMENDATIONS TO APPOINT PASHIA MALLETT TO THE HUMAN RELATIONS COMMISSION FILLING A CURRENT VACANCY BEGINNING IMMEDIATELY AND ENDING DECEMBER 31, 2009, AND TO REAPPOINT ALICE J. LEWIS AND KATHLEEN M. CONLEY TO THE HUMAN RELATIONS COMMISSION FOR A THREE-YEAR TERM EACH BEGINNING JANUARY 1, 2009, AND ENDING DECEMBER 31, 2011.**

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

**PUBLIC HEARINGS.**

None.

### **RESOLUTIONS.**

- A. CONSIDERATION OF A RESOLUTION REGARDING THE REQUEST FROM THE JACKSON NONPROFIT SUPPORT CENTER, THAT THEY BE RECOGNIZED AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE GAMING LICENSES.**

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

- B. CONSIDERATION OF A RESOLUTION REGARDING THE REQUEST FROM JACKSON SCHOOL OF THE ARTS, THAT THEY BE RECOGNIZED AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE GAMING LICENSES.**

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

- C. CONSIDERATION OF A RESOLUTION AMENDING THE 2008-2009 DRUG LAW ENFORCEMENT BUDGET REFLECTING THE RECEIPT OF THE 2008-2009 JNET CONSPIRACY CONTINUATION PROJECT GRANT, IN THE AMOUNT OF \$24,428.00 AND A LOCAL MATCH OF \$24,428.00.**

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

### **ORDINANCES.**

- A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III, CITY CODE, PROVIDING BLAIR PARK 2005 LIMITED DIVIDEND HOUSING ASSOCIATION LLC, BE GRANTED TAX EXEMPT STATUS SUBJECT TO A PAYMENT IN LIEU OF TAXES (PILOT).**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to approve the ordinance and place it on the next regular City Council meeting agenda for adoption. The motion FAILED adoption by the following vote. Yeas: Councilmembers Greer and Polaczyk—2. Nays: Mayor Ludwig and Councilmembers Breeding, Gaiser and Frounfelker—4. Absent: Councilmember Howe—1.

### **OTHER BUSINESS.**

None.

**NEW BUSINESS.**

- A. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO FITZGIBBONS FLEET FABRICATORS, IN THE AMOUNT OF \$24,525.00, FOR MODIFICATIONS TO A RECENTLY PURCHASED 2009 INTERNATIONAL TRUCK, IN ACCORDANCE WITH THE RECOMMENDATION OF THE DIRECTOR OF PUBLIC SERVICES.**

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

- B. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO TRI-COUNTY INTERNATIONAL TRUCKS, IN THE AMOUNT OF \$64,539.96, FOR THE PURCHASE OF A 2009 INTERNATIONAL 5-YARD CAB AND CHASSIS TRUCK, IN ACCORDANCE WITH THE RECOMMENDATION OF THE DIRECTOR OF PUBLIC SERVICES.**

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

- C. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO AT-A-MOMENTS-NOTICE, IN THE AMOUNT OF \$33,655.00, FOR THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT LOCATED AT 1705 FIRST STREET, IN ACCORDANCE WITH THE RECOMMENDATION OF THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

- D. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO HARRISON BUILDERS, LLC, IN THE AMOUNT OF \$31,495.00, FOR THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT LOCATED AT 1012 THIRD STREET, IN ACCORDANCE WITH THE RECOMMENDATION OF THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

- E. CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO AT-A-MOMENTS-NOTICE, IN THE AMOUNT OF \$21,265.00, FOR THE OWNER-OCCUPIED COMMUNITY DEVELOPMENT REHABILITATION PROJECT**

**LOCATED AT 210 N. GORHAM, IN ACCORDANCE WITH THE RECOMMENDATION OF THE COMMUNITY DEVELOPMENT DIRECTOR.**

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

**F. CONSIDERATION OF THE REQUEST TO APPROVE THE PROPOSED AMENDMENT, ARTICLE XVII, TO THE LOCAL DEVELOPMENT FINANCING AUTHORITY (LDFA) BYLAWS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE JBRA BOARD AND THE COMMUNITY DEVELOPMENT DIRECTOR.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the request. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding--1. Absent: Councilmember Howe—1.

**G. CONSIDERATION OF THE REQUEST TO APPROVE THE PROPOSED AMENDMENT, ARTICLE XVII, TO THE JACKSON BROWNFIELD REDEVELOPMENT FINANCING AUTHORITY (JBRA) BYLAWS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE JBRA BOARD AND THE COMMUNITY DEVELOPMENT DIRECTOR.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to approve the request. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding--1. Absent: Councilmember Howe—1.

**H. CONSIDERATION OF AN APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR A PHASE 2 STUDY REGARDING THE PROPOSED INTERMODAL TRANSPORTATION CENTER.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Polaczyk to grant permission to the City Manager to forward a letter to MDOT requesting \$50,000 to complete the study on the reuse of the train station. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: 0. Absent: Councilmember Howe—1.

**I. CONSIDERATION OF FUNDING TO THE ENTERPRISE GROUP FOR ECONOMIC DEVELOPMENT IN THE CITY OF JACKSON.**

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to approve the funding to the Enterprise Group.

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to amend the motion that the initial payment of \$50,000 be divided between the utility funds and if and when the next \$50,000 is going to be paid, give Council a better explanation of where the funds are coming from before they are paid. The amendment was adopted by the

following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding—1. Absent: Councilmember Howe—1.

The main motion, as amended, was voted on and adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Gaiser, Frounfelker and Polaczyk—5. Nays: Councilmember Breeding—1. Absent: Councilmember Howe—1.

**J. CONSIDERATION OF THE REQUEST TO WAIVE THE CITY PURCHASING RULES FOR THE DISPOSAL OF SURPLUS PROPERTY.**

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

**K. CONSIDERATION OF THE REQUEST TO WAIVE THE REQUIREMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REHABILITATION LOAN FOR PROPERTY LOCATED AT 940 CHITTOCK.**

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

**CITY COUNCILMEMBERS' COMMENTS.**

Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to approve an ordinance and place it on the next regular City Council meeting agenda for adoption, approving a PILOT under the terms presented in the application, with the exception that the term be for fifteen years, for Blair Park 2005 Limited Dividend Housing Association LLC. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Greer, Frounfelker and Polaczyk—4. Nays: Councilmembers Breeding and Gaiser—2. Absent: Councilmember Howe—1.

Councilmember Greer requested an update on the Grand River ArtWalk, asking if the City was going to let this “go away,” which he is not in favor of. The City Manager stated they will not let this “go away” and explained the new route they are working on. He also remarked that he submitted a request six weeks ago for streetlighting on Mechanic Street and asked when installation might occur.

Councilmember Gaiser inquired if the City has a bicycle safety program. Police Chief Heins responded they do not have a specific program, but safety issues are addressed by school officers and by the Police Department when bicycles are brought in for licensing. He also noted he was encouraged by the two memos from the City Manager on zoning language for “alternative family” and perhaps we can make some changes to our Zoning Ordinance.

Councilmember Polaczyk wished everyone a happy, healthy and safe Thanksgiving holiday.

**CITY MANAGER'S COMMENTS.**

Mr. Ross announced that he has been working with a local businessperson who is interested in the Incubator and may even want to purchase the building.

**ADJOURNMENT.**

No further business being presented, a motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 9:17 p.m.

Lynn Fessel  
City Clerk

**JACKSON CITY COUNCIL  
SPECIAL MEETING MINUTES  
DECEMBER 2, 2008**

**CALL TO ORDER.**

The Jackson City Council met in special session in City Hall and was called to order at 6:01 p.m. by Mayor Jerry F. Ludwig.

**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.**

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

**EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS.**

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

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

**CONSIDERATION OF THE REQUEST TO RATIFY THE POLC NON-SUPERVISORY UNIT LABOR AGREEMENT**

Motion was made by Councilmember Polaczyk 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.

**ADJOURNMENT.**

No further business being presented, a motion was made by Councilmember Greer and seconded by Councilmember Gaiser to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 6:14 p.m.

Lynn Fessel  
City Clerk



City Clerk

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

December 10, 2008

**TO:** William R. Ross, City Manager  
**FROM:** Angela Arnold, Deputy City Clerk *Angela Arnold*  
**RE:** EVE ON THE AVE – PARTNERSHIP RUN/WALK

St. John's United Church of Christ in conjunction with the Partnership Park is requesting approval of their request to hold the Eve on the Ave – Partnership Park 5K Run/Walk, with police assistance on December 31, 2008, beginning at 9:45 p.m.

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

Please place this request on the Council December 16<sup>th</sup> consent calendar for their consideration.

Thank you.

Attachment

CITY OF JACKSON  
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 11/20/08 Time: 9 AM 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: ST. JOHN'S UNITED CHURCH OF CHRIST

Organization Address: 801 S. Mechanic St. JACKSON, MI 49203

Organization Agent: JAY CUMMINGS Title: Minister

Phone: Work 517-784-7580 Home 517-782-2787 During event 517-392-0209

Agent's Address: 109 East Biddle St, JACKSON, MI 49203

Agent's E-Mail Address: unitedchurch@hotmail.com

Event Name: Eve on The Ave - Partnership Park 5K Run/Walk

Please give a brief description of the proposed special event: A 5K (3.1 mile) Run/Walk in

conjunction with "Eve on The Ave" with Downtown Development

Authority. Starts and finishes at St. John's United Church at 10:00 pm

Event Day(s) & Date(s): Dec. 31, 2008 Event Time(s): 10:00 - 11:00 P.M.

Set-Up Date & Time: Dec. 31, 2008, 9:45 Tear-Down Date & Time: Dec 31, 2008, 11:00 P.M.

Event Location: 801 S. Mechanic St., Downtown Jackson - map attached

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

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: Dec 31, 9:45 through Date/ Time: Dec 31, 11:00 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 \_\_\_\_\_

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? 75-100

**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.)  
Police assistance for traffic control @ the corner of Mechanic + Washington

**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:  
will provide insurance certificate

**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.

11/19/08  
Date

[Signature]  
Signature of Sponsoring Organization's Agent

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

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

Event Title:           Eve on the Ave – Partnership Run/Walk – December 31, 2008          

**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>  <b>YES</b>  </u> NO	Est. Economic Impact: \$ <u>  300.00  </u>
Fire Dept.: <u>  L. Bosell  </u>	Recommend Approval: <u>  <b>YES</b>  </u> NO	Est. Economic Impact: \$ <u>  -0-  </u>
Traffic Eng.: <u>  R. Dietz  </u>	Recommend Approval: <u>  <b>YES</b>  </u> NO	Est. Economic Impact: \$ <u>  -0-  </u>
Public Serv. Dept.: <u>  G. Chinavare  </u>	Recommend Approval: <u>  <b>YES</b>  </u> 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>  M. Way  </u>	Recommend Approval: <u>  <b>YES</b>  </u> NO	Est. Economic Impact: \$ <u>  -0-  </u>

Have businesses been notified for street closures?: YES NO

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

Any special requirements/conditions:

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

Insurance/Indemnification Received:   12/10/2008   Insurance Approved:   12/10/2008  

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



City Clerk

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

December 9, 2008

**TO:** William R. Ross, City Manager  
**FROM:** Angela Arnold, Deputy City Clerk *Angela Arnold*  
**RE:** DOWNTOWN DEVELOPMENT AUTHORITY - EVE ON THE AVE

The Downtown Development Authority is requesting the following street closures to hold the Eve on the Ave celebration on Wednesday, December 31, 2008 and Thursday, January 1, 2009:

Michigan Avenue from Jackson Street to Mechanic Street from 11:00 p.m. to 12:30 a.m.  
Michigan Avenue from Louis Glick Hwy. to Mechanic Street from 11:30 p.m. until 1:30 a.m.  
Francis Street from Cortland to Michigan Avenue from 11:30 p.m. until 1:30 a.m.

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

Please place this request on the Council December 16<sup>th</sup> consent calendar for their consideration.

Thank you.

Attachment



CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By Clerk's Office: 11/20/08 Time: 11:30 By: A Aenard

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: Jill Yehl Title: Downtown Projects Manager

Phone: Work 768-6410 Home During event

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

Agent's E-Mail Address: jyehl@cityofjackson.org robin.kirkpatrick@AllegianceHealth.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): Wednes. Monday, December 31st & Thurs. Tuesday, 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? 8

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

STREET CLOSURES: Start Date/ Time: Wednes. Monday, December 31st 11 pm through Date/ Time: Thurs. Tuesday, 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.

11-19-08

Date

Robin Kirkpatrick

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



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

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



**Monday, December 31st 11:30 pm until**  
**Tuesday, January 1st 1:30 am**  
**Tuesday, January 1st 1:30 am**  
 Fireworks Site

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

**Planned Entertainment: DJ 11 pm-12:30 am**

**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           -           December 31, 2008/January 1, 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>  750.00  </u>
Fire Dept.: <u>  L. Bosell  </u>	Recommend Approval: <u>  YES  </u> NO	Est. Economic Impact: \$ <u>  -0-  </u>
Traffic Eng.: <u>  R. Dietz  </u>	Recommend Approval: <u>  YES  </u> NO	Est. Economic Impact: \$ <u>  316.09  </u>
Public Serv. Dept.: <u>  G. Chinavare  </u>	Recommend Approval: <u>  YES  </u> NO	Est. Economic Impact: \$ <u>  1,000.00  </u>
Parks/Forestry: <u>  N/A  </u>	Recommend Approval: YES NO	Est. Economic Impact: \$ <u>  -0-  </u>
DDA: <u>  M. Way  </u>	Recommend Approval: <u>  YES  </u> NO	Est. Economic Impact: \$ <u>  -0-  </u>

Have businesses been notified for street closures?: YES NO

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

Any special requirements/conditions:

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

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

**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:** Mayor and City Councilmembers  
**FROM:** Susan G. Murphy, Deputy City Attorney  
**RE:** Eve on the Ave 2008  
**DATE:** December 8, 2008

---

Attached is the contract for Eve on the Ave. This year's contract is for \$5,000.00. As with last year, this contract provides a signature line for the DDA, who pays this contractual amount out of the DDA budget.

This item should be placed on the December 16, 2008 agenda for City Council action to approve the contract with Night Magic, Inc., authorize the Mayor and City Clerk to execute the contract with Night Magic, Inc. and the permit, and to authorize staff to make minor modifications to the contract (if necessary).

**cc:** Downtown Development Authority  
Julius A. Giglio, City Attorney  
William R. Ross, City Manager

# NIGHT MAGIC, INC.

Corporate Office 800-998-3900  
P.O. Box 294 Kingsbury, IN 46345

Fax 574-272-6042

## AGREEMENT

The City of Jackson, Michigan and the Jackson Downtown Development Authority (DDA) (collectively Buyers) and Night Magic, Inc., (Seller) by the respective authorized agents enter this Agreement and agree as follows:

### 1. SALE OF GOODS:

- a. The Seller sells to the Buyers certain Fireworks Display(s) in accordance with the program (Bid or Proposal) attached hereto and incorporated herein. The Display will be given on the evening of **December 31, 2008 and continuing into January 1, 2009**, weather permitting.
- b. The City of Jackson Fire Chief, Larry Bosell and Roger Bonney of Night Magic, Inc. are authorized to cancel the Fireworks Display due to inclement weather, it being understood that should inclement weather prevent the giving of any Display on the date mentioned herein, it would be given at 6:00 p.m. on January 1, 2009.
- c. The City of Jackson Fire Chief, Larry Bosell and Roger Bonney of Night Magic, Inc. may also agree to cancel the Fireworks Display due to other unsafe conditions, including but no limited to equipment problems.
- d. If prevented on January 1, 2009, it will be given on January 3, 2009. If the Display is prevented on January 3, 2009, it will be given on the next agreed upon date in 2009 (June 28, July 3, July 4, July 5, and December 31, 2009 are excluded dates). The City of Jackson may choose to cancel this Agreement if the Display is not shot on December 31, 2008 or January 1, 2009. The cost due to Night Magic, Inc. for cancellation is \$2,500.00 unless such cancellation is due to equipment problems.

### 2. PURCHASE PRICE and PAYMENT: The DDA will pay Seller the purchase price of **\$5,000.00** for the display on behalf of the Buyers. Payment will be made as follows:

- a. **\$2,500.00** to be paid 10 days after display is shot. A finance charge of one and one half percent per month will be assessed on all accounts overdue.
- b. The Buyers shall retain the balance of \$2,500.00 from the total amount of \$5,000.00 as "retained amount". Buyers may use the retained amount for incidental medical expenses incurred for first aid administered to others at the time of any accident or bodily injury, which arises out of, or results from the Fireworks Display shoot. The Buyers may hold said retained amount for up to 45 days after the Fireworks Display shoot. Buyer has the sole discretion as to incidental medical expenses that will be satisfied from the retained amount. This provision is neither intended to limit nor reduce the liability of Seller, in any way whatsoever, for any accident or injury that may occur as a result of the Fireworks Display shoot, nor is the provision intended to reduce or limit the insurance coverage that Seller is providing for the Fireworks Display shoot.

### 3. WARRANTIES: The Seller warrants that the Displays and their contents are in conformity with the specifications set forth in the Bid or Proposal. No other representations or warranties have been made by the Seller or relied upon by the Buyers. This warranty is expressly in lieu of any and all warranties expressed or implied.

### 4. SAFETY PROTECTION::

- a. The Buyers will provide the following:
  - i. Sufficient area for the Displays in accordance with the N.F.P.A. code of distances.
  - ii. Adequate police protection to prevent spectators from entering the Display Area.
  - iii. Protection of the Display Area by roping off or similar facility.
  - iv. Fire Department personnel at Display subject to call for fire or other emergencies. In the event of fire or emergency, Fire Department personnel may be dispatched to the site of the emergency.
- b. The Seller will provide the following::
  - i. Personnel to conduct inspection of fallout area, at the conclusion of the event and the next morning after daylight, for unexploded shells or live components before public are allowed access.
  - ii. Personnel to secure any unfired electrically or manually ignited shells.

5. **PERSONNEL:** Seller will furnish Pyrotechnicians for the Fireworks Display. This includes labor for setup, firing, and tearing down of Display. Pyrotechnicians will be at least 21 years old and have at least 5 prior Display experiences. Any assistants will be at least 18 years old.
6. **INSURANCE:** Seller shall purchase insurance for the benefit of Seller and Buyers in the amount of \$5,000,000.00 for each Display. Such insurance shall cover property damages and personal injury, including death, resulting from any aspect of this Agreement. Seller shall list the City of Jackson and the City of Jackson Downtown Development Authority as additional insureds on the insurance policy. The dates of coverage shall be December 31, 2008 and January 1, 2009 or any subsequent date the event is held.
7. **INDEMNIFICATION:** To the fullest extent permitted by law, Seller shall indemnify and hold harmless Buyers (City of Jackson and the City of Jackson Downtown Development Authority) and their respective officers, directors, employees and agents from and against all liabilities, claims, cost, losses, actions, and damages (including but not limited to all fees and charges of attorneys and other professionals and all court or arbitration or other dispute resolution costs) caused by , arising out of or resulting from the Fireworks Display, provided that any such liability, claim, cost loss, action, or damage (i) is attributable to bodily injury, sickness, disease or death, or the injury to or destruction of tangible property, including the loss of use therefrom, and (ii) is caused in whole or in part by any negligent act, error, or omission of Seller, any Subcontractor, any Supplier, any person or organization directly or indirectly employed by any of them to perform or furnish the Fireworks Display or anyone for whose acts any of them may be liable, regardless of whether or not caused in part by any negligence, error, act, or omission of a person or entity indemnified hereunder or whether liability is imposed upon such indemnified party by Laws and Regulations regardless of the negligence of any such person or entity. Provided, however, this provision does not indemnify for the sole negligence of the City of Jackson.
8. **BENEFIT:** This Agreement is binding upon and inures to the benefit of the parties, their successors, and assigns.
9. **GOVERNING LAW:** Michigan law governs this agreement.
10. **NEGOTIATED:** This Agreement is a result of negotiations between the parties, and accordingly, it will not be construed against either party in a dispute or litigation arising out of the Agreement.
11. **CONTINGENCY:** The Agreement is contingent upon approval and authorization by the Jackson City Council. The Agreement will be submitted to the Jackson City Council on or before December 9, 2008. Buyers will notify Seller of the Council's action.

14

IN WITNESS, WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT THIS \_\_\_\_\_  
 DAY OF \_\_\_\_\_, 2008.

**NIGHT MAGIC, INC.**

By: \_\_\_\_\_  
 Richard B. Wilson

By: \_\_\_\_\_  
 Jerry Ludwig, Mayor

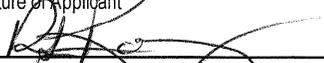
By: \_\_\_\_\_  
 Lynn Fessel, City Clerk

By: \_\_\_\_\_  
 Michael Way, Chairman of the Board  
 Downtown Development Authority

Approved as to Form & Content

By: \_\_\_\_\_  
 Susan G. Murphy  
 Deputy City Attorney

**APPLICATION FOR FIREWORKS DISPLAY PERMIT**

<input checked="" type="checkbox"/> PUBLIC DISPLAY		<input type="checkbox"/> AGRICULTURAL PEST CONTROL		Date of Application November 21, 2008	
Name of Applicant City of Jackson, DDA, Eve On the Ave		Address 161 W. Michigan Ave. Jackson, MI		Age (18 or over)	
If a Corporation, Name of President Michael Way, Chairman of the Board		Address same			
If a Non-resident Applicant: Name of MI Attorney or Resident Agent		Address		Phone No. ( )	
Name of Pyrotechnic Operator Night Magic Displays // Roger L Bonney		Address 212 First St. Olivet, MI 49076		Age (18 or over) 68	
No. Years Experience 33	No. Displays over 200	Where Silver Bells, Lansing Lugnuts, JCC Flag, Delta Township, others			
Name of Assistant: Chris Lee		Address 1250 Levant St. Jackson, MI 49203		Age 38	
Name of Other Assistant: Ed Bonney		Address 446 Bates St. Jackson, MI 49202		Age 48	
Exact Location of Proposed Display Francis St. at Michigan Ave.				City, State Jackson, MI	
Date of Proposed Display December 31, 2008		Time of Proposed Display Midnight			
No. of Fireworks	Kind of Fireworks to be Displayed				
12	2 1/2" Aerial Shells				
382	3" Aerial Shells				
Manner & Place of Storage Prior to Display (Subject to Approval of Local Fire Authorities) Delivered to site day of show.					
Amount of Bond or Insurance (to be set by local gov't) \$ 5,000,000			Name of Bonding Corporation or Insurance Company Britton-Gallagher & Assoc. (Lexington, Granite State, Arch Specialty)		
Address of Bonding Corporation or Insurance Company 6240 SOM Center Rd. Cleveland, OH 44139-2985					
Signature of Applicant 					

SEE OTHER SIDE FOR INSTRUCTIONS

\*Other Night Magic Personnel may act as operators and assistants throughout the season.  
Night Magic Displays  
PO Box 778  
New Carlisle, IN 46552

Authority:	1968 PA 358
Compliance:	Voluntary but a permit will not be issued without an application.

## PERMIT FOR FIREWORKS DISPLAY

*This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.*

PUBLIC DISPLAY

AGRICULTURAL PEST CONTROL

Issued to Night Magic Displays // Roger L Bonney		Age (18 or over) 68						
Address 212 First St. Olivet, MI 49076								
Name of Organization, Group, Firm or Corporation City of Jackson, DDA, Eve On the Ave								
Address 161 W. Michigan Ave. Jackson, MI								
Number and Types of Fireworks <table style="width: 100%; border: none;"> <tr> <td style="width: 15%; text-align: right;">12</td> <td style="width: 15%;"></td> <td style="width: 70%;">2 1/2" Aerial Shells</td> </tr> <tr> <td style="text-align: right;">382</td> <td></td> <td>3" Aerial Shells</td> </tr> </table>			12		2 1/2" Aerial Shells	382		3" Aerial Shells
12		2 1/2" Aerial Shells						
382		3" Aerial Shells						
Exact Location of Display Francis St. at Michigan Ave.								
City, Village, Township Jackson, MI	Date December 31, 2008	Time Midnight						
Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Amount \$5,000,000						

Issued by action of the     council     commission     board of the  
 city     village     township of \_\_\_\_\_  
(Name of City, Village, Township)  
 on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
 (Signature and Title of Council/Commission/Board Representative)

AUTHORITY:	1968 PA 358
COMPLIANCE:	Required
PENALTY:	Misdemeanor

# ACORD<sup>TM</sup> CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/2/2008

PRODUCER Phone: 440-248-4711 Fax: 440-248-5406  
Britton-Gallagher and Associates, Inc.  
6240 SOM Center Rd.  
Cleveland OH 44139

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED  
Night Magic Displays  
P.O. Box 294  
Kingsbury IN 46345

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Lexington Insurance Co	
INSURER B: Granite State Insurance Co.	
INSURER C: Arch Specialty Ins Co	
INSURER D: Liberty Mutual Insurance Co	25035
INSURER E:	

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC	1619303	1/5/2008	1/5/2009	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
						MED EXP (Any one person)	\$
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
B		<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	CA93487730	1/5/2008	1/5/2009	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN AUTO ONLY: EA ACC	\$
						AUTO ONLY: AGG	\$
C		<b>EXCESS/UMBRELLA LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10,000	ULP000396503	1/5/2008	1/5/2009	EACH OCCURRENCE	\$ 4,000,000
						AGGREGATE	\$ 4,000,000
							\$
							\$
D		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC734S311836	2/12/2008	2/12/2009	WC STATUTORY LIMITS	OTHER
						E.L. EACH ACCIDENT	\$ 1,000,000
						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
						E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS  
 CITY OF JACKSON, JACKSON DOWNTOWN DEVELOPMENT AUTHORITY, CONSUMERS ENERGY, STATE OF MICHIGAN ARE NAMED AS ADDITIONAL INSURED WITH RESPECT TO THE FIREWORKS DISPLAY SET UP ON 12/31/08 AND FIRED ON 1/1/09 IF POSTPONED DISPLAY WITH BE FIRED ON 1/3/09

## CERTIFICATE HOLDER

CITY OF JACKSON  
161 W. MICHIGAN  
SUSAN MURPHY  
JACKSON MI 49201

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



***Eve On The Ave  
New Year's Eve Celebration  
January 01, 2009  
\$5,000.00***

\* \* \* \* \*

**Opening Barrage**

**Two & One Half Inch Display Shells**

12 - Titanium Salute Finale Shells

**Three Inch Display Shells**

24 - Assorted Chrysanthemums & Reports

**Body Of Display**

**Three Inch Display Shells**

- 54 - Fancy Oriental Shells
- 18 - Vulcan Brand Display Shells
- 18 - Wizzard Brand Display Shells
- 15 - Vulcan Special Effect Canister Shells
- 15 - Vulcan Shells shot in flight
- 12 - Horse Shells shot in flight
- 12 - Haga Brand Premium Display Shells
- 12 - Phoenix Shells shot in flight
- 3 - Five Color Peonies w/Palm Tree Cores shot in flight
- 3 - Phoenix Coconut Palms
- 3 - Flash Salutes shot in flight
- 3 - Flash Salute with Rising Tail
- 3 - Green Strobe Shells shot in flight
- 3 - Titanium Salute with Rising Tail

- 3 - Titanium Salutes with Rising Tails Shot in Flight
- 3 - Twice Crackling Rain shot in flight
- 3 - Rainbow Shell
- 3 - Hummer Shell
- 3 - Red, Silver and Blue Fish
- 1 - Green Tail Thunders & Twilight Glitter

## **The Grand Finale**

144 - Three Inch Grand Finale Bombshells consisting of Fancy Oriental Shells, Glittering Comets, and Flash Salutes

24 - Three Inch Colors with Palm Pistil Grand Finale Bombshells

## **FIREWORKS PLAN**

EVE ON THE AVE  
NEW YEAR'S EVE CELEBRATION  
JANUARY 1, 2009  
\$5,000.00  
\* \* \* \* \*

This plan includes the following:

BID AMOUNT: \$5,000.00

DISPLAY DATE: December 31, 2008 - January 1, 2009

LIABILITY INSURANCE: \$5,000,000.00 Coverage provided by Lexington Insurance Company

PRODUCT: All fireworks in enclosed plan. We reserve the right to substitute for equal or greater value if product is not available.

DELIVERY: By CDL/Hazmat endorsed drivers

FIRING: All setup, firing of display by our pyrotechnicians and initial clean up

WORKER'S COMP.: Liberty Mutual Insurance to cover the pyrotechnicians



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

**DATE:** December 8, 2008  
**TO:** William R. Ross, City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** TCO 1990 and 1991, High Street Lane Assignment

---

The Department of Engineering has completed the High Street reconstruction and changes in lane assignments have created housing keeping Traffic Control Orders 1990 and 1991.

Traffic Control Order 1990 is for the westbound traffic on High Street traveling in the left (southernmost) lane approaching the intersection of Dirlam Drive/Executive Drive, shall be required to turn left (southbound) onto Dirlam Drive.

Traffic Control Order 1991 is for the east and west bound traffic on High Street traveling in the left lane at the intersection of Losey Avenue shall be required to complete a left turn on to Losey Avenue.

With your concurrence, I request the attached TCO 1990 and 1991 be submitted to Council for their approval. If you have any questions, please do not hesitate to contact me.

JD:tjs

C: Matt Heins, Chief of Police  
Lynne Fessel, Clerk  
Randy McMunn, P.E., Assistant City Engineer  
Bob Dietz, Parking Manager/Engineering Assistant

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 1990**

**LOCATION:** High Street and Dirlam/Executive

**DATE:** November 10, 2008

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

With completion of High Street reconstruction and changes in lane assignments create housekeeping Traffic Control Orders.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

Westbound traffic on High Street traveling in the left (southernmost) lane approaching the intersection of Dirlam Drive/Executive Drive shall be required to turn left (southbound) onto Dirlam Drive.

**APPROVED**  **REJECTED**

**DATE:**

**BY CITY COUNCIL**

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

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

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No. 1991**

**LOCATION:** High Street and Losey Avenue

**DATE:** November 10, 2008

**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

With completion of High Street reconstruction and changes in lane assignments create housekeeping Traffic Control Orders.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and west bound traffic on High Street traveling in the left lane at the intersection of Losey Avenue shall be required to complete a left turn on to Losey Avenue.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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



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

**DATE:** December 8, 2008  
**TO:** William R. Ross, City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** TCO 1992, Plymouth Street Parking Limitations

---

The Department of Engineering has received a request from a local business to review the possibility of limiting parking near the credit union to allow customer parking. We have prepared Traffic Court Order 1992 recommending no vehicle shall be parked for a period exceeding thirty (30) minutes between the hours of 8 a.m. and 6 p.m. Monday thru Friday on the south side of Plymouth Street from 100 feet west of State Street to State Street and from State Street to 100 feet west of Waterloo Avenue.

With your concurrence, I request the attached TCO 1992 be submitted to Council for their approval. If you have any questions, please do not hesitate to contact me.

JD:tjs

C: Matt Heins, Chief of Police  
Lynne Fessel, Clerk  
Randy McMunn, P.E., Assistant City Engineer  
Bob Dietz, Parking Manager/Engineering Assistant

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order No.1992**

**LOCATION:** Plymouth Street  
**DATE:** December 8, 2008  
**ASSIGNED TO:** Engineering

**TCO DESCRIPTION**

At the request of the Aeroquip Credit Union review possibility of limiting parking near the credit union to allow customer parking.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

No vehicle shall be parked for a period exceeding thirty (30) minutes between the hours of 8am and 6pm Monday through Friday on the south side of Plymouth Street from 100 feet west of State Street to State Street and from State Street to 100 feet west of Waterloo Avenue.

**APPROVED**  **REJECTED**  **DATE:** \_\_\_\_\_ **BY CITY COUNCIL**

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**  
**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

**DATE:** \_\_\_\_\_ **BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

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

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



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

**DATE:** December 8, 2008  
**TO:** William R. Ross, City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** Final Change Order 1, Center Street Water Main, Sanitary Sewer and Pavement Replacement

---

Attached is the Final Change Order 1 to the contract with Concord Excavating and Grading, Inc. for the Center Street Water Main, Sanitary Sewer and Pavement Replacement project.

This change order balances quantities for final payment. This represents an increase of \$12,331.53 and contains several items not included in the original contract. With your concurrence, I request Final Change Order 1 be submitted to City Council for their approval and the City Manager, Director of Public Services, and City Engineer be authorized to sign. This project is being paid from the Local Street, Sanitary Sewer, and Water funds.

**FINAL BALANCING CHANGE ORDER NO. 1**  
**To Contract for**  
**Center Street Water Main, Sanitary Sewer and Pavement Replacement**  
**City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the contract documents, plans and specifications of the above-named contract.

<b>ORIGINAL CONTRACT AMOUNT</b>	<b>\$383,602.19</b>
<b>Change Order No. 1</b>	<b>\$12,331.53</b>
Details of changes are shown on the attached pages.	
<b>NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1</b>	<b>\$395,933.72</b>

**REASON FOR CHANGE:**

1. To balance quantities for contract pay items and to add pay items not included in the original contract.

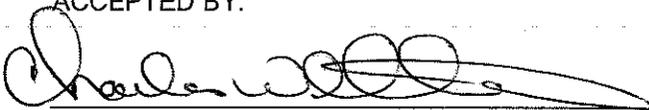
**CONTRACT COMPLETION**

The contract completion date remains unchanged.



Prepared by Troy R. White, P.E.  
Civil Engineer II, Department of Engineering

ACCEPTED BY:



Concord Excavating & Grading, Inc.

11-19-08

Date

ACCEPTED BY:

\_\_\_\_\_  
Jon H. Dowling, P.E., City Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Glenn M. Chinavare, Director of Public Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
William R. Ross, City Manager

\_\_\_\_\_  
Date

**Center Street Sanitary Sewer, Water Main & Pavement Replacement**

**Final Balancing Change order No. 1**

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract Amended Qty	Change	Revised Quantity	Units	Unit Price	Amount	
							ADD	DEDUCT
1	Mobilization, Max. \$10,000.00	1	0	1	LS	4000.00	\$ -	\$ -
2	Dr Structure, Rem	10	1	11	Ea	250.00	\$ 250.00	\$ -
3	Sewer, Rem, Less than 24 inch	30	-30	0	Ft	20.00	\$ -	\$ (600.00)
4	Curb and Gutter, Rem	268	44	312	Ft	4.00	\$ 176.00	\$ -
5	Sidewalk, Rem	186	106	292	Syd	4.00	\$ 424.00	\$ -
6	Pavt Sawcut	634	20	654	Ft	1.40	\$ 28.00	\$ -
7	Driveway, Rem	104	-18	86	Syd	4.00	\$ -	\$ (72.00)
8	Tree Preservation	1	0	1	LS	500.00	\$ -	\$ -
9	Subgrade Undercutting, Type II	100	-100	0	Cyd	25.00	\$ -	\$ (2,500.00)
10	Machine Grading, Modified	16	0	16	Sta	400.00	\$ -	\$ -
11	Erosion Control, Inlet Protection, Fabric Drop, Modified	13	1	14	Ea	100.00	\$ 100.00	\$ -
12	Erosion Control, Stone Bag, Modified	7	-1	6	Ea	30.00	\$ -	\$ (30.00)
13	Project Cleanup	1	0	1	LS	2500.00	\$ -	\$ -
14	Aggregate Base, 4 inch	126	-86	40	Syd	3.50	\$ -	\$ (301.00)
15	Aggregate Base, 8 inch	4929	-103	4826	Syd	3.50	\$ -	\$ (360.50)
16	Approach, CI II, 6 inch	82	91	173	Syd	5.00	\$ 455.00	\$ -
17	Trench Undercut and Backfill	84	-79.5	4.5	Cyd	10.00	\$ -	\$ (795.00)
18	Exploratory Trenching	36	-21	15	Ft	1.00	\$ -	\$ (21.00)
19	Sanitary Sewer Backfill, Class II	1596	-474	1122	Ft	1.00	\$ -	\$ (474.00)
20	Sanitary Sewer, SDR26 PVC, 12 inch	10	-3	7	Ft	100.00	\$ -	\$ (300.00)
21	Sanitary Sewer, SDR26 PVC, 15 inch	10	-1	9	Ft	150.00	\$ -	\$ (150.00)
22	Sanitary Sewer, SDR26 PVC, 8 inch	1576	-38	1538	Ft	38.00	\$ -	\$ (1,444.00)
23	Sanitary Sewer, Service Connection beyond 10 feet, 6 inch	70	-45.25	24.75	Ft	20.00	\$ -	\$ (905.00)
24	Sewer Backfill, Class II	40	3	43	Ft	10.00	\$ 30.00	\$ -
25	Sewer, CI B, 12 inch	40	3	43	Ft	35.00	\$ 105.00	\$ -
26	Sanitary Sewer, Service Connection with 8 inch x 6 inch Wye	43	2	45	Ea	200.00	\$ 400.00	\$ -
27	Sewer Lateral Repair	3	1	4	Ea	275.00	\$ 275.00	\$ -
28	Dr Structure, Adj, Add Depth	2	0.33	2.33	Ft	150.00	\$ 49.50	\$ -
29	Dr Structure Cover, Adj, Case 1	15	-1	14	Ea	250.00	\$ -	\$ (250.00)
30	Sanitary Manhole, Add Depth of 48 inch dia, 8 feet to 15 feet	3.5	-1.15	2.35	Ft	150.00	\$ -	\$ (172.50)
31	Water Main Fittings, DI	500	-99	401	Lb	3.00	\$ -	\$ (297.00)

**Center Street Sanitary Sewer, Water Main & Pavement Replacement**

**Final Balancing Change order No. 1**

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract		Revised		Unit Price	Amount	
		Amended Qty	Change	Quantity	Units		ADD	DEDUCT
32	Dr Structure, Temp Lowering, Modified	22	-4	18	Ea	100.00	\$ -	\$ (400.00)
33	Gate Box, Adj, Case 1	4	1	5	Ea	150.00	\$ 150.00	\$ -
34	Manhole Drop Connection	1	0	1	Ea	1500.00	\$ -	\$ -
35	Mh Cover, Std	13	1	14	Ea	325.00	\$ 325.00	\$ -
36	Sanitary Manhole, 48 inch dia	6	0	6	Ea	1700.00	\$ -	\$ -
37	Storm Manhole, 48 inch dia	1	-1	0	Ea	100.00	\$ -	\$ (100.00)
38	Underdrain, Subbase, 4 inch	40	12	52	Ft	10.50	\$ 126.00	\$ -
39	HMA, 13A	1014	-74.88	939.12	Ton	52.22	\$ -	\$ (3,910.23)
40	HMA Approach	151	-5.61	145.39	Ton	80.81	\$ -	\$ (453.34)
41	HMA Surface, Rem, Modified	5212	-189	5023	Syd	3.00	\$ -	\$ (567.00)
42	Cement	4	-4	0	Ton	150.00	\$ -	\$ (600.00)
43	Driveway, Nonreinf Conc, 6 inch, Modified	93	-2.6	90.4	Syd	28.00	\$ -	\$ (72.80)
44	Curb and Gutter, Conc, Special	268	44	312	Ft	12.90	\$ 567.60	\$ -
45	Sidewalk Ramp, ADA, Modified	637	338	975	Sft	4.50	\$ 1,521.00	\$ -
46	Sidewalk, Conc, 4 inch, Modified	871	903	1774	Sft	4.00	\$ 3,612.00	\$ -
47	Sidewalk, Conc, 6 inch, Modified	166	-62	104	Sft	4.25	\$ -	\$ (263.50)
48	Barricade, Type III, High Intensity, Double Sided, Lighted, Furn	10	1	11	Ea	210.00	\$ 210.00	\$ -
49	Barricade, Type III, High Intensity, Double Sided, Lighted, Oper	10	1	11	Ea	14.00	\$ 14.00	\$ -
50	Dust Palliative, Applied	3	-3	0	Ton	200.00	\$ -	\$ (600.00)
51	Minor Traf Devices	1	0	1	LS	2000.00	\$ -	\$ -
52	Plastic Drum, High Intensity, Lighted, Furn	50	0	50	Ea	39.20	\$ -	\$ -
53	Plastic Drum, High Intensity, Lighted, Oper	50	0	50	Ea	1.40	\$ -	\$ -
54	Sign, Type B, Temp, Furn	597	14	611	Sft	3.08	\$ 43.12	\$ -
55	Sign, Type B, Temp, Oper	597	14	611	Sft	0.42	\$ 5.88	\$ -
56	Seeding, Fertilizer and Mulch	946	610	1556	Syd	1.50	\$ 915.00	\$ -
57	Topsoil Surface, 4 inch	946	610	1556	Syd	3.00	\$ 1,830.00	\$ -
58	Gate Valve and Box, 8 inch	4	0	4	Ea	850.00	\$ -	\$ -
59	Hydrant, Rem	4	0	4	Ea	225.00	\$ -	\$ -
60	Tapping Valve and Box, 8 inch	1	0	1	Ea	1500.00	\$ -	\$ -
61	Water Main, 6 inch, Cut and Plug	4	-1	3	Ea	225.00	\$ -	\$ (225.00)
62	Hydrant Extension	2	-0.5	1.5	Ft	425.00	\$ -	\$ (212.50)

**Center Street Sanitary Sewer, Water Main & Pavement Replacement**

Final Balancing Change order No. 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract		Revised Quantity	Units	Unit Price	Amount	
		Amended Qty	Change				ADD	DEDUCT
63	Water Main Backfill, Class II	1697	-342	1355	Ft	1.00	\$ -	\$ (342.00)
64	Water Main, 8 inch	1697	-52	1645	Ft	35.00	\$ -	\$ (1,820.00)
65	Hydrant Assembly	4	1	5	Ea	6000.00	\$ 6,000.00	\$ -
66	Tapping Sleeve, 12 inch x 8 inch	1	0	1	Ea	1500.00	\$ -	\$ -
67	Water Main, Connect New 8 inch to Existing 6 inch	2	0	2	Ea	2000.00	\$ -	\$ -
68	Water Main, Connect New 8 inch to Existing 8 inch	1	0	1	Ea	2100.00	\$ -	\$ -
69	Water Serv, Long, 1 inch	22	1	23	Ea	800.00	\$ 800.00	\$ -
70	Water Serv, Reconnect, 1-1/2 inch	1	0	1	Ea	1000.00	\$ -	\$ -
71	Water Serv, Short, 1 inch	20	2	22	Ea	625.00	\$ 1,250.00	\$ -
72	Pavt, Rem, Modified	0	11	11	Syd	4.00	\$ 44.00	\$ -
73	Sewer, DI, Pressure Class 350, 10 inch	0	42	42	Ft	85.00	\$ 3,570.00	\$ -
74	Sewer, DI, Pressure Class 350, 8 inch	0	43	43	Ft	65.00	\$ 2,795.00	\$ -
75	Sidewalk Ramp, ADA, Detectable Warning Plates	0	120	120	Sft	37.49	\$ 4,498.80	\$ -

**Total:** \$ 30,569.90 \$ (18,238.37)  
**Net Change:** \$ 12,331.53  
**Revised Contract Price:** \$ 395,933.72

# Region 2 Planning Commission



INVOICE NO. 2958

DATE: December 2, 2008

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 November 2008		
Historic District	\$	625.58
Zoning Administration		1,694.09
Zoning Ordinance Rec/Information		5,172.86
Zoning Appeals/Variances		2,988.51
Refer to the attached statement.		
Balance Due Region 2 Planning Commission.	\$	10,481.04

11/28/08

Mayor Jerry Ludwig  
161 W. Michigan Ave.  
Jackson, Mi. 49201-1324

Mayor Ludwig;

Last summer you gave me an excellent opportunity in allowing me to work on the commission for the Jackson Transit Authority. During that time I have learned a tremendous amount about the decision-making process in public administration from some of the brightest and best in the community.

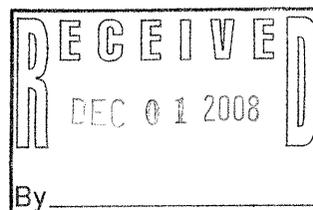
Kaneka Texas Corp., my employer at that time, was very flexible with my hours when it came to attending the meetings. Unfortunately, Kaneka shut its doors and a recently acquired position does not allow me the same flexibility to attend afternoon or morning meetings. The commission has expressed a willingness to consider other hours to meet, but that is impractical given the group's need to be available for the public during JTA business hours. Given these facts, I regret to inform you that I am resigning my position with the JTA Commission, effective January 1<sup>st</sup> 2009. I will be able to attend the December meeting and I will email a copy of this notice to the JTA members so that a replacement can be found by the January meeting.

I want to thank you for the excellent learning opportunity and hope you will consider me for future service to the City of Jackson.

Respectfully;



Sean Campbell





# City of Jackson, Michigan Financial Statements

As of and For the 4 Months Ended October 31, 2008

*(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 4 Months Ended October 31, 2008**  
**( Prepared on the Adopted Budget - Basis )**

<b>Function Department</b>	<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Spent</b>	<b>Variance - Favorable (Unfavorable)</b>
<b><u>Legislative :</u></b>					
101-101 City Council	91,382	7,908	34,189	37.41%	57,193
<b><u>Judicial:</u></b>					
101-103 Charter Review Committee	15,000	0	0	0.00%	15,000
101-137 Administrative Hearings Bureau	39,819	2,092	6,384	16.03%	33,435
	<b>54,819</b>	<b>2,092</b>	<b>6,384</b>	<b>16.03%</b>	<b>48,435</b>
<b><u>General Government :</u></b>					
101-172 City Manager	255,147	19,900	76,775	30.09%	178,372
101-192 City Clerk-Elections	168,852	12,085	64,826	38.39%	104,026
101-201 Finance	426,424	33,383	133,643	31.34%	292,781
101-209 City Assessor	423,335	35,034	134,205	31.70%	289,130
101-210 City Attorney	539,623	43,034	163,696	30.34%	375,927
101-215 City Clerk	208,224	17,959	66,703	32.03%	141,521
101-226 Personnel	358,602	34,177	107,304	29.92%	251,298
101-233 Purchasing	169,173	14,224	53,632	31.70%	115,541
101-253 City Treasurer	341,120	20,771	96,927	28.41%	244,193
101-254 City Income Tax	280,016	23,947	76,711	27.40%	203,305
101-258 Management Information Services	344,284	29,769	125,698	36.51%	218,586
101-265 City Hall & Grounds	323,258	31,829	123,693	38.26%	199,565
101-276 Cemeteries	487,796	45,328	168,549	34.55%	319,247
101-299 Unallocated	491,817	52,052	202,906	41.26%	288,911
	<b>4,817,671</b>	<b>413,492</b>	<b>1,595,268</b>	<b>33.11%</b>	<b>3,222,403</b>
<b><u>Police Department :</u></b>					
101-301 Police	8,999,923	735,354	2,869,742	31.89%	6,130,181
101-303 Police Youth Services - JPS	314,947	23,352	95,606	30.36%	219,341
101-308 STEP Grants	20,733	5,845	5,845	28.19%	14,888
101-311 JCCAE Grant	0	0	7,061	N/A	(7,061) <i>Note 2</i>
101-313 Consortium Training	33,754	3,524	5,848	17.33%	27,906
101-314 In-Service Training	15,450	3,648	6,028	39.02%	9,422
	<b>9,384,807</b>	<b>771,723</b>	<b>2,990,130</b>	<b>31.86%</b>	<b>6,394,677</b>
<b><u>Fire Department :</u></b>					
101-337 Fire Administration	289,679	23,827	93,144	32.15%	196,535
101-340 Fire Suppression	5,119,121	365,193	1,567,899	30.63%	3,551,222
101-341 Fire Prevention	84,145	5,249	15,394	18.29%	68,751
101-343 Fire Training	238,985	4,446	84,704	35.44%	154,281
	<b>5,731,930</b>	<b>398,715</b>	<b>1,761,141</b>	<b>30.73%</b>	<b>3,970,789</b>
<b><u>Other Public Safety :</u></b>					
101-350 Public Safety - Unallocated	1,345,312	116,579	470,532	34.98%	874,780
101-401 Planning	99,768	8,751	33,879	33.96%	65,889
101-426 Office of Emergency Measures	64,311	21,399	35,008	54.44%	29,303
	<b>1,509,391</b>	<b>146,729</b>	<b>539,419</b>	<b>35.74%</b>	<b>969,972</b>

( Continued - )

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 4 Months Ended October 31, 2008**  
**( Prepared on the Adopted Budget - Basis )**

- Continued -

<b>Function Department</b>	<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Spent</b>	<b>Variance - Favorable (Unfavorable)</b>
<b><u>Public Works :</u></b>					
101-441 Tax Property Maintenance	10,000	339	4,561	45.61%	5,439
101-442 Civic Affairs	73,358	4,144	17,828	24.30%	55,530
101-445 Drains at Large	72,053	2,569	13,381	18.57%	58,672
101-446 Storm Drain Construction	98,000	16,705	31,643	32.29%	66,357
101-447 Grounds Maintenance	177,108	3,097	9,747	5.50%	167,361
101-448 Sidewalk Construction	130,000	7,123	97,008	74.62%	32,992
101-450 Street Lighting	407,231	77,968	121,322	29.79%	285,909
101-455 Weed Control	23,684	2,025	10,063	42.49%	13,621
	<b>991,434</b>	<b>113,970</b>	<b>305,553</b>	<b>30.82%</b>	<b>685,881</b>
<b><u>Recreation &amp; Culture :</u></b>					
101-690 Forestry	577,031	43,408	174,115	30.17%	402,916
101-692 Parks, Recreation & Grounds Admin.	761,911	55,566	263,533	34.59%	498,378
101-697 Parks & Facilities Maintenance	515,050	45,848	164,141	31.87%	350,909
101-698 Lt. Nixon Memorial Pool	165,932	9,044	98,830	59.56%	67,102
101-699 Sharp Park Swimming Pool	132,195	4,126	82,648	62.52%	49,547
101-803 Historical District	38,100	6,372	15,917	41.78%	22,183
	<b>2,190,219</b>	<b>164,364</b>	<b>799,184</b>	<b>36.49%</b>	<b>1,391,035</b>
<b><u>Health &amp; Welfare :</u></b>					
101-896 Human Relations	<b>63,043</b>	<b>6,869</b>	<b>28,029</b>	<b>44.46%</b>	<b>35,014</b>
<b><u>Contributions to Other Funds:</u></b>					
101-999 Contributions to Other Funds:	<b>299,663</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>299,663</b>
<b>Total General Fund Expenditures</b>	<b>25,134,359</b>	<b>2,025,862</b>	<b>8,059,297</b>	<b>32.06%</b>	<b>17,075,062</b>

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 4 Months Ended October 31, 2008**  
**( Prepared on the Adopted Budget - Basis )**

<b>Fund Type/Fund Name</b>		<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Spent</b>	<b>Variance - Favorable (Unfavorable)</b>
<b><u>Special Revenue Funds :</u></b>						
202	Major Street	6,154,159	272,527	882,471	14.34%	5,271,688
203	Local Street	1,065,972	143,435	501,696	47.06%	564,276
208	Ella W. Sharp Park Operating	757,037	89,552	346,432	45.76%	410,605
210	Land Acquisition Fund	50,000	3,659	10,266	20.53%	39,734
211	Housing Initiative Fund	47,775	218	5,297	11.09%	42,478
245	Public Improvement	1,355,583	16,705	141,737	10.46%	1,213,846
249	Building Department	528,917	30,233	121,115	22.90%	407,802
257	Budget Stabilization	65,000	0	0	0.00%	65,000
265	Drug Law Enforcement	33,024	488	25,056	75.87%	7,968
266	Project Safe Neighborhood Grant	0	1,853	11,414	N/A	(11,414) <i>Note 2</i>
268	BYRNE/JAG Grants	11,689	0	0		11,689
270	LAWNET Grant	35,210	0	33,215	94.33%	1,995
288	Lead Hazard Control Grant	1,432,783	54,572	106,583	7.44%	1,326,200
293	Waterfront Redevelopment Grant	256,310	0	2,000	0.78%	254,310
295	2008 Brownfield Assessment Grant	300,000	0	58,523	19.51%	241,477
296	Recreation Activity	307,896	10,959	53,917	17.51%	253,979
297	JPS Recreation Millage Program	258,000	34,866	116,446	45.13%	141,554
<b><u>Debt Service Funds :</u></b>						
323	Mich. Urban Land Assembly D/S	144,000	24,000	60,000	41.67%	84,000
324	2003 MTF Bond D/S	279,005	0	263,360	94.39%	15,645
365	City Hall D/S	601,586	210,668	210,668	35.02%	390,918
368	Building Authority D/S	128,500	0	110,094	85.68%	18,406
395	2001 DDA TIF D/S	1,051,513	0	0	0.00%	1,051,513
398	2002 BRA TIF D/S	565,148	0	0	0.00%	565,148
399	2007 BRA TIF Refunding D/S	450,304	0	0	0.00%	450,304
<b><u>Capital Projects Funds :</u></b>						
401	Capital Projects Fund	415,075	74,123	114,918	27.69%	300,157
402	Water Equipment and Replacement	2,239,424	250,879	502,014	22.42%	1,737,410
404	Sanitary Sewer Maintenance Fund	501,025	35,684	186,173	37.16%	314,852
405	Sanitary Sewer Replacement	836,500	86,453	391,452	46.80%	445,048
406	Wastewater Equipment Replacement	460,000	178,538	925,058	201.10%	(465,058) <i>Note 2</i>
494	Brownfield Redevelopment Authority	1,267,763	1,301	3,909	0.31%	1,263,854
496	DDA Project	1,227,002	35,784	77,377	6.31%	1,149,625
<b><u>Enterprise Funds :</u></b>						
583	Sharp Park Golf Practice Center	83,265	9,751	30,059	36.10%	53,206
585	Auto Parking System	102,733	1,526	6,616	6.44%	96,117
586	Parking Assessment	208,643	6,091	24,826	11.90%	183,817
590	Sewer	6,620,897	443,361	1,672,445	25.26%	4,948,452
591	Water	8,492,452	643,326	2,074,822	24.43%	6,417,630
599	Parking Deck Fund	433,237	14,498	39,852	9.20%	393,385

( Continued - )

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 4 Months Ended October 31, 2008**  
**( Prepared on the Adopted Budget - Basis )**

- Continued -

<b>Fund Type/Fund Name</b>		<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Spent</b>	<b>Variance - Favorable (Unfavorable)</b>
<b><u>Internal Service Funds :</u></b>						
641	Public Works Administration	667,550	42,095	186,925	28.00%	480,625
642	Engineering Administration	338,770	26,961	111,528	32.92%	227,242
643	Local Site Remediation Revolving	300,000	0	0	0.00%	300,000
661	Motor Pool and Garage	1,719,056	84,018	322,974	18.79%	1,396,082
663	Equipment Revolving Fund	58,484	51,273	51,273	87.67%	7,211
677	Workers' Compensation	299,450	67,988	84,600	28.25%	214,850
678	Prescription Drug	950,700	71,819	220,147	23.16%	730,553
679	Health Care Deductible Reimbursement	194,300	13,105	56,738	29.20%	137,562
<b><u>Trust &amp; Agency Funds :</u></b>						
702	County & School Tax Collection	140,000	0	0	0.00%	140,000
711	Cemetery Perpetual Maintenance	71,000	2,129	2,129	3.00%	68,871
718	Ella W. Sharp Endowment	55,000	0	0	0.00%	55,000
731	Employees' Retirement System	2,180,000	172,857	705,524	32.36%	1,474,476
732	Policemen's/Firemen's Pension	1,310,000	0	195,464	14.92%	1,114,536
733	Policemen's/Firemen's Pens.-345	3,350,000	1,285,104	2,250,715	67.19%	1,099,285
736	Public Employees Health Care	10,000	18,900	18,900	189.00%	(8,900) <i>Note 2</i>
<b><u>Special Assessment Funds :</u></b>						
895	Special Assessment	641,801	0	0	0.00%	641,801

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 4 Months Ended October 31, 2008**

<b>Fund/Fund Name</b>	<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Collected</b>
<b><u>General Fund :</u></b>				
Property Taxes	7,718,516	542,964	5,904,981	76.50%
Income Taxes	8,575,000	1,241,391	2,915,355	34.00%
Licenses & Permits	237,250	1,048	4,408	1.86%
Federal Grants	4,088	85,956	85,048	2080.43%
State Grants	113,070	35,402	3,766	3.33%
State Revenue Sharing	5,260,054	69	1,120,163	21.30%
Contributions From Local Units	168,984	9,835	11,827	7.00%
Charges For Goods & Services	1,141,121	32,489	220,072	19.29%
Fines & Forfeits	274,500	15,189	69,426	25.29%
Investment Income	300,000	6,366	14,198	4.73%
Contributions From Other Funds	282,000	51,705	66,643	23.63%
Miscellaneous	528,755	7,875	50,169	9.49%
Total General Fund Revenues	24,603,338	2,030,289	10,466,056	42.54%
<b><u>Special Revenue Funds :</u></b>				
202 Major Street	5,994,531	230,212	414,444	6.91%
203 Local Street	962,395	45,660	100,796	10.47%
208 Ella W. Sharp Park Operating	758,000	38,978	295,850	39.03%
210 Land Acquisition Fund	28,000	23	73	0.26%
211 Housing Initiative Fund	50,000	0	0	0.00%
245 Public Improvement	1,227,000	86,319	923,243	75.24%
249 Building Inspection	529,200	59,000	142,968	27.02%
257 Budget Stabilization	65,000	3,159	9,716	14.95%
265 Drug Law Enforcement	44,905	106,687	117,146	260.88%
266 Project Safe Neighborhood Grant	0	1,026	9,560	N/A Note 2
268 BYRNE/JAG Grants	11,689	0	0	0.00%
270 LAWNET Grant	35,210	0	33,215	94.33%
288 Lead Hazard Control Grant	1,432,783	75,468	59,882	4.18%
293 Waterfront Redevelopment Grant	256,294	0	(380)	-0.15%
295 2008 Brownfield Assessment Grant	300,000	610,576	58,523	19.51%
296 Recreation Activity	312,000	5,078	41,086	13.17%
297 JPS Recreation Millage Program	258,000	0	0	0.00%
<b><u>Debt Service Funds :</u></b>				
323 Mich. Urban Land Assembly D/S	144,000	24,000	60,000	41.67%
324 2003 MTF Bond D/S	279,005	0	263,360	94.39%
365 2003 City Hall D/S	584,000	47,388	466,243	79.84%
368 Building Authority D/S	128,500	0	110,094	85.68%
395 2001 DDA TIF D/S	1,051,000	0	0	0.00%
398 2002 BRA TIF D/S	565,000	0	0	0.00%
399 2007 BRA TIF Refunding D/S	450,000	0	0	0.00%
<b><u>Capital Projects Funds :</u></b>				
401 Capital Projects Fund	415,075	33	81	0.02%
402 Water Equipment and Replacement	1,775,000	145,857	579,114	32.63%
404 Sanitary Sewer Maintenance Fund	501,025	35,684	186,073	37.14%
405 Sanitary Sewer Replacement	698,000	56,573	224,642	32.18%
406 Wastewater Equip. Replacement	660,000	56,357	223,604	33.88%

(Continued-)

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 4 Months Ended October 31, 2008**

- Continued -

<b>Fund/Fund Name</b>	<b>2008/09 Amended Budget</b>	<b>Actual Month To Date</b>	<b>Actual Year To Date</b>	<b>Percent Collected</b>
<b><u>Capital Projects Funds : (Continued)</u></b>				
494 Brownfield Redevelopment Authority	1,535,700	5,492	16,899	1.10%
496 DDA Project	1,072,326	3,274	9,295	0.87%
<b><u>Enterprise Funds :</u></b>				
583 Sharp Park Golf Practice Center	75,700	2,535	20,707	27.35%
585 Auto Parking System	111,608	2,045	7,533	6.75%
586 Parking Assessment	192,276	5,547	20,349	10.58%
590 Sewer	5,616,000	464,037	1,325,564	23.60%
591 Water	6,850,600	681,364	1,650,064	24.09%
599 Parking Deck Fund	281,155	1,726	5,326	1.89%
<b><u>Internal Service Funds :</u></b>				
641 Public Works Administration	668,000	53,660	200,315	29.99%
642 Engineering Administration	340,000	33,902	137,271	40.37%
643 Local Site Remediation Revolving	205,500	294	903	0.44%
661 Motor Pool and Garage	1,345,972	156,196	495,272	36.80%
663 Equipment Revolving Fund	58,484	51,273	51,273	87.67%
677 Workers' Compensation	375,600	24,302	106,064	28.24%
678 Prescription Drug	1,208,300	76,409	333,623	27.61%
679 Health Care Deductible Reimb.	437,350	32,588	141,835	32.43%
<b><u>Trust &amp; Agency Funds :</u></b>				
702 County & School Tax Collection	140,000	7,108	24,839	17.74%
711 Cemetery Perpetual Maintenance	106,000	32,691	38,206	36.04%
718 Ella W. Sharp Endowment	55,000	0	0	0.00%
731 Employees' Retirement System	2,056,911	(4,329,727)	(6,115,252)	-297.30%
732 Policemen's/Firemen's Pension	1,261,212	0	(486,113)	-38.54%
733 Policemen's/Firemen's Pension-345	6,139,716	(730,911)	(4,318,629)	-70.34%
736 Public Employees Health Care	11,000	569	1,749	15.90%
<b><u>Special Assessment Funds :</u></b>				
895 Special Assessment	641,801	1,734	5,922	0.92%

**City of Jackson**  
**Notes to Revenue & Expenditure Summaries**  
**As of and For the 4 Months Ended October 31, 2008**

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

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



# Department of Community Development

161 W. Michigan Avenue • Jackson, MI 49201-1303•  
Facsimile (517) 768-5832

Administrative Services  
(517) 788-4060

Building Inspection  
(517) 788-4012

Rehabilitation Services & Information  
(517) 788-4070

December 3, 2008

## **DANGEROUS BUILDING REPORT COVER SHEET**

This months Dangerous Building report summarizes the current status of all dangerous or unsafe structures as referenced in Chapter 17 of the City Code of Ordinances.

Page 1	Dangerous Building Summary Sheet
Page 2	Property Address/Type/Designation/Deed Holder Illustration
Pages 3 – 4	Properties scheduled for the December 19, 2008, BCBA meeting
Pages 5 – 6	Properties granted extensions by the BCBA
Pages 7 – 8	Properties issued an Official Notice and Order and scheduled for a future BCBA meeting
Page 9	Properties tentatively scheduled for a future BCBA meeting
Page 10 – 11	Properties with outstanding Notice and Orders UPHELD, Awaiting Demolition
Page 12	Properties pending reconsideration from the BCBA
Page 13	Properties pending court action
Page 14	Properties released from BCBA

If you have any comments or would like to make any suggestions on how we can improve this report please contact Sheila Prater at (517) 788-4012.

Respectfully,

Frank Donovan  
Chief Building Official

FD/smp



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

	Jul-08	Aug-08	Sep-08	Nov-08	Dec-08
<b>PROPERTIES CONDEMNED THIS MONTH</b>	2	11	4	11	5
<i>YEAR TO DATE</i>	11	22	26	37	42
<b>PROPERTIES DEMOLISHED THIS MONTH</b>	0	1 (owner)	0	0	0
<i>YEAR TO DATE</i>	7	8	8	8	8
<b>PROPERTIES SCHEDULED FOR NEXT BCBA MEETING (Page 3-4)</b>	5	7	6	6	13
<i>YEAR TO DATE</i>	5	12	18	24	37
<b>PROPERTIES GRANTED EXTENSION FROM BCBA (Page 5-6)</b>	8	1	1	2	5
<i>YEAR TO DATE</i>	53	54	55	57	62
<b>PROPERTIES SCHEDULED FOR A FUTURE BCBA MEETING (Page 7-8)</b>	3	2	5	11	12
<i>YEAR TO DATE</i>	3	5	10	21	33
<b>PROPERTIES TENTATIVELY SCHEDULED FOR FUTURE MEETING (Page 9)</b>	8	12	14	15	8
<i>YEAR TO DATE</i>	42	54	68	83	91
<b>PROPERTIES WITH NOTICE AND ORDER UPHELD (Page 10-11)</b>	9	8	9	9	9
<i>YEAR TO DATE</i>	42	50	59	68	77
<b>PROPERTIES PENDING RECONSIDERATION FROM BCBA (Page 12)</b>	1	1	0	0	0
<i>YEAR TO DATE</i>	8	9	9	9	9
<b>PROPERTIES PENDING COURT ACTION (Page 13)</b>	3	2	2	2	2
<i>YEAR TO DATE</i>	14	16	18	20	22
<b>PROPERTIES RELEASED FROM BCBA (Page 14)</b>	2	4	3	4	2
<i>YEAR TO DATE</i>	7	11	14	18	20

**PROPERTY ADDRESS/TYPE/DESIGNATION/DEED HOLDER ILLUSTRATION**

1005 E Ganson St (7-0763)

Property Address and Stencil

Kimberly Powell

Deed Holder

(4 – CBDG) (Fire) – House (R)

Area/CBDG or Citywide (CW)

Complainant

Type of Structure

Designation (R) = Rental and (O) = Owner Occupied

**CITY OF JACKSON**

**PROPERTIES SCHEDULED FOR THE DECEMBER 19, 2008, BCBA MEETING**

<b>Property Address/Type/Designation Deed Holder</b>	<b>BCBA Activity</b>	<b>Summary of Activities thru 11/30/08</b>
916 Francis St (5-0630) Vicki Gordon (5 – CDBG) (Staff) – Garage	12/19/08 – New Case	8/22/08 Condemned; Structure open and entry door; roof is rotting.
1005 E Ganson St (7-0763) Kimberly Powell (4 – CDBG) (Fire) – House (R)	11/21/08 BCBA continued until 12/19/08 to allow owner time to finish repairs.	12/12/07 Condemned; Fire damage to living room floor; smoke damage throughout; Chapter 14 Housing Code violations. Permit Information – PB080161 5/1/08 (remodel), PP080125 5/19/08.
1223 Maple Ave (4-0939)  Elisabeth McKinch (34 – CDBG) (Staff) – House (R)	12/19/08 – New Case	8/18/08 Condemned; Structure open and accessible at door to basement at back of house; foundation deteriorated and decayed.
310 W Mason St (4-0331) Esther Cox (33 – CDBG) (JPD) – House (R)	12/19/08 – New Case	8/14/08 Condemned; Structure open and accessible, back door open and back windows broken.
316 W Mason St (4-0337)  Robert/Sarah Cain (33 – CDBG) (JFD) – House (R)	12/19/08 - New Case	9/26/08 Condemned; Back porch and back side of house damaged by fire.
416 W North St (1-0504) <b>Michael Schmall (new owner 7/08)</b> Don Wood (new owner 3/08) Peggy Winters (1 – CDBG) (Staff) – House (R)	10/17/08 BCBA continued until 12/19/08 to allow new owner time to finish repairs on exterior and start on interior.	12/15/06 Condemned; Structure open and accessible; unfit for human habitation; Chapter 14 Housing Code violations. 6/14/07 bank will request bids for repairing and demolition. Redemption to expire 12/6/07. 10/18/07 new listing agent trying to sell as a package with another property. 1/17/08 property now listed for sale. 2/15/08 closing will take place within next month. 3/28/08 hoping to be finished with all repairs by end of summer. Permit Information – PB080410 8/25/08 (siding).
510-12 Oakhill Ave (2-0953) Tracy Kofflin (1 – CDBG) (Staff) – Porch	12/19/08 - New Case	8/29/08 Condemned; East porch foundation and support columns are collapsing; roof in danger of falling.

**CITY OF JACKSON**

**PROPERTIES SCHEDULED FOR THE DECEMBER 19, 2008, BCBA MEETING (CONTINUED)**

<b>Property Address/Type/Designation Deed Holder</b>	<b>BCBA Activity</b>	<b>Summary of Activities thru 11/30/08</b>
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==		
	Page 3	
518 Oakhill Ave (2-0957) Jacqueline Carter (1 – CDBG) (Staff) – Stairs	12/19/08 – New Case	8/22/08 Condemned; Stairs ready to collapse.
410 N Park Ave (7-0258) Bruce Wilson (4 – CDBG) (Staff) – House (R)	12/19/08 – New Case	8/7/08 Condemned; Structure open and accessible, broken 1 <sup>st</sup> floor window, basement window and unsecured door at lean to entry to house.
1615 Plymouth St (6-1233) Bettie Talbert (6 – CDBG) (Fire) – House (O)	10/17/08 BCBA continued until 12/19/08 permit pulled and contractor should be starting repairs soon.	12/20/07 Condemned; Smoke, fire and water damage throughout. 4/18/08 owner has hired contractor and is waiting for him to finish. Permit Information – PB080318 (remodel) 7/3/08.
416 Wilson St (6-0320) Melissa Wallace (6 – CDBG) (JPD) – House (R)	12/19/08 – New Case	9/4/08 Condemned; Structure open and accessible at windows and doors on first floor and open window on second floor.
502 Wilson St (6-0319) Bryan Haywood (6 – CDBG) (JPD) – House (O)	12/19/08 – New Case	9/4/08 Condemned; Structure open and accessible, open at back door and open window at northwest side; Incomplete construction, siding missing.
1228 Woodbridge St (4-1326) Eugene Forner (26 – CDBG) (DPW) – House (O)	12/19/08 – New Case	9/26/08 Condemned; Structure open and accessible, broken window on front porch, broken windows on south side of house, broken window on west side of house, open door on west side of house.

**CITY OF JACKSON**

**PROPERTIES SCHEDULED FOR THE DECEMBER 19, 2008, BCBA MEETING (CONTINUED)**

**Property Address/Type/Designation  
Deed Holder**

**BCBA Activity**

**Summary of Activities thru 11/30/08**

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## CITY OF JACKSON

### PROPERTIES GRANTED EXTENSIONS BY THE BCBA

Property Address/Type/Designation Deed Holder	BCBA Activity	Summary of Activities thru 11/30/08
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209 W Franklin St (4-0242) Gregory Franklin Services LLC (3 – CDBG) (Staff) – Stairs	11/21/08 BCBA continued until 1/23/09 to allow owner time to repair.	9/4/08 Condemned; Improper support of rear landing for upper unit access.
316 N Grinnell St (2-0787) Donald Kallio (19 – CW) (DPW) – House (O)	11/21/08 BCBA continued until 1/23/09 to allow owner time to repair.	8/27/08 Condemned; House is deteriorated and decayed, roof is beyond salvage.
943 Maple Ave (4-0852) Susan Shanes (34 – CDBG) (JPD) – House (O)	11/21/08 BCBA continued until 2/20/09 to allow owner time to finish interior.	10/31/05 Condemned; open and accessible; unfit for human habitation; Chapter 14 Housing Code violations. 5/18/06 owner has applied for rehab. 7/20/06 should be finished within 3 months. 8/17/06 owner still awaiting rehab loan through Community Development. 10/19/06 owner would like 2 months 2 complete. 11/30/06 per inspector Building permit has been issued, no inspections. 4/19/07 Plumbing almost complete should be finished with everything shortly after that. 5/17/07 per Building Inspector owner is making good progress. Exterior to be completed within the next week, once finished will focus on the interior again. 8/16/07 owner has received loan to finish repairs and should be finished in about 30 days. 9/20/07 new bay window installed, bathroom and kitchen sinks installed. Roof should be finished this week, will then move onto drywall. 10/18/07 owner is hoping to be done by Christmas. 12/20/07 owner has lots of material should be finished within 90 days. 1/17/08 owner hoping to finish downstairs in 1 month and will then start on the upstairs. 2/15/08 three rooms dry walled, will schedule inspection before next meeting. 4/18/08 owner is having surgery but will try to keep sons working. Will try and get electrical permit pulled by May 1, 2008. Permit Information – PB060961 11/14/06 (remodel) expired 6/3/08, PP060437 11/13/06 expired 7/16/08, PE080119 5/9/08, PF08020 5/7/08.
800 S Mechanic St (4-0600) Gregory Cole (3 – CDBG) (JPD) – House (R)	11/21/08 BCBA continued until 2/20/09 to allow owner time to repair.	8/6/08 Condemned; Open and accessible, both doors and upper windows of unit 802 and north door of unit 803; Unfit for human habitation; need to repair floor in back bathroom on first floor and complete the wall surface repairs in unit 802. Property was previously condemned 11/6/06.

CITY OF JACKSON

PROPERTIES GRANTED EXTENSIONS BY THE BCBA (CONTINUED)

Property Address/Type/Designation Deed Holder	BCBA Activity	Summary of Activities thru 11/30/08
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Page 5

1514 Plymouth St (6-0515)  
**Richard Ehnis (new owner 10/08)**  
Nathan Brown (new owner 5/08)  
Entrust Great Lakes US FBO  
(6 – CDBG) (JPD) – House (R)

11/21/08 BCBA continued until 2/20/09  
to allow new owner time to repair.

1/30/08 Condemned; Structure open and accessible; unfit for human  
habitation; Chapter 14 Housing Code violations.  
Permit Information – PB080195 (remodel) 5/15/08.

**CITY OF JACKSON**

**PROPERTIES GRANTED EXTENSIONS BY THE BCBA**

**Property Address/Type/Designation  
Deed Holder**

**BCBA Activity**

**Summary of Activities thru 11/30/08**

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**CITY OF JACKSON**

**PROPERTIES ISSUED AN OFFICIAL NOTICE AND ORDER AND SCHEDULED FOR A FUTURE BCBA MEETING**

<b>Property Address/Type/Designation Deed Holder</b>	<b>BCBA Hearing Date</b>	<b>Summary of Activities thru 11/30/08</b>
137 Arnold St (8-2217) Galaxy Properties (8 – CDBG) (Health Dept.) – House (O)	1/23/09	10/21/08 Condemned; Structure open and accessible; Support column on front porch is shifting away from building.
137 Arnold St (8-2217) Galaxy Properties (8 – CDBG) (Health Dept.) - Garage	1/23/09	10/21/08 Condemned; Garage open and accessible.
320 W Biddle St (4-0549) Deutsche Bank Natl Trust (33 – CDBG) (JPD) – House (R)	1/23/09	10/17/08 Condemned; Structure open and accessible; Unfit for human habitation; Water damage throughout.
1019 Chittock Ave (5-0674) Montez/Jennifer Smith (34 – CDBG) (Fire) – House (O)	1/23/09	10/19/08 Condemned; Fire damage throughout; Fire damaged stairway to second floor.
122 N Dwight St (7-1233) Mervin Halsey (7 – CDBG) (Staff) – House (O)	1/23/09	8/14/08 Condemned; Structure open and accessible, door missing, broken windows, missing basement window, unsecured back door.
201 Fourth St (3-0167) Caesare Blythe (28 – CDBG) (DPW) – Garage	1/23/09	10/10/08 Condemned; Building appears in danger of collapsing, roof has a large hole, walls are bowing and roof is sagging.
918-18 ½ Maple Ave (4-0866) John Colvin (34 – CDBG) (Staff) – House (R)	1/23/09	9/19/08 Condemned; Structure open and accessible, broken window on north side and open window on west side of unit.
328 W Mason St (4-0393) Jermaine Overton (33 – CDBG) (JPD) – House (O)	1/23/09	9/26/08 Condemned; Structure open and accessible at back door.
309 Montgomery St (1-0375) William Warren (1 – CDBG) (NA) – Foundation	1/23/09	10/29/08 Condemned; Floor of foundation is not safe.

**CITY OF JACKSON**

**PROPERTIES ISSUED AN OFFICIAL NOTICE AND ORDER AND SCHEDULED FOR A FUTURE BCBA MEETING (CONTINUED)**

<b>Property Address/Type/Designation Deed Holder</b>	<b>BCBA Hearing Date</b>	<b>Summary of Activities thru 11/30/08</b>
1316 Page Ave (6-1523) Joseph Kurpinski (11 – CDBG) (Staff) – House (R)	1/23/09	10/9/08 Condemned; Structure deteriorated and decayed; collapsing roof, hole in roof on north side; Structure open and accessible; open window on west side, broken window on east side, broken window on north side; Property full of junk.
1322 Page Ave (6-1524) Joseph Kurpinski (11 – CDBG) (Staff) – House (R)	1/23/09	10/9/08 Condemned; Structure deteriorated and decayed, walls are falling in, roof is not on structure.
707 Second St (3-0022) US Bank NA (33 – CDBG) (Fire) – House (R)	1/23/09	10/2/08 Condemned; Fire at rear of house and porch area, back porch burnt down.

**CITY OF JACKSON**

**PROPERTIES TENTATIVELY SCHEDULED FOR A FUTURE BCBA MEETING**

<b>Property Address/Type/Designation Deed Holder</b>	<b>Tentative Hearing Date</b>	<b>Summary of Activities thru 11/30/08</b>
605 W Biddle St (3-1943) Lowe Agnes Pearline (28 – CDBG) (Council Member) – Porch	1/23/09 (T)	11/26/08 Condemned; Deteriorated porch roof, improper structure support of porch and roof.
726 N Blackstone St (1-0373) Bonnie Thompson (1 – CDBG) (Staff) - Garage	1/23/09 (T)	10/29/08 Condemned; Roof of garage is decaying beyond repair.
2005 Francis St (5-1869) Corey/Cynethie Wheeler (18 – CDBG) (Staff) – House (R)	1/23/09 (T)	10/17/08 Condemned; Open and accessible; Unfit for human habitation.
226 E High St (5-1223) Stephen/Theresa Sloan (5 – CDBG) (Staff) – Garage	1/23/09 (T)	11/26/08 Condemned; Garage is collapsing.
732 Irving St (8-2302) MI Seven LLC (8 – CDBG) (NA) – Chimney	1/23/09 (T)	11/24/08 Condemned; Chimney is pulling away from house.
726 John St (1-0394) Kristen Sackett (1 – CDBG) (Staff) - Porch	1/23/09 (T)	10/29/08 Condemned; Front porch roof is supported by temporary measures only.
414 N Van Dorn St (7-0248) Roberta Bowser (4 – CDBG) (Staff) – Garage	1/23/09 (T)	11/24/08 Condemned; Roof deteriorated and decayed, roof is collapsing and has holes in it; Siding needs to be replaced.
1045 Williams St (4-0926) James Hulett (34 – CDBG) (Staff) – Garage	1/23/09 (T)	11/26/08 Condemned; Roof is deteriorated and decayed, rotting and has holes in it.

**CITY OF JACKSON**

**PROPERTIES WITH OUTSTANDING NOTICE AND ORDERS UPHELD, AWAITING DEMOLITION**

<b>Property Address/Type/Designation Upheld Deed Holder</b>	<b>Date</b>	<b>Bids Requested</b>	<b>Bids Received</b>	<b>Bids Awarded</b>	<b>Scheduled Demolition</b>	<b>Summary of Activities thru 11/30/08</b>
939 Chittock Ave (5-0649) <b>Trainor Financial LLC (new owner 10/07)</b> Jackson County Treasurer (new owner 6/07) Destiny Ventures LLC (34 – CDBG) (Staff) – House (R)	3/15/07					11/8/06 Condemned; Structure open and accessible at rear door; all cooper has been striped out of house; Chapter 14 Housing Code violations. 5/4/07 – Inspection Department to inspect for updated status. <b>6/29/07 – Property now owned by County of Jackson, per Building Official we cannot take action on County owned properties.</b>
220 S Dwight St (6-0904) William/Kristy Denman (11 – CDBG) (NA) – House (R)	2/15/08	3/12/08	3/24/08			10/19/07 Condemned; Open and accessible; Unfit for human habitation; Chapter 14 Housing Code violations.
704 First St (3-0023) Lamar Jackson (33 – CDBG) (Staff) – House (R)	4/18/08	5/20/08	6/5/08			1/31/08 Condemned; Lower unit open and accessible; Fire damage in upper unit; Chapter 14 Housing Code violations.
508 N Francis St (7-0070) <b>Jeffrey/Ryan Anderson (new owner 8/07)</b> Tracie Vierk (4 – CDBG) (JPD) – House (R)	12/14/06	1/9/07	1/24/07			7/10/06 Condemned; Structure open and accessible; trash and debris throughout; gas and electric shut off; Chapter 14 Housing Code violations. 11/16/06 ownership issues on this property. 5/4/07 Owner has been trying to contact Building Official to discuss repairs.
815 Francis St (5-0589) <b>Christopher Robinson (new owner 3/07)</b> Hasche LLC Etal (3 – CDBG) (Fire) – House (R)	9/20/07					3/7/07 Condemned; Smoke, fire and water damage to upper unit; water damage to lower unit; Chapter 14 Housing Code violations. <b>No contact from owner.</b>
107 E Ganson St (7-0134) Herbert Christopher (4 – CDBG) (Fire) – House (R)	7/18/08					10/4/07 Condemned; Fire, smoke and water damage throughout structure; Chapter 14 Housing Code violations. 2/15/08 owner is awaiting Insurance settlement. 4/18/08 owner working with attorney regarding ownership issues. <b>7/22/08 received ACT 495 funds.</b>

**CITY OF JACKSON**

**PROPERTIES WITH OUTSTANDING NOTICE AND ORDERS UPHELD, AWAITING DEMOLITION (CONTINUED)**

<b>Property Address/Type/Designation Upheld Deed Holder</b>	<b>Upheld Date</b>	<b>Bids Requested</b>	<b>Bids Received</b>	<b>Bids Awarded</b>	<b>Scheduled Demolition</b>	<b>Summary of Activities thru 11/30/08</b>
137 W Mason St (4-0785) Eric/Laura Springborn (3 – CDBG) (Staff) – House (R)	10/17/08					6/30/08 Condemned; Structural elements in danger of collapse; interior and exterior of building are unfit; Chapter 14 Housing Code violations.
611 W Morrell St (3-2064) John/Patricia Grzesikowski (28 – CDBG) (Fire) – House (O)	6/20/08	7/21/08				11/26/07 Condemned; Fire, smoke and water damage to interior of house. 4/18/08 waiting for Insurance Settlement before work starts.
918-20 Williams St (4-0698) Countywide Bank (34 – CDBG) (DPW) – House (R)	12/14/06	1/9/07	1/24/07			9/22/06 Condemned; Fire, smoke and water damage throughout both units; Chapter 14 Housing Code violations.

**CITY OF JACKSON**

**PROPERTIES PENDING RECONSIDERATION FROM THE BCBA**

**Property Address/Type/Designation  
Deed Holder**

**BCBA Activity**

**Summary of Activities thru 11/30/08**

**CITY OF JACKSON**

**PROPERTIES PENDING COURT ACTION**

<b>Property Address/Type/Designation Upheld Deed Holder</b>	<b>Date</b>	<b>Bids Requested</b>	<b>Bids Received</b>	<b>Bids Awarded</b>	<b>Scheduled Demolition</b>	<b>Summary of Activities thru 11/30/08</b>
204 E Prospect St (5-1894.1) <b>Golden Gibson (new owner 6/07)</b> Federal National Mortgage Assn (new owner 7/06) Flagstar Bank (18 – CDBG) (Fire) – House (R)	1/18/07					7/5/06 Condemned; Exterior siding burned; windows broken out; door damaged; walls, ceilings and floor joists damaged; smoke and water damage throughout; gas and electric shut off; trash and debris throughout. 10/19/06 owner (Maurice Harrell) is working on redeeming house, once he does he will start repairs. 5/4/07 New owner given time by court to pull permits and repair. Permit Information – PB070167 (repair) 5/11/07, PE070258 7/25/07.
605 Williams St (4-0777) Starting Point Financial (3 – CDBG) (Fire) – House (R)	4/22/04	04/23/04	05/19/04			6/5/03 Condemned; fire damage throughout structure. 9/18/03 Notice and Order UPHELD. Demolition never done. 4/22/04 Notice and Order UPHELD – Demolition never done due to restraining order. We do have ACT 495 insurance money. 5/12/04 Restraining order filed by owner’s attorney. 6/28/04 owner pulled remodel permit. 12/13/04 Permit #13420 abandoned by owner. 1/26/05 – Injunction issued with court date of 2/18/05. Court granted extension until 4/29/05. 5/5/05 work started, good progress being made on exterior, roof finished, siding started and new electrical service. <b>Property still in court.</b>

**CITY OF JACKSON**

**PROPERTIES RELEASED FROM BCBA**

<b>Property Address/Type/Designation Deed Holder</b>	<b>Release Date</b>	<b>Summary of Activities thru 11/30/08</b>
1409 Floral Ave (8-0984.05) Melinda Watts (29 – CDBG) (Neighbor) – House (O)	10/28/08	Property repaired by owner.
202-04 Third St (3-0168) Jacqueline Carter (28 – CDBG) (Staff) – House (R)	11/12/08	Property repaired by owner.



## Community Development

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

December 5, 2008

**TO:** William R. Ross, City Manager  
**FROM:** **Carol L. Konieczki, Community Development Director**  
**RE:** CDBG Financial Summary through October 2008

---

Attached is a Financial Summary for the CDBG funds through October 2008.

Please place this item for consideration on the December 16, 2008 City Council agenda.

Cc: Michelle Pultz, Project Coordinator

CLK:hls

**City of Jackson  
Community Development Block Grant  
Monthly Financial Summary  
For the Four Months Ended October 31, 2008**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<b><u>Public Services</u></b>							
1 American Red Cross							
FY 2007/2008	3,000	2,033	-	275	2,308	692	77%
FY 2008/2009	2,000	-	-	-	-	2,000	0%
2 Big Brothers Big Sisters	2,000	-	-	2,000	2,000	-	100%
3 Center for Family Health	25,000	-	-	-	-	25,000	0%
4 Fair Housing Services (FY 2004/2005)	10,000	-	-	-	-	10,000	0%
5 Family Services & Children's Aid	5,000	-	-	1,394	1,394	3,606	28%
6 Florence Crittendon - Male Transition Program							
FY 2007/2008	4,788	3,961	827	827	4,788	-	100%
FY 2008/2009	2,500	-	-	-	-	2,500	0%
7 Florence Crittendon - Reporting Center for Youth							
FY 2007/2008	5,400	2,119	-	-	2,119	3,281	39%
FY 2008/2009	3,000	-	-	-	-	3,000	0%
8 Human Relations Comm (Cool Cities Youth Council)							
FY 2007/2008	5,000	1,739	-	-	1,739	3,261	35%
FY 2008/2009	1,000	-	-	-	-	1,000	0%
9 Jackson Affordable Housing Programs							
FY 2007/2008	29,200	24,419	-	3,679	28,098	1,102	96%
FY 2008/2009	30,273	-	521	1,522	1,522	28,751	5%
10 Jackson School of the Arts	1,500	-	-	-	-	1,500	0%
11 Legal Services of SE Michigan (FY 2007/2008)	1,500	128	-	84	212	1,288	14%
12 MLK Summer Program	35,000	-	-	35,000	35,000	-	100%
13 Neighborhood Resource Centers							
FY 2007/2008	15,000	13,326	-	1,674	15,000	-	100%
FY 2008/2009	12,000	-	779	2,169	2,169	9,831	18%
14 Northeast School Dental Clinic (FY 2005/2006)	25,000	24,896	-	-	24,896	104	100%
15 Partnership Park-After School Programs	5,000	-	-	-	-	5,000	0%
16 Resident Officer Program-Property Expenses (FY 2004/2005)	3,993	3,317	131	395	3,712	281	93%
17 Salvation Army - Heating Assistance							
FY 2007/2008	68,108	60,000	-	-	60,000	8,108	88%
FY 2008/2009	63,000	-	-	-	-	63,000	0%
18 United Way - 211 Services	10,000	-	-	2,500	2,500	7,500	25%
19 Administration & Planning							
FY 2007/2008	344,100	200,627	18,259	76,975	277,602	66,498	81%
FY 2008/2009	248,600	-	-	-	-	248,600	0%
<b><u>Other Projects</u></b>							
20 City Code Enforcement Division							
FY 2007/2008	532,545	416,531	35,554	116,014	532,545	-	100%
FY 2008/2009	500,000	-	-	36,470	36,470	463,530	7%
21 City Housing Rehabilitation Projects:							
Owner Occupied Housing Rehabilitation							
FY 2005/2006	292,000	209,612	-	52,448	262,060	29,940	90%
FY 2006/2007	59,000	-	-	-	-	59,000	0%
FY 2007/2008	309,035	-	-	-	-	309,035	0%
FY 2008/2009	158,980	-	-	-	-	158,980	0%
City Emergency Hazard Repair Program							
FY 2007/2008	50,000	11,446	-	31,609	43,055	6,945	86%
FY 2008/2009	75,000	-	-	-	-	75,000	0%
New Neighbor Program (FY 2005/2006)	80,000	58,755	559	4,462	63,217	16,783	79%
World Changers							
FY 2007/2008	45,000	32,829	898	3,151	35,980	9,020	80%
FY 2008/2009	38,250	-	-	-	-	38,250	0%

**City of Jackson  
Community Development Block Grant  
Monthly Financial Summary  
For the Four Months Ended October 31, 2008**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
Spring Cleanup	5,000	4,428	-	-	4,428	572	89%
City Rehab Administration (Denied Loans)							
FY 2007/2008	1,000	331	575	669	1,000	-	100%
FY 2008/2009	3,000	-	48	502	502	2,498	17%
22 Downtown Development Authority - Façade Loans							
FY 2006/2007	60,000	38,000	-	19,820	57,820	2,180	96%
FY 2007/2008	15,000	-	-	-	-	15,000	0%
FY 2008/2009	18,000	-	-	-	-	18,000	0%
23 John George Home - building repairs	50,000	-	-	-	-	50,000	0%
24 Grace Haven - shelter repairs	18,000	-	-	-	-	18,000	0%
25 Michigan Theater - plumbing repairs	4,000	-	-	-	-	4,000	0%
26 Jackson Friendly Home - elevator	30,000	-	-	-	-	30,000	0%
27 Street Construction - Milwaukee (FY 2006/2007)	98,000	78,152	-	-	78,152	19,848	80%
28 Street Construction - High to Morrell (FY 2006/2007)	398,000	322,720	-	-	322,720	75,280	81%
29 Street Construction - Elm (FY 2006/2007)	99,400	60,953	-	-	60,953	38,447	61%
30 Rotary Park Improvements	35,000	-	-	-	-	35,000	0%
31 Public Works - curb ramps	40,000	-	-	-	-	40,000	0%
32 Tree Removal/Replacement	25,000	-	-	-	-	25,000	0%
33 Enterprise Group - Operations (FY 2006/2007)	7,500	-	-	-	-	7,500	0%
34 Job Creation Loans (FY 2006/2007)							
FY 2006/2007	30,000	-	-	-	-	30,000	0%
FY 2008/2009	34,000	-	-	-	-	34,000	0%
35 Enterprise Group-Incubator Bldg Imp (FY 2006/2007)	18,000	6,926	-	-	6,926	11,074	38%
36 Riverwalk Project (FY 2005/2006)	70,000	27,480	-	-	27,480	42,520	39%
37 Acquisition/Demolition - CAA (FY 2005/2006)	259,103	235,603	-	-	235,603	23,500	91%
38 Demolitions - Building Inspection (FY 2005/2006)							
FY 2005/2006	40,846	20,795	-	-	20,795	20,051	51%
FY 2007/2008	48,046	-	-	-	-	48,046	0%

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



City Assessor

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

December 10, 2008

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

Dear Lynn;

Please place on the agenda for Tuesday, December 16, 2008, the following item:

Request to establish January 20, 2009, in the City Council Chambers, as the time and place to hold the public hearing of necessity for the 2008-2009 meterless parking special assessment roll.

Very truly yours,

C. Jan Markowski  
City Assessor

CJM/dbk

Copy: Sharon Hasen, Secretary to the City Manager  
Jon Dowling, City Engineer  
Bob Dietz, Engineering Department  
Robert Cole, Parking Study Committee Chairperson  
File



## Community Development

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

December 11, 2008

**TO:** William R. Ross, City Manager

**FROM:** Carol Konieczki, Community Development Director

**RE:** **Request to Establish the Jan 6, 2009 City Council meeting as the time and place to hold a Public Hearing for the Consideration of a Brownfield Plan for 228 W. Michigan Ave. (Hayes Commons Development, LLC) as recommended by the Jackson Brownfield Redevelopment Authority (JBRA)**

---

At their regularly scheduled meeting on December 10, 2008 the JBRA accepted the Brownfield Plan from Hayes Commons Development, LLC to apply for a Michigan Business Tax Credit and moved to forward the plan to the city council for approval. The Brownfield Plan was prepared in order to allow Hayes Commons Development, LLC to pursue a Michigan Business Tax Credit in the amount of \$1,097,000 based on \$6,410,000 of eligible investments they intend to make during development. The Plan will not use any Brownfield tax increment financing; however, the developer does intend to pursue an Obsolete Properties Rehabilitation Act (OPRA) in the near future.

Requested action at this time is to establish the January 6, 2009, City Council meeting as the time and place to hold a public hearing to approve the Brownfield Plan for 228 W. Michigan Ave. (Hayes Commons Development LLC).

Please place this item on the December 16, 2008 Consent Calendar for consideration.

clk

cc: Bruce Inoscencio  
Mike Sharp  
Tom Wackerman



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE:** **Administrative Hearings Bureau**

---

In accordance with City Code, Chapter 2.5, the Administrative Hearings Bureau officer appointed by the Mayor with the consent of the City Council must be an attorney admitted to the practice of law in the State of Michigan for at least five (5) years. The administrative hearings bureau officer will serve a term of two (2) years and is removable only upon just cause.

It is my desire, therefore, to reappoint Carlene M. Lefere and Charles H. Aymond as administrative hearings bureau officers for the City of Jackson's Administrative Hearings Bureau for a two-year term each, beginning January 1, 2009 and ending December 31, 2010.

JFL:skh

# CITY OF JACKSON



Office of Mayor  
Jerry F. Ludwig

MICHIGAN

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

## City of Jackson Board/Commission Application

Name: Carlene Mary Lefer

Address: 1434 Eagle Point Zip: 49234

Home Phone: Clark Lake MI Other Phone: \_\_\_\_\_

Occupation: Retired Judge

### Community Involvement/Activity

Jackson Community Foundation

Legal Services

Hospice Home Campaign

Are you a registered voter? yes Ward? \_\_\_\_\_

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

1. Adm. Hearing Board

3. \_\_\_\_\_

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

Prior experience as a Lawyer and Judge

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Carlene G Lefer  
Signature of Applicant

October 3, 2008  
Date

# CITY OF JACKSON



MICHIGAN



Office of Mayor  
Jerry F. Ludwig

161 W. Michigan Avenue  
Jackson, MI 49201  
Phone: (517) 788-4038  
Fax: (517) 768-5820

## City of Jackson Board/Commission Application

Name: Charles H. Aymond

Address: 6075 Browns Lake Road, Jackson, Michigan Zip: 49203

Home Phone: (517) 784-5035 Other Phone: (517) 787-5600

Occupation: Attorney

### Community Involvement/Activity

JOHN George Home  
Jackson Community Foundation  
Dorothy Blakely Fundation

Ella Sharp Museum  
City Planning Commission

Are you a registered voter? Yes Ward? \_\_\_\_\_

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

1. Administrative Hearings Bureau Office

3. \_\_\_\_\_

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

I assist many community organizations with legal and fund raising issues.  
I have been an AHB hearings officer since the Jackson AHB was organized.  
I believe it is having a positive impact on the City.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Charles H. Aymond  
Signature of Applicant

October 10, 2008  
Date



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Building Code Board of Appeals**

---

In accordance with City Code, Sec. 2-341, the City Engineer and the Fire Chief are members because of their offices. The Building Official is an Ex-Officio member. The Mayor and City Council appoint five members to three-year terms. One citizen realtor.

It is my desire, therefore, to reappoint Jeannette Woodard to the Building Code Board of Appeals for a three-year term beginning January 1, 2009, and ending December 31, 2011.

JFL:skh



# CITY OF JACKSON



## MICHIGAN

Office of Mayor  
Jerry F. Ludwig

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

### City of Jackson Board/Commission Application

Name: Jeannette Woodard

Address: 1408 Elm + St Zip: 49203

Home Phone: 517-789-7147 Other Phone: 517-812-4080

Occupation: Architect

#### Community Involvement/Activity

BBA DDA  
HDC

Are you a registered voter? yes Ward? 6 precinct 2

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

1. BBA
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

\_\_\_\_\_  
Signature of Applicant

9-24-08  
\_\_\_\_\_  
Date



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE:** **Civil Service Commission**

---

In accordance with City Code, Sec. 2-301, Charter Section 7.7, the Mayor appoints with Council confirmation, five members to three year terms. The members must have been registered electors in the City for at least two years.

It is my desire, therefore, to appoint Katherine (Kathy) J. Klaus, and John Henegar to the Civil Service Commission filling vacancies, beginning immediately, and ending August 31, 2010.

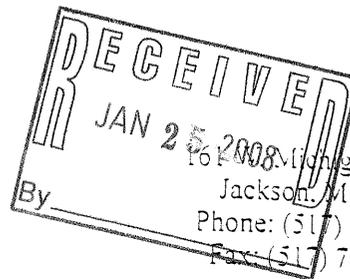
JFL:skh

# CITY OF JACKSON



Office of Mayor  
Jerry F. Ludwig

## MICHIGAN



### City of Jackson Board/Commission Application

Name: John HENEGAR

Address: 1206 E. North St Zip: 49202

Home Phone: 517-962-5520 ~~517-782-4976~~ Other Phone: \_\_\_\_\_

Occupation: Unemployed at present

*at one time* Community Involvement/Activity

PRECINCT Delegate

Jackson County Republican Party

Are you a registered voter? YES Ward? 3

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

- Civil Service Commission
- Telecommunications Advisory Board
- Citizens Advisory Council

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

Have been looking for opportunity to serve community more.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

John Henegar  
Signature of Applicant

1-23-08  
Date

**John L. Henegar**  
1206 E. North Street  
Jackson, Michigan 49202  
Phone: (517)782-4976  
Email: lcm14@sbcglobal.net

### **Objective**

Seeking a career in Computer Network Systems where skills in computer upgrades, wide area and local area networks, and network system design are an asset. I have attended ITT Technical Institute and was enrolled in the IT Computer Network Systems Curriculum schedule.

### **Education**

**September 2004 – present ITT Technical Institute, Canton, MI**  
**Associate of Applied Science in Computer Network Systems**  
*Courses Completed:* Operating Systems, Intro to Computer Programming, Microsoft Desktop Operating System, Visual Basic and GUI Applications, Network Standards and Protocols, Strategies for the Technical Professional, Red Hat Linux, Windows Server 2003, Database Systems

**September 1985-June 1986 Detroit College of Business, Dearborn, MI**  
*Courses:* Marketing, Sales Management, Public Relations

**April 1981-August 1982 Wayne County Community College: Taylor, MI**  
*Courses:* Psychology, Computer Programming, Art, English, Composition

### **Work Experience**

**November 2007-Dec. 2007 Belcan Tech Services, 1765 Airport Rd Ste 6; Lynchburg, Va 24502**  
Building GPS units for Tyco Electronics, Jackson, Michigan site.

**July 2007-August 2007 Kelly Services; 2100 S. Main St. STE. C, Ann Arbor, MI 48103**  
**(Borders, Inc. 100 Phoenix Dr. Ann Arbor, MI 48103)**  
*Help Desk Technician*  
Assist customers with IT technology problems via phone, data entry of trouble calls into the database.

**Oct 2005 – Mar 2007 Tech Team Global; 27335 W 11 Mile Rd., Southfield, MI 48034**  
*Help Desk Technician*  
Assist customers with IT technology problems via phone, data entry of trouble calls into the database. Additional training in CompTIA Linux+, Networking, Cisco IP Phone, CompTIA A+ Core Hardware, Windows XP End User, Excel 2003 Core Skills, Word 2003 Core Skills, and Outlook 2003 Core Skills, Database Design.

**Nov 1997– Oct 2005 Meijer; 3333 East Michigan Ave., Jackson, MI 49201**  
*Food Clerk*  
Assist customers, train new employees, stock new merchandise, setup sales plan on the floor, receive shipments, reorder merchandise.

**1992 – 1996 Lincoln Office Supply; Lincoln Park, MI**  
*Truck driver*

Delivered and installed office supplies and furniture to customers, miscellaneous Office maintenance. Some steelcase training in Grand Rapids.

**1984 – 1992**

**Imlach Movers Inc.; Gibraltar, MI**

*Helper – Warehousemen*

Loaded furniture from warehouse and homes onto and off trucks. Padded furniture for loading, and packed personal belongings into boxes for shipment. Completed the warehouse storage forms.

**Military**

**1976 - 1980**

**U.S. Navy; Orlando, FL – San Diego, CA – USS Constellation**

*Radioman*

Received and transmitted priority message traffic, message preparation, proofread and routed messages throughout ship, maintained message files, logged message traffic. Maintained and operated transmitters.

**References**

**Available upon request**

**Skills**

Windows, Wordperfect, Word for Windows, Microsoft Office, Outlook, Excel  
Typing 65wpm

**REFERENCES**

LONNIE L. GORDON

14258 QUINCY

HOLLAND, MI 49424

(616) 786 – 9178

PHIL LEINARD

13759 SELWYN

SOUTHGATE, MI 48195

(734) 281-6726

Robert Gordon

3 Twin Ridge Dr

Weaverville, NC 28787

517-745-2982 Cell phone

**Work**

Craig Myles

27335 W. 11 Mile Rd

Southfield, Mich 48034

248-357-2570/ 313-283-7090

Eduardo Sanchez

27335 W. 11 Mile Rd

Southfield, Mich 48034 248-357-2570/313-421-7196

Tim Ryan

27335 W. 11 Mile Rd

Southfield, Mich 48034

248-357-2570/313-595-0165

# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Jerry F. Ludwig

161 W. Michigan Avenue  
Jackson, MI 49201  
Phone: (517) 788-4028  
Fax: (517) 768-3820

## City of Jackson Board/Commission Application

Name: Kathy Klaus (Katherine J. Klaus)

Address: 808 Brighton Rd Zip: 49203

Cell Home Phone: (517) 740-8263 Work Other Phone: 796-6182

Occupation: Engineering Aide, Commonwealth Associates, Inc.

Community Involvement/Activity

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

Are you a registered voter? yes Ward? 6th

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

1. Citizens Advisory Council
2. Local Officers Comp. Commission
3. Civil Service Commission
4. Charter Review

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

I love Jackson and would like to volunteer in some way. I am quite interested in the Charter review. I am open to the possibilities and look forward to discussing them.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Kathy Klaus  
Signature of Applicant

1-18-08  
Date

**KATHERINE J. KLAUS**  
**Engineering Aide**

Ms. Klaus has a strong background in business administration, management, planning, and support. Her responsibilities have included database development and maintenance, technical support to engineering, and document management activities. In addition to typical Microsoft programs, Ms. Klaus has experience with CDEGS, ArcMap, and various other specialty software.

**Professional Background:**

2006-Present Commonwealth Associates, Inc., Jackson, Michigan  
2004-2006 University of Michigan, Ann Arbor, Michigan  
2000-2005 Jackson Intermediate School District, Jackson Michigan  
2004 American Benefit Concepts, Albion, Michigan  
2002-2003 Sylvan Learning Center, Jackson, Michigan  
2001-2002 Meijer, Inc., Jackson, Michigan  
1997-2000 M-Care/University of Michigan, Jackson, Michigan  
1995-1997 CB Financial Corporation, Jackson, Michigan

**Representative Project Experience:**

- Engineering Aide on assignment at Consumers Energy using the ArcMap program to identify gas pipeline casings under railroad crossings, bridges, etc., as they appear in historical documents. The project involved determining, from these documents, whether the casings were filled or unfilled and making various other judgments concerning the casings. Several Excel spreadsheets were continually updated to provide quality control/quality assurance that information was being entered into the mapping software correctly, as technical review and documentation for pipeline compliance with federal safety requirements.
- Engineering Aide responsible for performing EMF calculations using CDEGS software, producing various charts and reports. Also served as a direct line of communication to the client, providing data and graphics when requested.
- Engineering Aide assisting with transfer of utility drawings from International Transmission Company (ITC) original linen drawings, mylar drawings, and microfilm aperture cards to electronic scans. Created and maintained spreadsheets to track movement of originals and electronic files and facilitated the transfer of all files. More than 10,000 drawings were removed from ITC's office and are now stored off site or as electronic files only.
- Engineering Aide assisting with document transfer for Michigan Electric Transmission Company (METC). Created and catalogued electronic scans of original documents, drawings, and microfilm aperture cards to electronic scans. Created and maintained

### KATHERINE J. KLAUS (CONTINUED)

spreadsheets to track movement of originals and electronic files and facilitated the transfer of all files.

- Engineering Aide involved in METC Planning Department document turnover project. Responsible for scanning, cataloging, and transferring hard-copy historic documents to electronic format. One hundred seventy-five multi-page binders containing correspondence, reports, and diagrams were scanned and transferred, creating approximately 25,000 electronic files.
- Administrative Assistant responsible for managing human resource and database records. During corporate acquisition and office relocation, successfully transferred all database and hard copy files to new management teams.
- Database Manager for 30,000-member relief fund donor file. Helped improve efficiency of Donor Perfect software along with the software developer.
- Field researcher for studies of teacher development and the teaching of reading for the University of Michigan.
- Assisted human resources manager with administering and grading pre-employment tests, pre-interviewing candidates, maintaining personnel records, resolving insurance issues, and maintaining a variety of spreadsheets, organizational charts, and all job descriptions.

#### **Education:**

B.A., Elementary Education, Spring Arbor University

A.A., Jackson Community College



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE:** **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 officio's 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 Patrick Colligan to the City Planning Commission for a three-year term beginning January 1, 2009, and ending December 31, 2011.

It is also my desire to reappoint Jeanne Kubish and John Guidinger to the City Planning Commission for a three-year term each beginning January 1, 2009, and ending December 31, 2011.

JFL:skh



**City of Jackson Board/Commission Application**

Name: Patrick Colligan  
Address: 1527 Samaritan Dr Zip: 49203  
Home Phone: 517-817-0350 Other Phone: 517-937-3468  
Occupation: Night Club owner

Community Involvement/Activity

Rose Parade 20+ years

Are you a registered voter? yes Ward? Summit TWP.

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

1. Planning Commission
2. \_\_\_\_\_
3. \_\_\_\_\_

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

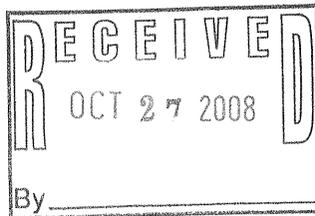
Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Patrick Colligan  
Signature of Applicant

10-13-08  
Date

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



# CITY OF JACKSON



MICHIGAN



Office of Mayor  
Jerry F. Ludwig

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

## City of Jackson Board/Commission Application

Name: Jeanne L. Kubish  
Address: 806 W Mich Av # 306 E Zip: 49202  
Home Phone: 517/787-4193 Other Phone: \_\_\_\_\_  
Occupation: Retired from County of Jackson Adm.

### Community Involvement/Activity

Volunteer for various local charities  
& organizations. Election inspector.

Are you a registered voter? yes Ward? 4/3

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

- City Planning Comm.
- \_\_\_\_\_
- \_\_\_\_\_

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

Jeanne L. Kubish  
Signature of Applicant

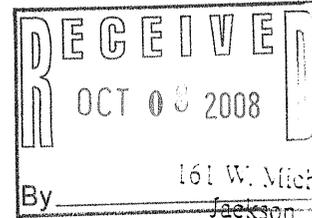
October 7, 2008  
Date

# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Jerry F. Ludwig



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

## City of Jackson Board/Commission Application

Name: JOHN H. GUIDINGER  
Address: 760 WOODLAWN Zip: 49203  
Home Phone: 517-789-5436 Other Phone: 517-449-9841  
Occupation: RETIRED ENVIRONMENTAL PLANNER

### Community Involvement/Activity

MICHIGAN THEATER - RESTORATION NATIONAL AMTRAK CUSTOMER  
COORDINATOR ADVISORY COMMITTEE  
COMIC OPERA GUILD OF ANN ARBOR

Are you a registered voter? YES Ward? 6

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

- PLANNING COMMISSION
- \_\_\_\_\_
- \_\_\_\_\_

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

WORKED AS AN ENVIRONMENTAL PLANNER FOR  
OVER 30 YEARS

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

John Guidinger  
Signature of Applicant

Oct 6, 2008  
Date

**JOHN H. GUIDINGER**  
**Environmental Specialist**

Mr. Guidinger has 34 years of professional experience in selecting routes and evaluating all types of environmental impacts of high-voltage transmission lines and substations. His experience has involved 13 kV to 765 kV projects throughout the United States and in several foreign countries. He works closely with environmental specialists, right-of-way acquisition agents, engineers, designers, and legal staff to coordinate the preparation of detailed permit applications intended for all types of federal, state and local permitting authorities. He works with construction management staff to insure environmental permit conditions are met. He coordinates the work of specialists involved with design, cost estimating, transmission system analysis, analysis of alternative options, line routing, substation siting, public involvement strategies, mapping and graphic production, visual simulations, and analysis of impacts dealing with a wide variety of subjects including wetlands, stream crossings, soils, threatened and endangered species, land use, agriculture and forestry, property values, visual resources, historic and prehistoric resources, EMF, audible and radio noise, right-of-way sharing, and many other subjects. Mr. Guidinger has provided expert witness testimony concerning high-voltage transmission lines and substations before public service/utility commissions in eight states.

**Professional Background:**

1991-Present	Commonwealth Associates, Inc., Jackson, Michigan
1989-1991	Halliburton-NUS Environmental Corporation, Gaithersburg, Maryland
1988-1989	Commonwealth Associates, Inc., Jackson, Michigan
1973-1988	Gilbert/Commonwealth, Inc., Jackson, Michigan

**Representative Project Experience:**

- Technical Advisor for the Louis Berger Group on route selection studies for a three 500 kV and three 138 kV transmission lines totaling 180 miles in length in Pennsylvania, West Virginia, and Virginia. The project included development of routing criteria, identification of routing constraints, extensive use of aerial photography and field inspections, application of wide-ranging GIS mapping data, analysis of many alternative routes, selection of preferred routes, preparation of route selection reports, and preparation of applications for approvals by the Pennsylvania State Utility Commission, the West Virginia Public Service Commission, and the Virginia State Corporation Commission.
- Over a period of several years, managed route selection for a 32-mile 330 kV transmission line necessary to connect a power plant proposed by ExxonMobil in the coastal area of Nigeria to the Nigerian transmission grid at Afam. Working with satellite imagery and field inspection, developed a series of alternative routes and a preferred route to cross through extensive mangrove swamps and agricultural uplands while avoiding villages and cultural developments. Worked with Nigerian and US engineers to prepare the project for Engineer/Procure/Construct (EPC) bidding documents.
- Conducted a detailed independent review of intensive public concerns related to double-circuiting a 14-mile Xcel Energy 115 kV transmission line. Working for a committee of three mayors of

## JOHN H. GUIDINGER (CONTINUED)

suburban Minneapolis cities, managed CAI staff in the development of alternative routes and analysis of perceived impacts dealing with aesthetics, property values, EMF, cultural resources, land use, biological resources, need for the project, and alternative transmission routes and system fixes. Conducted four public meetings and spoke at three additional meetings to discuss the study and respond to comments from municipal staffs and the public.

- Managed the preparation of permit applications to the Corps of Engineers, Michigan Department of Environmental Quality (DEQ) and Department of Natural Resources (DNR), Federal Aviation Administration (FAA), and local authorities for 42 miles of double-circuit 138 kV transmission line for American Transmission Company in Michigan's Upper Peninsula. Primary issues concerned wetlands, floodplains, threatened and endangered species, cultural resources, airspace at airports, and sand dune erosion.
- Managed a CAI team that assisted the West Virginia Public Service Commission in its review of an extensive AEP application for approval of the Wyoming-Cloverdale/Jackson's Ferry 765 kV transmission line. The work included field reviews, review of the need for the line, interviews with AEP managers and the application preparation consultants, and expert witness testimony.
- Working closely with the engineering staff and the client, prepared permit applications to the Corps of Engineers, Wisconsin DNR and Department of Transportation (DOT), Milwaukee Harbor Commission, and railroad companies for 8 miles of underground 138 kV line in pipe in downtown Milwaukee for Wisconsin Electric.
- Project Manager of an 8-year study monitoring the effects of removing Consumers Energy's Stronach Dam on Michigan's Pine River wetlands. The work involved periodically collecting species-specific data from permanent vegetation plots and water level elevations from monitoring wells, river transects, and wetland ponds.

### **Education:**

B.S., Crops Production, California State Polytechnic College, 1964  
B.S., Range Management, University of Wyoming, 1971  
M.S., Range Management, University of Wyoming, 1976  
Wetland Delineation Course, Wetland Training Institute, August, 1995  
Wetland Botany Course, Wetland Training Institute, July, 2000  
Citizen Planner Course, Michigan State University, 2005

### **Societies and Activities:**

Jackson (Michigan) City Planning Commission  
Northern Nevada Native Plant Society  
Retired Commander, US Naval Reserve  
Member, National Amtrak Customer Advisory Committee



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Downtown Development Authority**

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In accordance with City Code Section 2-401 providing for creation of Authority pursuant to Act 197 of the Public Acts of 1975, adopted 3/22/77 and City Commission resolution adopted 11/26/91. Members are appointed by the Mayor subject to Council confirmation, for four year terms. The Mayor serves during term of office. The Board shall consist of 13 members, with at least seven having an interest in downtown district property, and at least one member a resident of the downtown district, including the Midtown Association president.

It is my desire to reappoint Victor Cuiss to the Downtown Development Authority for a four-year term beginning January 1, 2009, and ending on December 31, 2012.

JFL:skh

# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Jerry F. Ludwig



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

## City of Jackson Board/Commission Application

Name: Victor Cuiss

Address: 911 Briarcliff Rd. Zip: 49203

Home Phone: 783-4543 Other Phone: 782-9416

Occupation: Owner, Jackson Plumbing & Heating Supply Co., Inc.

Community Involvement/Activity

Downtown Development Authority

Sharp Park Board & Trustees

Are you a registered voter? YES Ward? 6

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

1. Downtown Development Authority.

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

Victor Cuiss  
Signature of Applicant

10-27-08  
Date



December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Historic District Commission**

---

In accordance City Code, Sec. 13-5. MCL 399.204, the Mayor appoints, subject to City Council confirmation, seven City residents for three-year terms. Mayor shall consult with chair of the Historic District Commission and appoint at least two members from a list of citizens submitted by a duly organized and existing local historical and/or preservation society(s) and, if available, one architect or a graduate of an accredited school of architecture who has two years of architecture experience or who is an architect registered in this state.

It is my desire, therefore, to reappoint Jeannette Woodard to the Historic District Commission for a three-year term, beginning January 1, 2009, and ending December 31, 2011.

JFL:skh



# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Jerry F. Ludwig

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

## City of Jackson Board/Commission Application

Name: Jeannette Woodard  
 Address: 1408 Elm + St Zip: 49203  
 Home Phone: 517-789-2147 Other Phone: 517-812-4080  
 Occupation: Architect

### Community Involvement/Activity

BBA DDA  
HDC

Are you a registered voter? yes Ward? 6 precinct 2

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

1. BBA
2. HDC
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

[Signature]  
Signature of Applicant

9-24-08  
Date



December 10, 2008

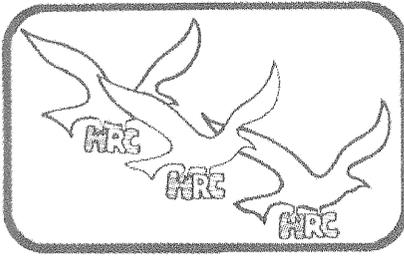
**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Human Relations Commission**

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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 appoint Joe W. Smith, Jr., to the Human Relations Commission for a three-year term, beginning January 1, 2009, and ending December 31, 2011.

JFL:skh



# CITY OF JACKSON

HUMAN RELATIONS COMMISSION

161 W. MICHIGAN AVENUE

JACKSON, MICHIGAN 49201

PHONE: (517)788-4167

FAX: (517) 768-5820

November 20, 2008

Memo to: Mayor Jerry Ludwig

From: Frank Weathers

Regarding: HRC Appointment

I am writing to inform you that the HRC nominating committee presented the name of Joe Smith to the full HRC. Mr. Smith was unanimously agreed upon by the full HRC. The HRC will be submitting his name for your recommendation to the City Council at the December meeting.

FW/mh

# CITY OF JACKSON



Office of Mayor  
Jerry F. Ludwig

MICHIGAN

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

## City of Jackson Board/Commission Application

Name: Joe William Smith Jr.

Address: 1009 Union St. Jackson, MI Zip: 49203

Home Phone: 517-812-7729 Other Phone: 517-795-9922

Occupation: Ordinance Enforcement Officer City of Jackson  
Community Development Dept.

### Community Involvement/Activity

Habitat for Humanity Volunteer  
Big Brother for Big Brothers  
Big Sisters of Jackson

City of Jackson Police  
Dept. Reserve Officer

Are you a registered voter? Yes Ward? 6

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

- HUMAN Relations Commission
- \_\_\_\_\_
- \_\_\_\_\_

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

Lifelong Jackson County Resident; Married to wife Amanda  
for 5 years and father to two children Oliver age 3  
and Elliott age 2.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

[Signature]  
Signature of Applicant

10-15-08  
Date



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE:** **Local Officers Compensation Commission**

---

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

It is my desire, therefore, to appoint Katherine (Kathy) J. Klaus, to the Local Officers Compensation Commission filling a current vacancy, beginning immediately, and ending February 28, 2014.

JFL:skh

# CITY OF JACKSON



Office of Mayor  
Jerry F. Ludwig

MICHIGAN

161 W. Michigan Avenue  
Jackson, MI 49201  
Phone: (317) 788-4028  
Fax: (317) 768-5820

## City of Jackson Board/Commission Application

Name: Kathy Klaus (Katherine J. Klaus)

Address: 808 Brighton Rd Zip: 49203

Cell Home Phone: (517) 740-8263 Work Other Phone: 796-6182

Occupation: Engineering Aide, Commonwealth Associates, Inc.

Community Involvement/Activity

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

Are you a registered voter? yes Ward? 6th

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

1. Citizens Advisory Council
2. Local Officers Comp. Commission
3. Civil Service Commission
4. Charter Review

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

I love Jackson and would like to volunteer in some way. I am quite interested in the Charter review. I am open to the possibilities and look forward to discussing them.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Kathy Klaus  
Signature of Applicant

1-18-08  
Date

**KATHERINE J. KLAUS**  
**Engineering Aide**

Ms. Klaus has a strong background in business administration, management, planning, and support. Her responsibilities have included database development and maintenance, technical support to engineering, and document management activities. In addition to typical Microsoft programs, Ms. Klaus has experience with CDEGS, ArcMap, and various other specialty software.

**Professional Background:**

2006-Present Commonwealth Associates, Inc., Jackson, Michigan  
2004-2006 University of Michigan, Ann Arbor, Michigan  
2000-2005 Jackson Intermediate School District, Jackson Michigan  
2004 American Benefit Concepts, Albion, Michigan  
2002-2003 Sylvan Learning Center, Jackson, Michigan  
2001-2002 Meijer, Inc., Jackson, Michigan  
1997-2000 M-Care/University of Michigan, Jackson, Michigan  
1995-1997 CB Financial Corporation, Jackson, Michigan

**Representative Project Experience:**

- Engineering Aide on assignment at Consumers Energy using the ArcMap program to identify gas pipeline casings under railroad crossings, bridges, etc., as they appear in historical documents. The project involved determining, from these documents, whether the casings were filled or unfilled and making various other judgments concerning the casings. Several Excel spreadsheets were continually updated to provide quality control/quality assurance that information was being entered into the mapping software correctly, as technical review and documentation for pipeline compliance with federal safety requirements.
- Engineering Aide responsible for performing EMF calculations using CDEGS software, producing various charts and reports. Also served as a direct line of communication to the client, providing data and graphics when requested.
- Engineering Aide assisting with transfer of utility drawings from International Transmission Company (ITC) original linen drawings, mylar drawings, and microfilm aperture cards to electronic scans. Created and maintained spreadsheets to track movement of originals and electronic files and facilitated the transfer of all files. More than 10,000 drawings were removed from ITC's office and are now stored off site or as electronic files only.
- Engineering Aide assisting with document transfer for Michigan Electric Transmission Company (METC). Created and catalogued electronic scans of original documents, drawings, and microfilm aperture cards to electronic scans. Created and maintained

**KATHERINE J. KLAUS (CONTINUED)**

spreadsheets to track movement of originals and electronic files and facilitated the transfer of all files.

- Engineering Aide involved in METC Planning Department document turnover project. Responsible for scanning, cataloging, and transferring hard-copy historic documents to electronic format. One hundred seventy-five multi-page binders containing correspondence, reports, and diagrams were scanned and transferred, creating approximately 25,000 electronic files.
- Administrative Assistant responsible for managing human resource and database records. During corporate acquisition and office relocation, successfully transferred all database and hard copy files to new management teams.
- Database Manager for 30,000-member relief fund donor file. Helped improve efficiency of Donor Perfect software along with the software developer.
- Field researcher for studies of teacher development and the teaching of reading for the University of Michigan.
- Assisted human resources manager with administering and grading pre-employment tests, pre-interviewing candidates, maintaining personnel records, resolving insurance issues, and maintaining a variety of spreadsheets, organizational charts, and all job descriptions.

**Education:**

B.A., Elementary Education, Spring Arbor University  
A.A., Jackson Community College



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Telecommunications Advisory Board**

---

In accordance with Ordinance No. 2003.21, the Telecommunications Advisory Board consists of nine members, three of whom shall be members of the City Council appointed by the Mayor and confirmed by the City Council. Each member shall serve a term of three years.

It is also my desire to appoint John Henegar and Gary Minix to the Telecommunications Advisory Board, to current vacancies beginning immediately, and ending December 31, 2009.

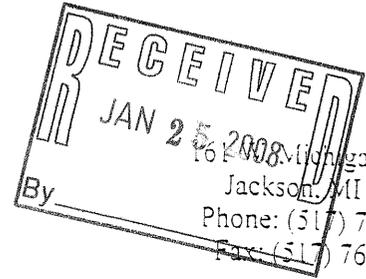
JFL:skh

# CITY OF JACKSON



MICHIGAN

Office of Mayor  
Jerry F. Ludwig



## City of Jackson Board/Commission Application

Name: John HENEGAR

Address: 1206 E. North St Zip: 49202

Home Phone: 517-~~782-4976~~<sup>517-962-5520</sup> Other Phone: \_\_\_\_\_

Occupation: Unemployed at present

at one time Community Involvement/Activity

PRECINCT Delegate

Jackson County Republican Party

Are you a registered voter? YES Ward? 3

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

1. CIVIL SERVICE Commission
2. Telecommunications Advisory Board
3. Citizens Advisory Council

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

Have been looking for opportunity to serve community more.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

John Henegar  
Signature of Applicant

1-23-08  
Date

**John L. Henegar**  
1206 E. North Street  
Jackson, Michigan 49202  
Phone: (517)782-4976  
Email: lcm14@sbcglobal.net

### **Objective**

Seeking a career in Computer Network Systems where skills in computer upgrades, wide area and local area networks, and network system design are an asset. I have attended ITT Technical Institute and was enrolled in the IT Computer Network Systems Curriculum schedule.

### **Education**

**September 2004 – present ITT Technical Institute, Canton, MI**  
**Associate of Applied Science in Computer Network Systems**  
*Courses Completed:* Operating Systems, Intro to Computer Programming, Microsoft Desktop Operating System, Visual Basic and GUI Applications, Network Standards and Protocols, Strategies for the Technical Professional, Red Hat Linux, Windows Server 2003, Database Systems

**September 1985-June 1986 Detroit College of Business, Dearborn, MI**  
*Courses:* Marketing, Sales Management, Public Relations

**April 1981-August 1982 Wayne County Community College: Taylor, MI**  
*Courses:* Psychology, Computer Programming, Art, English, Composition

### **Work Experience**

**November 2007-Dec. 2007 Belcan Tech Services, 1765 Airport Rd Ste 6; Lynchburg, Va 24502**  
Building GPS units for Tyco Electronics, Jackson, Michigan site.

**July 2007-August 2007 Kelly Services; 2100 S. Main St. STE. C, Ann Arbor, MI 48103**  
**(Borders, Inc. 100 Phoenix Dr. Ann Arbor, MI 48103)**  
*Help Desk Technician*  
Assist customers with IT technology problems via phone, data entry of trouble calls into the database.

**Oct 2005 – Mar 2007 Tech Team Global; 27335 W 11 Mile Rd., Southfield, MI 48034**  
*Help Desk Technician*  
Assist customers with IT technology problems via phone, data entry of trouble calls into the database. Additional training in CompTIA Linux+, Networking, Cisco IP Phone, CompTIA A+ Core Hardware, Windows XP End User, Excel 2003 Core Skills, Word 2003 Core Skills, and Outlook 2003 Core Skills, Database Design.

**Nov 1997– Oct 2005 Meijer; 3333 East Michigan Ave., Jackson, MI 49201**  
*Food Clerk*  
Assist customers, train new employees, stock new merchandise, setup sales sales plan on the floor, receive shipments, reorder merchandise.

**1992 – 1996 Lincoln Office Supply; Lincoln Park, MI**  
*Truck driver*

Delivered and installed office supplies and furniture to customers, miscellaneous Office maintenance. Some steelcase training in Grand Rapids.

**1984 – 1992**

**Imlach Movers Inc.; Gibraltar, MI**

*Helper – Warehousemen*

Loaded furniture from warehouse and homes onto and off trucks. Padded furniture for loading, and packed personal belongings into boxes for shipment. Completed the warehouse storage forms.

**Military  
1976 - 1980**

**U.S. Navy; Orlando, FL – San Diego, CA – USS Constellation**

*Radioman*

Received and transmitted priority message traffic, message preparation, proofread and routed messages throughout ship, maintained message files, logged message traffic. Maintained and operated transmitters.

**References**

**Available upon request**

**Skills**

Windows, Wordperfect, Word for Windows, Microsoft Office, Outlook, Excel  
Typing 65wpm

## REFERENCES

LONNIE L. GORDON  
14258 QUINCY  
HOLLAND, MI 49424  
(616) 786 – 9178

PHIL LEINARD  
13759 SELWYN  
SOUTHGATE, MI 48195  
(734) 281-6726

Robert Gordon  
3 Twin Ridge Dr  
Weaverville, NC 28787  
517-745-2982 Cell phone

**Work**

Craig Myles

27335 W. 11 Mile Rd

Southfield, Mich 48034

248-357-2570/ 313-283-7090

Eduardo Sanchez

27335 W. 11 Mile Rd

Southfield, Mich 48034 248-357-2570/313-421-7196

Tim Ryan

27335 W. 11 Mile Rd

Southfield, Mich 48034

248-357-2570/313-595-0165



### City of Jackson Board/Commission Application

Name: Gary L. Minix

Address: 4542 Tudor Ln. Jackson, MI Zip: 49201

Home Phone: 517-782-3732 Other Phone: 517-206-1529

Occupation: Personnel and Communications Assistant

#### Community Involvement/Activity

Community Theatre

\_\_\_\_\_

\_\_\_\_\_

Are you a registered voter? Yes Ward? Blackman Township

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

1. Telecommunications 2. \_\_\_\_\_
3. \_\_\_\_\_

List additional information you feel may be pertinent to board or commission  
I worked for 10 years in radio and television, behind the scenes as well as a focal point. In addition,  
I have worked in municipal government the last 10 years which gives me familiarity on both sides.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

  
 \_\_\_\_\_  
 Signature of Applicant

11/14/08  
 \_\_\_\_\_  
 Date

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



## Office of the Mayor

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

December 10, 2008

**TO:** City Councilmembers  
**FROM:** Jerry F. Ludwig, Mayor  
**RE: Zoning Board of Appeals**

---

In accordance with City Code, Sec. 2-281 and 28-242, seven members are appointed by the Mayor with City Council approval for three-year terms. No elected official or city employee may be appointed. Also, in accordance with the Michigan Zoning Enabling Act (PA 110 of 2006), which went into effect on July 1, 2006, it is required that a regular member of the Zoning Board of Appeals (ZBA) also serve on the City Planning Commission (MCL 125.3601). Alternate members may be called on a rotating basis to sit as members of the Board of Appeals in the absence of a member. The alternate member having been appointed shall serve on the case until a final decision has been made and shall have the same voting rights as a member. Members must be City residents.

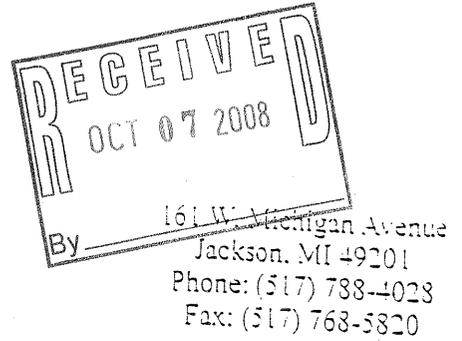
It is, therefore, my desire to reappoint Karen T. Dunigan and Elaine Crawford, to the Zoning Board of Appeals for a three-year term each beginning January 1, 2009, and ending December 31, 2011.

JFL:skh

# CITY OF JACKSON



MICHIGAN



Office of Mayor  
Jerry F. Ludwig

## City of Jackson Board/Commission Application

Name: KAREN F. DUNIGAN

Address: 1808 BROADCAST Zip: 49203

Home Phone: 517-783-6769 Other Phone: 517-206-4724

Occupation: REALTOR

### Community Involvement/Activity

ZBA HOTEL TASK FORCE

TAX REVIEW BOARD JCEG

Are you a registered voter? YES Ward? \_\_\_\_\_

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

1. ZBA / SIGN BOARD
2. \_\_\_\_\_
3. \_\_\_\_\_

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

CURRENTLY CHAIR OF ZBA + SIGN

BOARD OF APPEALS

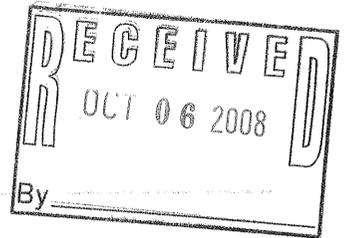
Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Karen F. Dunigan  
Signature of Applicant

10-3-08  
Date

# CITY OF JACKSON



Office of Mayor  
Jerry F. Ludwig

MICHIGAN

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

## City of Jackson Board/Commission Application

Name: Staine Crawford  
 Address: 310 East Addison Street Zip: 49203  
 Home Phone: 517-782-3357 Other Phone: \_\_\_\_\_  
 Occupation: Retired

### Community Involvement/Activity

Co-Founder Mxmas Club of Jackson      Jackson Transportation Board  
Private Industrial Council      A.R.T. Center of Foote Hospital

Are you a registered voter? Yes Ward? 1

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

1. Young Board of Appeal
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Staine Crawford  
Signature of Applicant

October 3, 2008  
Date



# City Planning Commission

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

December 16, 2008

Honorable Mayor and City Council  
City of Jackson, Michigan

Subject: **PC 08-18 – Consideration of a rezoning request to General Commercial (C-4) for property located at 616 N. Wisner St.**

Dear Mayor and Councilpersons:

The City Planning Commission recently considered a rezoning request to C-4 (general commercial) from R-2 (one- and two-family residential) by Right Direction LLC (The Car Company). 616 N. Wisner Street is located directly north of the sales office for the Car Company on the west side of the street.

The City Planning Commission (CPC) held a public hearing on the proposal at its meeting on December 3, 2008. The rezoning request now comes to City Council for public hearing and possible action. Staff recommended disapproval of the proposal. The CPC recommends approval of the rezoning. An ordinance is attached for your consideration along with the notice of public hearing, the staff report, and the December 3, 2008 meeting minutes of the CPC.

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

Sincerely,

Grant E. Bauman, AICP  
Principal Planner



# City Planning Commission

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

December 3, 2008

## Application PC 08-18

Rezoning Request – Staff Recommendation

### General Information

#### Applicant

Right Direction LLC  
614 N. Wisner Street  
Jackson, MI 49202

#### Project Description

The applicant wishes to develop the property as a parking lot for rental vehicles associated with the Car Company, an adjacent business.

#### Location of Parcel

616 N. Wisner Street

#### Request

A change in zoning from R-2 (1- & 2-Family Residential) to C-4 (General Commercial) is requested. Sec. 28-183 regulates the review and approval of rezoning change requests.

#### Note

A similar rezoning request (PC 06-27) to C-4 for this property was considered by the City Planning Commission (CPC) in 2006 (pertinent pages of that staff report are attached to this report). Deborah and Richard Vermuelen, the former owners, "wished to zone the property to allow for a parking lot which would serve existing commercial land adjacent to its southern border." The CPC recommended disapproval of rezoning the property from R-1 (1-family residential) to C-4. City Council rezoned 616 N. Wisner St. to R-2.

The current request first came before the CPC in November. However, the request was not heard at the time because the CPC failed to make a quorum.

#### Existing Land Use

The property is currently vacant with the exception of a garage.

#### Future Land Use Plan

The property is located within a single-family neighborhood, according to the future land use map included in the City's Comprehensive Plan.

#### Adjacent Land Use/Zoning

North	Land Use — Residences Zoning — R-1 (1-family residential)	East	Land Use — Various offices Zoning — R-4 (high density apartment & office)
South	Land Use — The Car Company Zoning — C-4	West	Land Use — Parking lots Zoning — I-2 (general industrial) and C-4

## Staff Analysis/Findings

### Factor(s) Favoring Approval

- The property is adjacent to land zoned commercial.
- Additional parking increases the marketability of the commercial property.

### Factor(s) Favoring Disapproval

- The Comprehensive Plan places the property within a single-family neighborhood.
- The expansion of commercial zoning along Wisner Street will reduce the desirability of the area for residential purposes.
- The R-2 zoning allows for the development of a parking lot as a conditional use (Secs. 28-84 and -107) although it does not allow for the use of the property for vehicle rental.
- Other nearby land (along Ganson & McKay Sts.), with appropriate zoning (C-4 & I-2), is available for additional parking.
- The City Planning Commission recommended disapproval of the original zoning request to C-4 in December of 2006 (pertinent pages of that staff report are attached to this report).

## Recommendation

Options available to the City Planning Commission:

- Recommend **APPROVAL** of the rezoning, considering the potential for increased marketability of the area and the expansion of commercial activity to be appropriate.  
*If this alternative is selected, staff recommends a reexamination of the future land use map for the area associated with Wisner Street between Ganson and North Streets for possible plan amendment.*
- Recommend **DISAPPROVAL** of the rezoning, considering conformance to the future land use map and neighborhood preservation in this area.

Staff recommends **DISAPPROVAL** of the rezoning.

**MC KAY ST**

**616**

**THE CAR COMPANY  
RIGHT DIRECTION LLC**

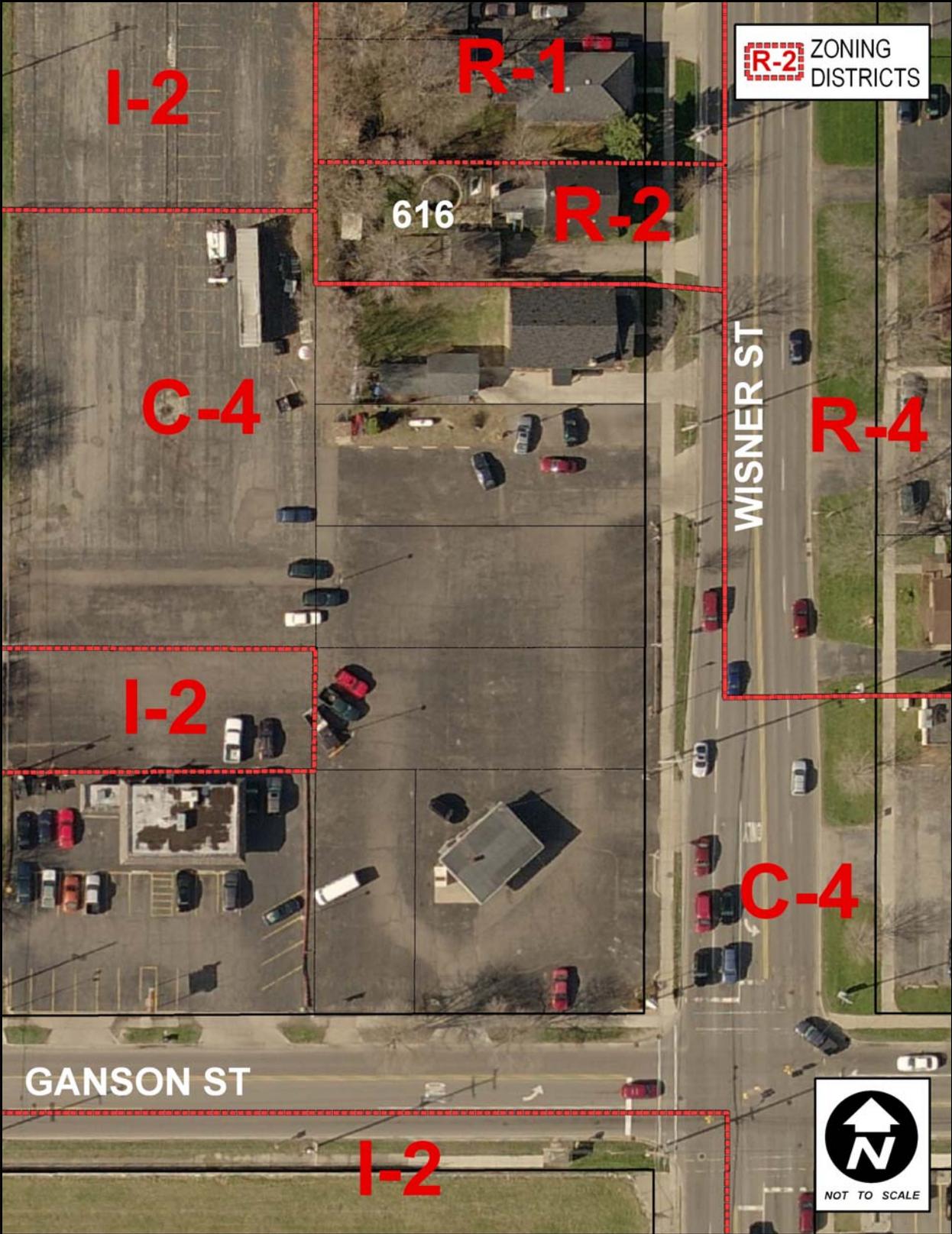
**ANDY'S  
PIZZA**

**WISNER ST**

**GANSON ST**



NOT TO SCALE





## City Planning Commission

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

### PC 08-18 Notice of Public Hearing

The Jackson City Planning Commission and Jackson City Council will hold public hearings to consider a request for a district change (rezoning), as provided for in Section 28-183 of the City's Zoning Ordinance.

**Origin of the request:**

Right Direction LLC  
614 N. Wisner Street  
Jackson, MI 49202

**The location of the property:**

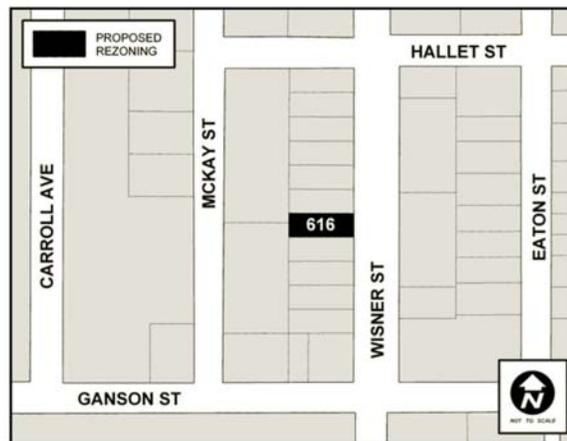
616 N. Wisner Street

**The rezoning request:**

Rezone from R-2 (one- and two-family residential) to C-4 (general commercial).

**The proposed use:**

Vehicle rental associated with The Car Company.



You are invited to attend the public hearings before the  
City Planning Commission and City Council to be held on:

**City Planning Commission – Wednesday, December 3, 2008 at 7:00 pm**

**City Council – Tuesday, December 16, 2008 at 7:00 pm**

The meetings will be held in the

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

***Please note that the original public hearing before City Council  
scheduled for Tuesday, November 18, 2008 is cancelled.***

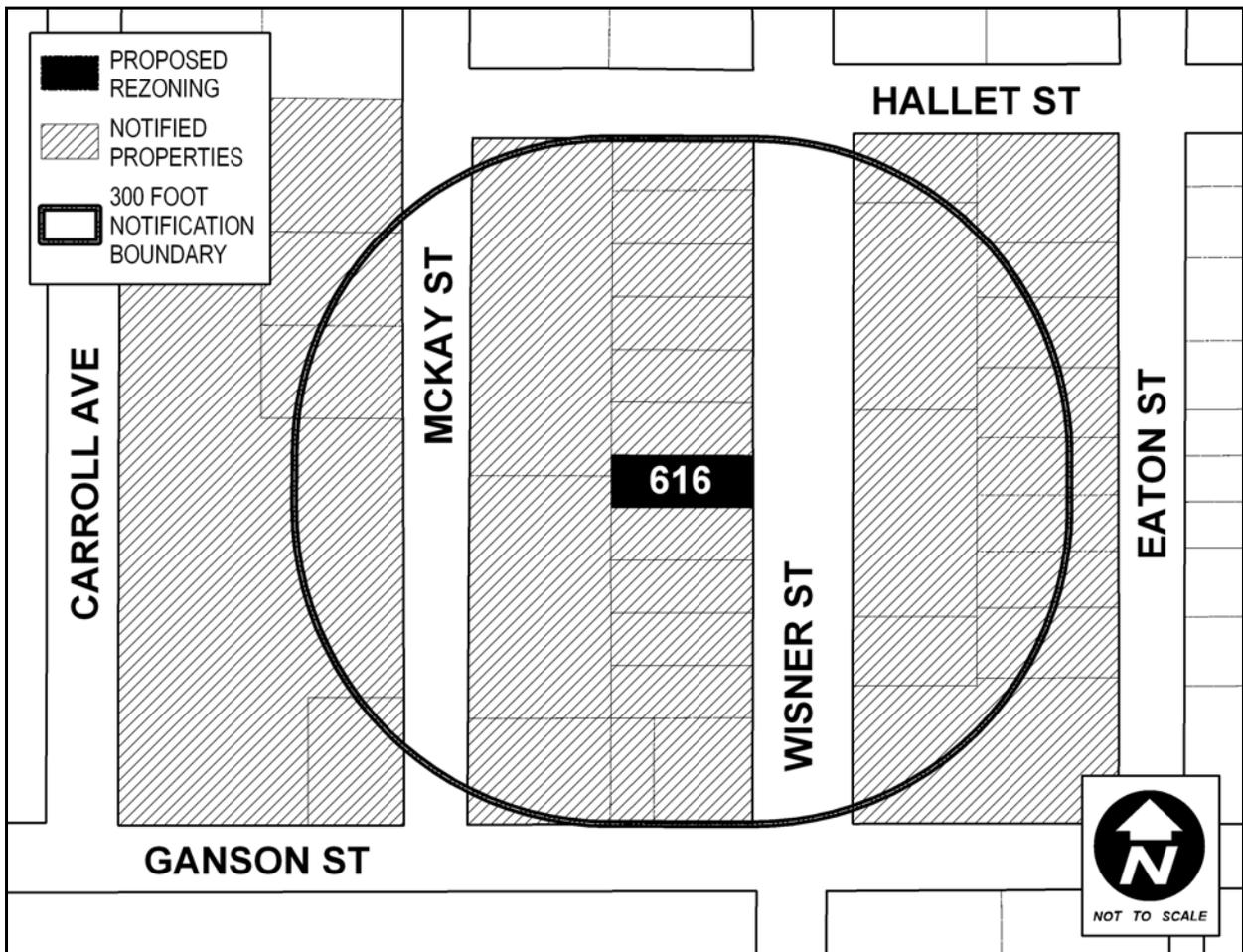
Please contact Grant Bauman at (517) 768-6711 with any questions about the proposed rezoning. Written comments can be sent to the Region 2 Planning Commission, which is located at 120 W. Michigan Avenue, Jackson, MI 49201.

By: Grant E. Bauman, AICP  
R2PC Principal Planner

The property is currently vacant, with the exception of a garage, as this photo illustrates.



The public notice was sent to property owners and residents within 300 feet of the property proposed for rezoning. The following map displays the 300-ft notification buffer and the properties contained within or intersecting with the buffer.





## 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

December 6, 2006

### Application PC 06-27 Rezoning Request – Staff Recommendation

#### General Information

**Applicants:**

Deborah and Richard Vermeulen  
616 N. Wisner Street  
Jackson, MI 49202

**Project Description:**

The applicant wishes to zone the property to allow for a parking lot which would serve existing commercial land adjacent to its southern border.

**Location of Parcels:**

616 N. Wisner Street

**Request:**

A change in zoning from R-1 (One-Family Residential) to C-4 (General Commercial) is requested. Sec. 28-183 regulates the review and approval of rezoning change requests.

**Existing Land Use:**

A residence is located on the property.

**Future Land Use Plan:**

The property is located within a single-family neighborhood, according to the future land use plan included in the City's current Comprehensive Plan (please see Figure 1).

**Adjacent Land Use/Zoning (please see Figure 1):**

North	Land Use — Residences Zoning — R-1
South	Land Use — <i>The Car Company</i> and <i>Andy's Pizza</i> Zoning — C-4
East	Land Use — Various offices Zoning — R-4 (high density apartment and office)
West	Land Use — Parking lots for <i>The Car Company</i> and <i>Airway Welding</i> Zoning — I-2 (general industrial) and C-4

#### Staff Analysis/Findings

**Factor(s) Favoring Approval:**

- The property is adjacent to land zoned commercial.
- Additional parking increases the marketability of the commercial property.

PC 06-27 - 2

**Factor(s) Favoring Disapproval:**

- The Comprehensive Plan places the property within a single-family neighborhood.
- Utilizing the property for a parking lot would eliminate two residential structures (the office for The Car Company could be utilized as a home again). As the Comprehensive Plan illustrates, the loss of residential structures in combination with a decreasing household size contributes to continuing loss of population within the City.
- The 'creep' of commercial zoning along Wisner Street simply transfers the potential for residential blight northward.
- Rezoning the land to R-2 would allow for the development of a parking lot (Secs. 28-84 and -107) as a conditional use, and provide a buffer between the single-family neighborhood to the north and the commercial district to the south.
- Other nearby land (along Ganson & McKay Sts.), with appropriate zoning (C-4 & I-2), is available for additional parking.

**Recommendation:**

Several options are open to the City Planning Commission:

- Recommend **APPROVAL** of the rezoning, considering the potential for increased marketability of the area to be more important than the future land use plan and preventing the likely loss of residential structures and the potential 'creep' of residential blight northward.
- Recommend **DISAPPROVAL** of the rezoning, considering the future land use plan, the likely loss of residential structures, and the potential 'creep' of residential blight northward to discount any increase in the marketability of the area due to the rezoning.
- Recommend an **ALTERNATIVE** rezoning to R-2, allowing for the proposed parking lot while providing a buffer between the R-1 and C-4 properties, which addresses the potential 'creep' of residential blight but not the loss of residential structures.

Staff recommends **DISAPPROVAL** of the rezoning.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 28.183, OF  
CHAPTER 28, OF THE CODE OF THE CITY OF JACKSON

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1.

That Section 28.183 of Chapter 28 of the Code of the City be, and the same hereby is, amended by changing the map of the use districts required by said Section and said Chapter, and incorporated therein by reference as follows:

Change the zoning of the parcel located at 616 N. Wisner St. from R-2 (one- and two-family residential) to C-4 (general commercial).

Section 2.

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

\*\*\*\*

Adopted:



# City Planning Commission

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

## DRAFT MEETING MINUTES

**Wednesday, December 3, 2008**  
**Council Chambers, City Hall**

- Members present:** Lola Dodge; Ryan Doll; John Guidinger; Jeanne Kubish; Jerry Ludwig, Mayor; Clyde Mauldin, Chairperson; and John Polaczyk, Councilperson
- Members absent:** Richard Lawson and William Ross, City Manager
- Staff present:** Grant Bauman, R2PC Principal Planner; Susan Murphy, Deputy City Attorney; and Charles Reisdorf, R2PC Executive Director.

**Item 1 Call to order**

Chairperson Mauldin called the meeting to order at 7:04 p.m.

**Item 2 Pledge of allegiance**

Those in attendance rose for the pledge of allegiance.

**Item 3 Consideration of approval for the meeting minutes of October 1, 2008**

A motion was made by Comm. Polaczyk, and supported by Mayor Ludwig, to approve the minutes of the October 1, 2008 meeting of the City Planning Commission.

*The motion passed by unanimous voice vote.*

**Item 4 PC 08-18 – Consideration of a rezoning request to General Commercial (C-4) for property located at 616 N. Wisner St.**

The City Planning Commission considered a request for rezoning by Right Direction LLC from one- and two-family residential (R-2) to general commercial (C-4). Staff presented its recommendation for denial of the rezoning to the Planning Commission (please see the staff report for PC 08-18).

Chairman Mauldin opened the public hearing.

Mr. Larry Bauer, President of the Car Company, spoke in favor of the rezoning, citing the Car Company's good relationship with the neighborhood, the commercial orientation of Wisner St., the need for visibility of his car rental business, and the probable creation of two jobs. No one spoke in opposition to the rezoning.

Chairman Mauldin closed the public hearing.

Mayor Ludwig expressed his support for the rezoning based upon the commercial land uses along Wisner St. A motion was made by Mayor Ludwig and supported by Comm. Doll to recommend approval of the rezoning to the City Council.

*The motion passed by the following vote: Yeas – 7 (Dodge, Doll, Guidinger, Kubish, Ludwig, Mauldin, and Polaczyk); Nays – 0, Absent – 2 (Lawson and Ross).*

**Item 5 PC08-19 – Consideration of a rezoning request to Community Commercial (C-2) for property located at 206 and 216 Page Ave.**

The City Planning Commission considered a request for rezoning by Orthopedic Rehab Specialists PC from high-density apartment and office (R-4) to community commercial (C-2). Medical clinics—the present and proposed use—are a use-by-right in the existing R-4 district. The rezoning is requested to allow the placement of an electronic message center on the property. Staff presented its recommendation for denial of the rezoning to the Planning Commission (please see the staff report for PC 08-19).

Chairman Mauldin opened the public hearing.

Karyn Clow, Marketing Director, Orthopedic Rehab Specialists PC, spoke in favor of the rezoning. She noted that ORS has a staff of 62 and that she wants to educate the community on the services available through her firm in order to expand the business. No persons spoke in opposition to the rezoning.

Chairman Mauldin closed the public hearing.

Mayor Ludwig expressed his desire to have action on the request tabled in order to determine the possibility of revising the sign ordinance. He noted that the rezoning request for the purpose of locating an electronic messaging center was the second in a short period of time since adoption of the sign ordinance.

A motion was made by Mayor Ludwig, and supported by Comm. Guidinger, to delay action on the rezoning request to the next meeting to allow time to consider possible revisions to the sign ordinance.

*The motion passed by the following vote: Yeas – 7 (Dodge, Doll, Guidinger, Kubish, Ludwig, Mauldin, and Polaczyk); Nays – 0, Absent – 2 (Lawson and Ross).*

**Item 6 Zoning definition of "family".**

Planning Commission staff was asked to consider the possible revision of the City Zoning Ordinance's definition of "family". Planning Commissioners were provided with memos from City Manager William Ross containing definitions of "family" from the zoning ordinances of Ypsilanti and Ann Arbor. Additional information was also provided in staff memos on the definition of "family" and "household", and a glossary of pertinent US Census terms regarding the definition of "family".

Chairman Mauldin invited residents in attendance to address the Planning Commission on this subject. The following persons spoke:

1. Ronald Andrews, 915 W. Washington Ave., expressed concern about the devaluation of residential properties in proximity to certain group care homes and the need to protect residences in the R-1 and R-2 zoning district.
2. Frank Berkemeier, 1203 W. Washington Ave., requested legal citations of pertinent laws and court cases.

3. Irene Rollins, 509 Hibbard St., shared her experience as a homeowner in a residence located near a group home.
4. Ken Gaiser, 735 W. Washington Ave., discussed some of the problems associated with certain group homes and requested that the Planning Commission review a possible change to the ordinance definition of the term “family”.
5. Adam Blossom, 506 W. Franklin St., suggested that landlords, too, must be advised how to address group home arrangements.
6. Robert Bartkus, 1003 W. Washington Ave., said that if other cities have been able to control these types of land use conflicts, the City of Jackson should be able to also.
7. Frank Donavon, Chief Building Inspector, asked the Planning Commission to keep in mind that, in addition to the zoning ordinance, the building code has particular significance in addressing group living arrangements.
8. Hiroshi Yoshida, 1000 W. Washington Ave., spoke of some of the negative characteristics of certain group living arrangements.
9. Robert Davey, 1009 W. Washington Ave., requested support for sound neighborhoods and questioned how he could be advised of progress in addressing group care homes in single-family areas.

A motion was made by Mayor Ludwig and supported by Comm. Polaczyk to direct staff to conduct additional research and report back to the Planning Commission at a future meeting.

*The motion passed by the following vote: Yeas – 7 (Dodge, Doll, Guidinger, Kubish, Ludwig, Mauldin, and Polaczyk); Nays – 0, Absent – 2 (Lawson and Ross).*

#### **Item 7 Approval of 2009 Meeting Schedule**

Staff distributed the proposed 2009 meeting schedule. Motion was made by Comm. Guidinger and supported by Comm. Kubish to approve the schedule of meetings.

*The motion passed by the following vote: Yeas – 7 (Dodge, Doll, Guidinger, Kubish, Ludwig, Mauldin, and Polaczyk); Nays – 0, Absent – 2 (Lawson and Ross).*

Mayor Ludwig suggested that the Planning Commission consider a change in the meeting start time from 7:00 p.m. to 7:15 p.m.

A motion was made by Comm. Polaczyk and supported by Comm. Doll to change the meeting time for Planning Commission meetings effective with the January, 2009 from 7:00 p.m. to 7:15 p.m.

*The motion passed by unanimous voice vote.*

#### **Item 8 Commissioner Dodge’s Resignation**

The Planning Commission noted that Comm. Dodge was attending her last Planning Commission meeting with her resignation from the Planning Commission.

A motion was made by Comm. Guidinger and supported by Comm. Polaczyk to extend to Comm. Dodge the deepest thanks and appreciation for her 21 years of service to the City of Jackson Planning Commission.

*The motion passed by unanimous roll call vote.*

**Item 9 Other Business**

Planning Commissioners were advised that the Commission will elect officers for 2009 during the January meeting.

**Item 10 Adjournment**

There being no further business the meeting was adjourned at 8:45 p.m.

**Charles Reisdorf  
Recording Secretary**



City Clerk

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

Lynn Fessel, City Clerk

December 2, 2008

TO: Honorable Mayor and City Councilmembers  
FROM: Lynn Fessel, City Clerk *Lynn*  
SUBJECT: Resolution Establishing City Council Meeting Dates for 2009

Following for your consideration is a resolution establishing City Council meeting dates for 2009.

C: City Manager

**RESOLUTION**

BY THE CITY COUNCIL:

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Jackson, Michigan hereby declares that it will meet in the Council Chambers on the second floor of City Hall, 161 West Michigan Avenue, Jackson, Michigan during 2009 on the following dates:

January 6 January 20	July 14
February 10 February 24	August 11
March 10 March 24	September 8 September 22
April 7 April 21	October 6 October 20
May 12 May 26	November 10 November 24
June 9 June 23	December 1 December 15

\* \* \* \* \*

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 December 16, 2008.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on the 17<sup>th</sup> day of December, 2008.

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

# MEMORANDUM

City Clerk's Office



November 25, 2008

TO: Honorable Mayor and City Councilmembers

SUBJECT: Resolution Establishing Election Receiving Boards

Attached please find a resolution approving the use of receiving boards at elections held in the City on May 5, August 4 and November 3, 2009. Also attached is an excerpt from Michigan Election Law, Section 168.679a for your information.

A receiving board is a group of officials assigned to review documents completed by the election inspectors on election day and after the polls are closed. Once it is determined that all election workers have properly completed the Poll Book and the Statement of Votes, seals have been correctly placed and recorded, the documents can be sealed in the appropriate envelopes. One set of documents is retained in the City Clerk's office and two sets are delivered to the County Clerk and the appropriate Board of Canvassers.

The City receiving board will be comprised of the City Clerk's office staff and additional election workers as needed. As required by law, both political parties will be represented. The Michigan Bureau of Elections recommends that a resolution approving the use of receiving boards be adopted by the local legislative body each year.

/lf

Attachment

c: City Manager

**RESOLUTION**

BY THE CITY COUNCIL:

WHEREAS, Michigan State Election Law Section 168.679 (a) provides for the establishment of receiving boards at each election and requires the adoption of a resolution by the local legislative body approving their establishment; and

WHEREAS, Michigan State Election Law Section 168.679 (a) further provides for the appointment and duties of inspectors serving on these receiving boards; and

WHEREAS, the City Clerk believes a receiving board is advantageous in assuring that election documents are properly completed and sealed and wishes to use a receiving board at the elections to be held in the City of Jackson on May 5, August 4 and November 3, 2009.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Jackson, Michigan, hereby approves the use of receiving boards at the elections to be held on May 5, August 4 and November 3, 2009.

\* \* \* \* \*

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 16<sup>th</sup> day of December, 2008.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 17<sup>th</sup> day of December, 2008.

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

(3) Section 662 applies to the designation and prescribing of the place or places in which the counting board performs its duties under this section.

**History:** 1954, Act 116, Eff. June 1, 1955;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 583, Eff. Mar. 31, 1997.

**Popular name:** Election Code

**168.679a Receiving board; appointment and duties of inspectors; review of poll book and statement of returns; corrective action; delivery.**

Sec. 679a. (1) The legislative body of a city, township, or village may, by resolution, provide that at an election at which the ballots are counted and certified at the precinct, 1 or more additional boards of election inspectors be appointed to serve as receiving boards. For a precinct having receiving boards, the board of election commissioners shall appoint a receiving board consisting of 2 or more election inspectors, with an equal number from each major political party, and shall appoint an equal number of election inspectors from each major political party.

(2) Not less than 2 election inspectors in a precinct, representing each of the major political parties, shall deliver to the receiving board for that precinct a sealed ballot container containing the voted ballots, and, in a separate sealed envelope, the poll book and statement of returns. The poll book and statement of returns may be enclosed in a single sealed envelope.

(3) The receiving board shall open the sealed envelope and review the poll book and statement of returns to determine both of the following:

(a) That the ballot container is properly sealed and the seal number is properly recorded in the poll book and the statement of returns. If the ballot container is not properly sealed or there is a discrepancy with the seal number recorded in the poll book or the statement of returns, the election inspectors who delivered the ballot container and the receiving board shall together take the necessary steps to correct the discrepancy. The election inspectors and the receiving board shall note the discrepancy and the corrective action in the remarks section of the poll book and all shall sign the notation.

(b) That the number of individuals voting recorded in the poll book equals the number of ballots issued to electors, as shown by the statement of returns. If the number of individuals voting as shown by the poll book does not equal the number of ballots counted as shown by the statement of returns, and if an explanation of the discrepancy has not been noted in the poll book, the receiving board shall ask the election inspectors about the discrepancy, note the explanation in the poll book, and all shall sign the notation.

(4) If the poll book or statement of returns has been erroneously sealed in the ballot container, the election inspectors may open the ballot container and remove the poll book or statement of returns. The election inspectors and receiving board shall note the corrective action in the remarks section of the poll book and all shall sign the notation before placing the poll book or statement of returns in a separate sealed envelope. If the statement of returns was sealed in the ballot container and the poll book was sealed in an envelope, the poll book shall be removed from the sealed envelope for the notation of corrective action to be recorded before placing the poll book and statement of returns in a sealed envelope. The receiving board shall notify the clerk of the board of canvassers responsible for canvassing all or a portion of the election of the corrective action taken.

(5) When the receiving board has completed the review under subsection (3), the receiving board shall place the poll book and statement of returns in the appropriate envelope, sealed with a red paper seal and initialed by the receiving board. If permitted by the clerk of the board of canvassers, the poll books and statement of returns from more than 1 precinct may be included and delivered in a single envelope.

**History:** Add. 2004, Act 256, Imd. Eff. July 23, 2004.

**Popular name:** Election Code

**168.680 Precinct election inspectors; oath of office.**

Sec. 680. Each precinct election inspector shall, before entering upon the discharge of his duties, take and subscribe the following constitutional oath of office, which oath any of the inspectors may administer: "I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of inspector of elections according to the best of my ability."

**History:** 1954, Act 116, Eff. June 1, 1955.

**Popular name:** Election Code

**168.681 Repealed. 1980, Act 188, Imd. Eff. July 3, 1980.**

**Compiler's note:** The repealed section pertained to right of precinct election inspectors to vote.



City Clerk

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

December 8, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

RE: Liquor Control Commission resolution regarding the request to transfer ownership of 2008 Class C licensed business with dance permit, located in escrow at 310 S. Mechanic, Jackson, MI 49201, from Patrick J. McDonald, Jr. to Mancino's of Jackson, Inc; and transfer location to 1196 N. West, Jackson with new request for official permit (food).

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

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

Initially the Inspection Department objected until an inspection had taken place to insure compliance with the Michigan Building Code. On October 27, 2008 code violations were cited and upon re-inspection on November 3rd all violations have been corrected.

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

Thank you.

LF/aa

Attachment

C: City Manager



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

*DW  
11/12  
Approved*

<b>FOR MLCC USE ONLY</b>	
Request ID #	472230
Business ID #	209979

**LOCAL APPROVAL NOTICE**  
 [Authorized by MCL 436.1501]

September 9, 2008

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

**RECEIVED**  
 CITY of JACKSON  
 SEP 17 2008  
 CLERK'S OFFICE

BY \_\_\_\_\_

**APPLICANT:** MANCINO'S OF JACKSON, INC.

**Home Address and Telephone No. or Contact Address and Telephone No.:**  
 ANDREA M. ALLEN, 12800 NORTH MERIDIAN ROAD, PLEASANT LAKE, MI 49272  
 H(517)769-6268/(517)206-7185/B(517)789-1021  
 KELLY J. O'NEIL, 12800 NORTH MERIDIAN ROAD, PLEASANT LAKE, MI 49272  
 H(517)769-6268/B(517)789-1021

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

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

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 636-4634.

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

QV  
1-12  
Amend

Request ID # 472230

### RESOLUTION

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

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request to TRANSFER OWNERSHIP OF 2008 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED IN ESCROW AT 310 S. MECHANIC, JACKSON, MI 49201, JACKSON COUNTY, FROM PATRICK J. MC DONALD, JR. TO MANCINO'S OF JACKSON, INC.; AND TRANSFER LOCATION TO 1196 N WEST, JACKSON, MI 49202, JACKSON COUNTY. *New request for official permit (food).***

be considered for \_\_\_\_\_  
(Approval or Disapproval)

#### APPROVAL

#### DISAPPROVAL

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

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

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

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

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

meeting held on \_\_\_\_\_  
(Date)

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

SEAL

\_\_\_\_\_  
(Mailing address of Township, City or Village)



## Police Department

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

December 8, 2008

### MEMORANDUM

**TO:** William R. Ross  
City Manager

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

**SUBJECT:** Drive Michigan Safely Task Force  
Cooperative Enforcement Project

---

The Jackson Police Department has been awarded the funds to participate in the federally funded 2008/2009 Drive Michigan Safely Task Force. This is a fully funded grant, in the amount of \$11,429, awarded to the Region 2 Planning Commission through the State of Michigan, Department of State Police, Office of Highway Safety Planning.

The cooperative Drive Michigan Safely Task Force consists of two enforcement areas: safety belt (Click It or Ticket); and alcohol enforcement (You Drink You Drive You Lose). This project, coordinated by the Jackson Traffic Safety Program, is a joint effort of the Jackson Police Department, the Jackson County Sheriff Department, and Blackman Township Public Safety.

The Police Department is now requesting the City Council adopt the attached resolution amending the 2008/2009 budget. Please place this as an agenda item for the December 16, 2008 City Council meeting. I or a representative will be present to answer any questions.

**RESOLUTION**

WHEREAS, the City wishes to enter into the cooperative Drive Michigan Safely Task Force grant, which consists of two enforcement areas: safety belt and alcohol enforcement

WHEREAS, this grant, fully funded by the federal government, is awarded to the Region 2 Planning Commission, through the State of Michigan, Department of State Police; Office of Highway Safety Planning;

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

NOW, THEREFORE, BE IT RESOLVED, that the 2008/2009 Budget be amended as follows:

<u>General Fund</u>		<u>Increase</u>
<b>REVENUES:</b>		
101-311-209-501	JCCAE- Federal Grant	11,429
		<hr/> <hr/>
<b>EXPENDITURES:</b>		
101-311-209-709	Overtime	11,155
101-311-209-715	FICA	162
101-311-209-724.001	Workers' Compensation	112
		<hr/> <hr/>
		11,429

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 December 16, 2008.

IN WITNESS WHEREOF, I have hereunto affixed my signature  
and the seal of the City of Jackson, on this 17th day of December 2008.

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



## Parks & Recreation/Grounds

161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4040 — Facsimile: (517) 768-5860

December 9, 2008

**TO:** William Ross, City Manager

**FROM:** Mr. James Parrott, Director of Park, Recreation and Grounds  
Mr. Eric W. Terrian, Superintendent of Ella Sharp Park

**RE:** Agenda Item -- Consent Calendar: Deer Harvest in Ella Sharp Park

---

On October 28, 2008 a request was made for a wildlife damage investigation and control permit from the Michigan Department of Natural Resources. In brief, this permit will determine the guidelines for this upcoming harvest. I have spoken with Dave Dominic, SCMU Wildlife Unit Supervisor. DNR Staff has met regarding our harvest. We are hopeful that the DNR will allow baiting during this harvest. (CWD: chronic wasting disease) has been found in deer around the Grand Rapids and Flint areas. Based on these findings, the DNR has prohibited all baiting practices for the 2008 hunting season. We will once again harvest 80 antlerless deer.

The harvest will take place in January and February of 2009. The Beef Barn once again is willing to process the venison at a minimal cost. Funding for the deer processing will be provided by the Michigan Sportsman Against Hunger organization. The Immanuel Lutheran Church food bank is willing to distribute the venison to needy families along with other food pantries.

The cost is \$110.32 per deer with Summit Township paying 1/3 of cost.

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

The Ella Sharp Park Board has approved the contract with Aaron's Nuisance Animal Control on a vote of 3 to 0 with one Board Member absent. We are requesting the City Council waive the City Ordinance pertaining to the discharge of firearms within the City Limits (see attached Resolution).

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

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

Thank you for your consideration.

RESOLUTION  
SUSPENDING ENFORCEMENT OF FIREARMS DISCHARGE

BY THE CITY COUNCIL:

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

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

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

WHEREAS, it is anticipated that Aaron's Nuisance Animal Control will be harvesting deer in Ella Sharp Park during the months of January and February, 2009; and

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

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

BE IT FURTHER RESOLVED that Ordinance No. 18-185 of the Jackson City Code prohibiting the possession of firearms within the City shall also be suspended as it applies to employees and agents of Aaron's Nuisance Animal Control during said deer harvest within Ella Sharp Park.

BE IT FURTHER RESOLVED that suspension of the above ordinances shall only apply to agents and employees of Aaron's Nuisance Animal Control for the harvesting of deer within Ella Sharp Park during the months of January and February, 2009.

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 \_\_\_\_\_, 2008.

IN WITNESS WHEREOF, I have hereunto affixed my signature and seal of the City of Jackson, Michigan on this \_\_\_\_ day of \_\_\_\_\_, 2008.

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





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

**DATE:** December 8, 2008  
**TO:** William R. Ross, City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** MDOT 2009 Annual Permit and Resolution

---

Enclosed is the MDOT 2009 Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way, along with the Performance Resolution for Governmental Agencies to go along with the application.

With your concurrence, I am requesting that the MDOT 2009 Annual Application and Permit and the Performance Resolution for Governmental Agencies be placed on the Council Agenda, and the City Clerk be granted the authority to sign the Performance Resolution for Governmental Agencies.

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

JD:tjs

MDOT 2205 (12/08)

# ANNUAL APPLICATION AND PERMIT FOR MISCELLANEOUS OPERATIONS WITHIN STATE TRUNKLINE RIGHT OF WAY

MDOT FORMS at: <http://mdotwas1.mdot.state.mi.us/public/webforms>

All permit and application fees are Nonrefundable, based on Act No. 561 of Public Acts 2002

This permit is incomplete without "General Conditions and Supplemental Specifications"

THIS SPACE FOR MDOT USE ONLY		
PERMIT NO.		
APPL. DATE	DATE ISSUED	
FEE AMOUNT : <input type="checkbox"/> Cash <input type="checkbox"/> Exempt <input type="checkbox"/> Billable	BY	
\$	\$	
DEPT. BOND NO.	BOND AMOUNT	
	\$	

APPLICANT NAME (Property or Facility Owner) City of Jackson		MAILING ADDRESS 161 W. Michigan Ave.	
CITY Jackson	STATE MI	ZIP CODE 49201	
CONTACT'S NAME Jon H. Dowling, P.E.	PHONE NUMBER (519) 788-4160	EMAIL ADDRESS jdowling@cityofjackson.org	CELL PHONE NUMBER (519) 206-4160

**REQUEST:** I do hereby make application for a permit to use the right of way of the state trunkline highways for the operation specified below for the following time frame and location.

EXPIRES: DEC. 31 2009      List Counties where activity is being performed: JACKSON

**THIS PERMIT IS VALID ONLY FOR THE FOLLOWING PROPOSED OPERATIONS IN THE TYPE OF RIGHT OF WAY AS NOTED:**

FREE	LIMITED	(Check appropriate items covered by this permit)
<input checked="" type="checkbox"/>	N/A	1. UTILITY TREE TRIMMING AND TREE REMOVAL – See supplemental specifications – item 8
<input checked="" type="checkbox"/>	N/A	2. UNDERGROUND UTILITY OPERATIONS – Prior approval shall be obtained from the Department for any maintenance or construction operations which would require pavement coring or cutting. <ul style="list-style-type: none"> <li>a. Installation of individual services from an existing facility to either side of the right of way. Services to the far right of way (crossing under the pavement) shall not exceed (3") diameter with this permit.</li> <li>b. Installation of cathodic protection devices.</li> <li>c. Installation of additional cable (electric or communication) in existing conduits.</li> <li>d. Installation of carrier pipes in an existing casing or tunnel.</li> <li>e. Adjustment and/or reconstruction of manholes.</li> <li>f. Routine maintenance of all existing underground facilities.</li> </ul>
<input checked="" type="checkbox"/>	N/A	3. AERIAL UTILITY OPERATIONS – These are limited to: <ul style="list-style-type: none"> <li>a. Adding/removing poles, conductors, guys and anchors within an existing lead.</li> <li>b. Construction of a new or additional aerial crossing and service drop that do not require a new pole outside of the existing lead.</li> <li>c. Routine maintenance of all existing aerial facilities.</li> </ul>
<input type="checkbox"/>	N/A	4. GEOPHYSICAL EXPLORATION – Geophysical exploration permits require that the Advance Notice be accompanied by a certificate of the fee owner consent when conducting operations upon the easement right of way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. LAND SURVEYS
<input checked="" type="checkbox"/>	N/A	6. BANNERS – Legends shall be specified on the advance notice form.
<input type="checkbox"/>	<input type="checkbox"/>	7. EMERGENCY OPERATIONS – See general conditions.
<input type="checkbox"/>	<input type="checkbox"/>	8. EMERGENCY HAZARDOUS SPILL/MATERIAL CLEANUP
<input type="checkbox"/>	N/A	9. SOIL BORINGS (Note: Monitoring wells require an Individual Permit from the appropriate Region/TSC office and are <u>not</u> covered by an Annual Permit
<input checked="" type="checkbox"/>	N/A	10. ROUTE CLOSURES – Attach event name, date, time and detour route
<input type="checkbox"/>	N/A	11. SIDEWALK CAFÉ (RENEWAL ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	12. BILLBOARD VEGETATION SURVEY
<input type="checkbox"/>	N/A	13. OTHER (SPECIFY): _____

**I certify that I accept the following:**

1. I am the legal owner of this property, the owner's authorized representative, or have statutory authority to work within the right-of-way.
2. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued.
3. Failure to object within ten (10) days to the permit as issued constitutes acceptance of the permit as issued.
4. If this permit is accepted by either of the above methods, I will comply with the provisions of the permit.
5. I agree that form 2204 (Advance Notice and Approval of Permitted Activities) will be submitted 5 days prior to the start of each activity being performed. **No work shall begin until the form has been approved. Failure to submit the form 2204 may result in a stop work order.**

APPLICATION/AUTHORIZED AGENT  If Authorized agent- I hereby certify that I am acting as an authorized agent on behalf of the named applicant. Certificate of Agent attached.	NAME AND TITLE (PLEASE PRINT OR TYPE) Jon H. Dowling, P.E., City Engineer	DATE 12/17/08
	SIGNATURE	FEDERAL TAX ID NUMBER (If applicable) 38-6004701

MDOT USE ONLY - DO NOT WRITE BELOW THIS LINE	
DEPARTMENTAL DATA	RECOMMENDED FOR ISSUANCE
Surety Type: <input type="checkbox"/> Resolution <input type="checkbox"/> Exempt <input type="checkbox"/> Bond <input type="checkbox"/> Indemnification <input type="checkbox"/> Retainer Letter <input type="checkbox"/> Cash	NAME AND TITLE
LIABILITY INSURANCE: <input type="checkbox"/> Exempt <input type="checkbox"/> Required <input type="checkbox"/> Self-Insured	DATE
TYPE OF PERMIT: <input type="checkbox"/> TSC <input type="checkbox"/> Regional <input type="checkbox"/> Statewide	APPROVED FOR ISSUANCE
ATTACHMENTS: (DESCRIBE)	U-PERMIT ENG. OR REGION/TSC U-P ENGINEER
	DATE

## GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the trunkline right of way may require a separate permit unless authorized within the scope of the annual permit.
2. Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing including but not limited to any other permissions including or required by law including but not limited to cities, villages, townships, corporations, or individuals for the activities hereby permitted.
3. The permittee agrees as a condition of this permit to:
  - a. Have in the permittee's or the permittee's representative's possession on the job site at all times the approved permit, advanced notice and any necessary plans or sketches.
  - b. Submit form 2204 (Advance Notice and Approval of Permitted Activities) to the Departments at least five (5) working days prior to commencement of any operations covered by this permit. No work shall start until an approved copy of form 2204 is returned to permittee.
  - c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
  - d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.
  - e. Furnish, install and maintain all necessary traffic controls and protection during permittee's operations in accordance with the Michigan Manual of Uniform Traffic Control Devices and any supplemental specifications set forth herein.
  - f. Advise the Department within seven (7) days of completion of work authorized by this permit, so that final inspection may be made and surety deposit released (where applicable). Surety deposit will not be released until the work authorized by the permit has been completed and inspected, and all inspection charges billable to the permittee are paid.
4. Nothing in this permit shall be construed to grant any rights what so ever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.
5. Any operations in the trunkline right of way not covered by permit and the appropriate Department specifications are in violation of the jurisdictional authority of the Department, with respect to the control of the trunkline right of way, unless approved by the Department. Any change or alteration in the permit activities requires prior approval of the Department and may require a new permit.
6. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit, by the specified completion date. The permittee shall meet all requirements of the current Department Standard Specifications for Construction, and the Supplemental Specifications set forth on/or incorporated as a part of this permit.
7. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the state trunkline and right of way determined by the Department to be damaged as a result of the activities of the permittee.
8. Facilities allowed on state trunkline right of way shall be placed and maintained in a manner which will not impair the state trunkline or interfere with the reasonable safe and free flow of traffic. Failure of the permittee to maintain the facilities located within the State trunkline right of way so as not to interfere with the operation, maintenance or use of the state trunkline by the traveling public may result in revocation of the permit.
9. The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department and those governmental bodies performing permit activities for the Department pursuant to a maintenance contract, including but not limited to any approved reviews and inspections of any nature, permit issuing, and final acceptance or rejection of the work or activity authorized by the permit shall not be construed as a warranty or assumption of liability on the part of the Department or those governmental bodies. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and the governmental bodies acting in a governmental capacity. Any such actions by the Department and governmental bodies will not relieve the permittee of its obligations hereunder, nor are such actions by the Department and the governmental bodies to be construed as a warranty as to the propriety of the permittee's performance. The permittee shall indemnify and save harmless the State of Michigan, Michigan Transportation Commission, the Department and all officers, agents and employees thereof, and those governmental bodies performing permit activities for the Department and all officers, agents and employees thereof, pursuant to a maintenance contract, against any and all claims for damages arising from operations covered by this permit except claims resulting from the sole negligence or unlawful acts or omissions of said indemnities, its agent, or employees. In addition, permittee upon request shall furnish proof of insurance coverage for the term of this permit in an amount pre-specified.
10. This permit is not assignable and not transferable unless specifically agreed to by the Department.
11. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the trunkline interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.
12. The permittee shall, upon request by the Department, furnish a performance surety deposit in the form of a bond, cash, certified check, or (when authorized by the Department) an irrevocable letter of credit in such amount as deemed necessary by the Department to guarantee restoration of the trunkline highway or performance under the conditions of the permit.

13. The permittee hereby acknowledges and agrees that the Department has the right to demand completion by the permittee, or the performance surety, or to complete any uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the state trunkline highway, or which is not completed by the expiration date of the permit, including:
  - a. Completion of construction of driveway and/or approach (not authorized by annual permit).
  - b. Removal of materials.
  - c. Restoration of the trunkline facilities and right of way as necessary for the reasonably safe and efficient operations of the trunkline highway.

The permittee further agrees to immediately reimburse the Department in full for all such costs incurred by the Department upon receipt of billing, and that upon failure to pay, the Department may effect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the Department, the permittee shall pay such deficiency upon billing by the Department. If the surety deposit exceeds the expense incurred by the Department, any excess will be returned or released to the depositor upon completion of the work to the satisfaction of the Department.
14. The Department reserves the right during the time any or all of the work is being performed to assign an inspector to protect the trunkline interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any engineering and review fees incurred by the Department or its agent in connection with the work covered by this permit.
15. Emergency Operations: In time of disaster or emergency, or when utility lines or facilities are so damaged as to constitute a danger to life and/or property of the public, access to the same may be had by the most expeditious route. Work is to be completed in a manner which will provide the traveling public with maximum possible safety and minimize traffic distribution. Notice of such situations shall be given to the nearest police authority and the department as soon as can reasonably be done under the circumstances. During normal Department work hours, the facility owner shall advise the Department of any operations within right of way which affect traffic operations or the highway structure or facilities prior to performance of the work. After normal Department work hours, the permittee, at the beginning of the first working day after the emergency operation, shall advise the Department of any operations which affect traffic operations or the highway structures and facilities. If determined necessary by the Department, the permittee shall secure an individual permit for such work after notification.
16. Upon the Department's request, as built drawings of work performed will be furnished to the Department within 30 days after completion of the work.
17. The permittee shall give notice to public utilities in accordance with Act 53, P.A. of 1974, as amended, and comply with all applicable requirements of this act. The permittee shall also comply with requirements of Act 347, P.A. of 1972, as amended, controlling soil erosion and sedimentation.
18. The permittee acknowledges that the Department is without liability for the presence of the permittee's facility which is located within the trunkline right of way. Acceptance by the Department of work performed, and/or notice of termination of performance obligations for the surety and/or the permittee do not relieve the permittee of full responsibility for the permittee's work or for the presence of the permittee's facility in the trunkline right of way.
19. Where the Department has accepted an Indemnification Commitment in lieu of bond and/or insurance policies, such commitment is incorporated into this permit by reference.
20. It is illegal to discharge substances other than storm water into the Department's storm sewer system unless permission has been obtained in writing for other discharges.
21. The permittee shall be responsible for obtaining information on permitted environmental site closures within MDOT right of way. MDOT has implemented a program that allows environmental contamination to remain within the right of way by use of a permit. Issued permit information can be obtained from the Region/TSC in which the permit is issued. If the permittee will encounter a site area identified as a site closure permit area, the permittee shall follow instructions and conditions set forth in Supplemental Specifications #3 and specifications found in form 2205-C, "Special Conditions for Underground Construction".

## SUPPLEMENTAL SPECIFICATIONS

1. Construction and Maintenance of Facilities – To construct and maintain utility crossings of limited access highways, access for the utility's service vehicles may be from county roads, service roads, and openings authorized in limited access right of way fences. The construction of utilities across limited access highways should be for the purpose of serving a general area rather than providing individual services, unless extenuating circumstances necessitate such crossings.

Equipment, vehicles or personnel will not operate within a distance of 30 feet from the edge of the pavement of roadways or ramps on limited access highways. At locations where utilities have been constructed in medians having a width greater than 80 feet or have otherwise been allowed to remain or to be constructed in limited access right of way, ingress and egress shall be by such routes as specified by the Department, which may also specify additional safety provisions.

2. Restoration- Restoration of the trunkline highway and right of way will be such that it will provide a condition equal to or better than the original condition, in accordance with Michigan Department of Transportation Standard Specifications.
3. Excavation and Disposal of Excavated Material – The permittee shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The permittee shall assume the full responsibility for this protection and shall not proceed in these areas before approval of the methods by the Department.

Construction equipment and excavating material shall not be stocked in such locations that it creates a traffic hazard or interferes with the flow of traffic; and on limited access highways, shall be a minimum of 30 feet from the traveled way. Sod and topsoil shall be stacked separately from other excavated material. The permittee shall dispose of all surplus and unsuitable material outside of the limits of the highway, unless the permit provides for disposal at approved locations within right of way. In the latter case, the material shall be leveled and trimmed in an approved manner.

When the permittee is excavating within trunkline right of way and discovers existing contaminated soil and/or an abandoned underground storage tank, special permit specifications entitled "Special Conditions for Underground Construction" (Form 2205-C) shall apply.

4. Utility Cuts, Trenches and Pavement Replacement – Utility crossing by pavement cutting and removal are generally prohibited. If extenuating circumstances make tunneling, boring and jacking impractical pavement cutting may be used with approval of the Department. All utility cuts, trenching and pavement replacement shall comply with the requirements of the Standard Specifications and the Standard Plan "Utility Cuts, Trenches and Pavement Replacement". Unless otherwise specified, cuts in concrete residential and commercial drives shall be as above; except that the patch width shall be a minimum of 3 feet and the remaining slab from patch to existing joint shall be a minimum of 3 feet. Backfill shall be made with sand-gravel as specified in the Standard Specifications, unless otherwise directed. After the backfill has been placed and compacted by controlled density method, the pavement shall be replaced with new pavement of the original type and quality, unless at the season of the year when it is not feasible to replace pavement in kind. In this case, a temporary surface of bituminous material shall be placed with Department approval and later replaced with pavement of the original type at the applicant's expense. Other pavement types may be allowed with prior approval of the Department.

5. Crossing Roadbed by Tunneling or Boring and Jacking – All crossing of roadbed operations involving tunneling, boring and jacking shall comply with the Department's special provisions for such work.

6. Backfilling and Compacting Backfill – Unless otherwise specified, all trenches, holes and pits shall be filled with sound earth or with sand-gravel if so provided, placed in successive layers not more than 9 inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping. All backfill compaction will be subject to check by the controlled density method.

7. Depth of Cover Method- Unless otherwise authorized, pipes shall be placed to a depth that will provide not less than 4 feet of cover between the top of the roadway surface and the pipe, 3 feet cover below the ditch line and the pipe.

8. Trees:

- a. The permittee is responsible for obtaining permission from abutting owners when trimming or removing trees on easement right of way.
- b. Tree removal or trimming may be undertaken only after submission of an "Advance Notice of Permitted Activity"-Tree Trimming/Removal" (form 2215), a field review by the Region Resource Specialist and a written approved copy of the advanced notice returned to the permittee.
- c. Limbs, logs, stumps and litter shall be disposed of in a manner acceptable to the Department.
- d. Tree roots shall be bored a distance of one foot for each one inch of trunk diameter for underground utility installations

9. Aerial Wire Crossings – Vertical clearance of wires, conductors and cables over state trunkline shall not be less than required by Section 232 of the National Electrical Safety Code, except in no case shall the under-clearance below any wire, conductor, or cable, under any temperature or loading condition, be less than eighteen feet (18').

Michigan Department  
Of Transportation  
2207B (07/08)

## PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Trunkline Right of Way" (form 2205), or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way" (form 2205B).*

RESOLVED WHEREAS, the CITY OF JACKSON

(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
2. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCIES facilities according to a PERMIT issued by the DEPARTMENT.

4. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCIES requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within state trunkline right of way on behalf of the GOVERNMENTAL AGENCY.

Name	And/or	Title
Jon H. Dowling, P.E.		City Engineer
Randall T. McMunn, P.E.		Assistant City Engineer

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the JACKSON CITY COUNCIL

(Name of Board, etc)

of the CITY OF JACKSON

(Name of GOVERNMENTAL AGENCY)

of JACKSON

(County)

at a REGULAR

meeting held on the

16th

day of

DECEMBER

A.D.

2008

Signed

Title

CITY CLERK



## Community Development

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

December 10, 2008

**TO:** William R. Ross, City Manager  
**FROM:** Carol L. Konieczki, Community Development Director  
**RE:** Resolution to Amend the Fiscal Year 2008/2009 (Year 34) Community Development Block Grant (CDBG) Budget

---

The fiscal year 2008/2009 CDBG Budget allocated \$75,000 to the City Emergency Hazard Repair Program. Due to overwhelming urgent needs in the community, current projects and encumbrances have nearly depleted these funds, leaving the program with a current balance available for future projects of \$33,466.

The Community Development Department has assisted thirteen households with emergency hazard repairs totaling \$80,088 for the period July 1, 2008 through November 30, 2008, including funds previously available from prior fiscal years. Staff fully expect the current increase in need for emergency assistance to continue throughout the upcoming winter months. The Emergency Hazard Repair Program will require additional funding to meet the requests.

Although there has also been an increase in requests for CDBG Homeowner Rehabilitation, there is sufficient funding for eligible projects under this program. Staff recommend reallocating \$100,000 from the Homeowner Rehabilitation program to the Emergency Hazard Repair program to continue meeting the increased requests for necessary and urgent assistance.

Attached is a resolution to amend the fiscal year 2008/2009 (Year 34) CDBG budget to reallocate \$100,000 from CDBG Homeowner Rehabilitation funds to CDBG Emergency Hazard Repair funds. Please place this item on the December 16, 2008 City Council agenda for consideration.

CK: hls



# **MEMORANDUM**

City Clerk's Office



November 25, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Final Adoption of Ordinance No. 2008.13

Following is Ordinance No. 2008.13 which is on the December 16 agenda for final adoption. Council approved this Ordinance approving a PILOT for Blair Park 2005 Limited Dividend Housing Association on November 18.

## ORDINANCE NO. 2008- 13

An Ordinance adding Article III of Chapter 24 of the Code of Ordinances, City of Jackson Michigan to provide that Blair Park 2005 Limited Dividend Housing Association LLC, be granted Tax Exempt status subject to a Payment In Lieu of Taxes.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

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

### ARTICLE III. BLAIR PARK TAX EXEMPTION ORDINANCE

Section 24-50. Title.

This article is the "City of Jackson Blair Park Tax Exemption Ordinance".

Section 24-51. Preamble.

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

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

Payment in Lieu of Tax Policy ("PILOT") enacted by the City of Jackson provides that the City's action on each application is within its discretion. The Blair Park ownership

entity requested a 4% PILOT from the City during the term of the City's then existing Ordinance 2003.19 adopted November 25, 2003, which provided for a 4% PILOT upon passage of a project specific resolution by the City Council. The City Council enacted a resolution which by its terms expired in 2008, to provide time to the City Council to review and revise its PILOT policy. Having now adopted a new PILOT policy which by its terms provides a PILOT prospectively to projects which have not yet commenced construction or rehabilitation, the City Council recognizes, based on the facts of this particular situation, that as a matter of fairness this project should essentially be handled in a manner which will provide equivalent treatment to that which would have been made available under Ordinance 2003.19. Accordingly, using the discretion provided under the City's new PILOT policy, the following provisions apply to Blair Park.

#### Section 24-52. Definitions.

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

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

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

*Authority* means the Michigan State Housing Development Authority.

*Class* means low or moderate income persons.

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

*Persons of low income* means persons and families having an income of 80% or less of medium income, as established by the U.S. Department of Housing and Urban Development.

*Sponsor* means a person(s) or entity(ies), which have applied to the authority for an allocation under the low-income housing tax credit program (LIHTC) to finance a housing development.

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

Section 24-53. Class of housing developments.

It is determined that the class of housing developments to which the tax exemption and service charge in lieu of such taxes applies are multiple dwellings for persons of low income, which are financed or assisted by the authority or which are federal aided, as defined in the Act.

Section 24-54. Establishment of annual service charge.

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

Section 24-55. Limitation on the payment of annual service charge.

Notwithstanding section 24-54 above the service charge to be paid each year in lieu of taxes for the part of the housing development which is tax exempt and which is occupied by other than residential low income persons or families is equal to the full amount of the taxes which would be paid on that portion of the housing development if the housing development were not tax exempt.

Section 24-56. Contractual effect of article.

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

Section 24-57. Payment of service charge.

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

Section 24-58. Duration.

The tax exempt status of the housing development approved under this Ordinance remains in effect until December 30, 2023.

Section 24-59. Severability.

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

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



## Police Department

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

November 26, 2008

### MEMORANDUM

**TO:** William Ross  
City Manager

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

**SUBJECT: Mobile Data Computer Purchase**

---

The Police Department is seeking authorization from the City Council to utilize the Oakland County Purchasing Contract to purchase 22 Panasonic ToughBook Mobile Data Computers (MDCs). The contract is with Advanced Wireless of Wixom.

The Jackson Police Department uses MDCs in our patrol cars to enhance our ability to receive timely information regarding addresses, suspects, vehicles, and criminal activity occurring in the city. Our present MDCs were installed in 2003 and are now outdated due to technology advances and current infrastructure limitations. The new MDCs, recommended by the Department's research committee, provide advancements in wireless technology making it possible for officers to complete police reports in the car and transmit them electronically to supervisors for review. The reports would then go directly to Jackson County Records Management System for storage.

The total purchase price for 22 MDC units is \$110,292. Two Byrne JAG grants will fund \$40,051 of this purchase, with the remainder \$70,241, financed internally over the course of three years. We will build the funds for our first payment into our 2009/2010 fiscal year budget.

Please place this as an item on the City Council agenda for December 16, 2008. I or a representative will be present to answer any questions.

MRH/AP/ap/c:MCDPurchasemmo  
cc: M. Cunningham



## Wastewater Treatment

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

December 8, 2008

**TO: William Ross, City Manager**

**FROM: Paul Vermaaten, Director Sewage Treatment & Fac.**

**RE: Change order number 1 for Paul E. Bengel Company for \$ 45,476.21**

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On 1-8-2008 Paul Bengel Company was awarded work at the Wastewater Treatment Plant (Contract 1-Power House Piping Improvements). The work is essentially complete. The contractor performed extra work or supplied extra items. A listing of the work and cost for the work is attached.

The original contract amount was \$1,810,000.00 change order amount is \$45,476.21 the change order brings the total contract amount to \$1,855,476.21. Money is available from the Wastewater Equipment Replacement Fund to pay for this change order.

If you concur, will you place this change order request on the next City Council agenda for their review and approval?

**Earth Tech AECOM**

5555 Glenwood Hills Pkwy., SE, Suite 200, Grand Rapids, MI 49512  
T 616.942.9600 F 616.940.4396 www.earthtech.aecom.com

December 05, 2008

Mr. Paul S. Vermaaten  
Superintendent, Waste Water Treatment Plant  
161 West Michigan Avenue  
Jackson, MI 49201-1324

**RE: Change Order 1 Approval, Contract #1, Power House Piping Improvements**

Dear Mr. Vermaaten:

Enclosed please find Change Order No. 1 with backup material for the City of Jackson, Contract #1 – Powerhouse Piping Improvements from Paul E. Bengel Company.

It is the opinion of Earth Tech that the work described in this change order has been completed and the workmanship and material(s) are of the quality required by the Contract Documents. Further, Earth Tech recommends the invoicing be approved and payment made within the terms and conditions of the Contract Documents.

Please send a fully executed copy of Change Order No. 1 to Bengel and Earth Tech. If you have any questions, please call me at (616) 446-3192.

Sincerely,



Michael R. Rumler  
Project Representative

## CHANGE ORDER NO. 1

Owner City of Jackson Date December 01, 2008  
Project Waste Water Treatment Plant Power House Piping Improvements  
Contractor Paul Bengal, Mechanical Contractors  
Date of Contract Start January, 9, 2008 \$ 1,810,000.00

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You are directed to make the following changes in the Contract Documents. Description:

**ITEM:**

7309-50	Relocate conduit feed to sludge pump controller and repair conduit feed to basement light.	\$ 1,279.21
7309-51	Relocate conduits per attached proposal	\$ 17,756.00
7309-52	Extra Bore and Jack	\$ 6,800.00
7309-53	Deduct for using different check valves	\$ (1,579.00)
7309-54	Additional 4" Gate Valve	\$ 650.00
7309-55	Change 30" piping to 24" piping	\$ 7,385.00
7309-56	Move sludge pump control panel	\$ 435.00
7309-57	Move lights at 24" pipe	\$ 846.00
7309-58	Install and cement Stop Logs in different location	\$ 2,056.00
7309-59	Add new 8" gate valve in East Gallery Between pumps 4 and 6	\$ 1,582.00
7309-60	Cooling Water to WAS pumps	\$ 411.00
7309-61	Bolt replacement on primary pump base	\$ 503.00
7309-62	Relocate water mains to accommodate 30" RAS pipe	\$ 3,232.00
7309-63	Remove Standard washers, on tank plate, put washers on. Remove caulk inside tank adapter and recaulk and retest per Mike.	\$ 387.00
7309-64	Install guardrail east gallery	\$ 544.00
7309-65	Overhead crane East Gallery	\$ 724.00
7309-66	Test Ball	\$ 1,413.00
7309-67	RAS pump # 7, #8, #9, marked 10" on Print: 8" piping used	\$ 1,052.00

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**Reason for Change Order:**

7309-50 Required for installation as designed  
7309-51 Required for installation as designed  
7309-52 Conditions required work that exceeded Bore and Jack Allowances  
7309-53 Value Engineering  
7309-54 Value Engineering, Provided additional flexibility in plant operations  
7309-55 Required because clearances required were not available as designed

- 7309-56 Value Engineering, Provided additional flexibility and ease in plant operations
- 7309-57 Safety Considerations. New piping diminished lighting in area and piping hit existing fixtures
- 7309-58 Required for installation Condition found differed from record drawings
- 7309-59 Value Engineering, Provided additional flexibility in plant operations
- 7309-60 Required for installation as designed. Not shown on prints
- 7309-61 Replacement required; existing bolts failed.
- 7309-62 Required because clearances required were not available as designed
- 7309-63 Requested by Engineer
- 7309-64 Safety Considerations.
- 7309-65 Value Engineering, purchase Contractor installed construction equipment at greatly reduced cost.
- 7309-66 Value Engineering, purchase Contractor construction equipment at greatly reduced cost.
- 7309-67 Required for installation Condition found differed from record drawings

	CONTRACT PRICE		CONTRACT TIMES (290 Calendar Days)	
			Original Substantial completion	Original Final completion
Original:	\$ <u>1,810,000.00</u>	Original Completion Date:	<u>10/27/08</u>	<u>11/14/08</u>
Previous C.O.s (ADD/DEDUCT):	\$ <u>N/A</u>	Previous C.O.s (ADD/DEDUCT):	<u>N/C</u>	<u>N/C</u>
This C.O. (ADD/DEDUCT):	\$ <u>45,476.21</u>	This C.O. (ADD/DEDUCT):	<u>N/C</u>	<u>N/C</u>
Contract Price with all Approved Change Orders:	\$ <u>1,855,476.21</u>	REVISED:	<u>                    </u>	<u>                    </u>
		Revised Completion Date:	<u>N/C</u>	<u>N/C</u>

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from the change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT AND ALL  
STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.

RECOMMENDED:

By: Michael R. Remler December 01, 2008  
ENGINEER (Authorized Signature) Date

APPROVED:

By: \_\_\_\_\_  
OWNER (Authorized Signature) Date

ACCEPTED:

By: Charles Brannell 12-2-08  
CONTRACTOR (Authorized Signature) Date

Earth Tech, Inc.  
98534 / 1  
Project Change  
Number Order No.



## Personnel & Labor Relations

161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4046 — Facsimile: (517) 768-5824

December 10, 2008

**TO:** William Ross, City Manager  
**FROM:** Catherine Brechtelsbauer, Personnel Director  
**RE:** **Extension Agreement with Worker's Compensation Third Party Administrator**

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The City of Jackson is self-insured for most worker's compensation cases and purchases "excess insurance coverage" for cases that may exceed a maximum self-insurance liability amount. City Council approved a two year contract with Broadspire Services, Inc. which is scheduled to expire on December 31, 2008 for third party administration of most of the City's worker's compensation claims. Our earlier agreement was for anticipated fees of \$21,195 in the first year, based on historical assumptions, and allowed Broadspire to raise its fees up to 3% in the second year. (Please recall that this contract was estimated to save approximately \$20,000 per year from previous contracts for similar services.)

Because it has been an extraordinarily busy year, because Broadspire continues to provide excellent services, and because Broadspire has not raised its rates, the Personnel staff has not solicited new proposals for these services, except to ask Broadspire for a proposal for an eight month extension of the current terms and conditions. Broadspire submitted a proposal using the same rate structure and the same assumptions used in the earlier proposal, and anticipates an eight (8) month fee of \$14,373. Personnel staff will work with Purchasing staff to do a full bid process for these services this summer.

Staff recommends City Council approve an eight (8) month extension agreement (through August 31, 2009) with Broadspire Services, Inc for third party administration of worker's compensation cases in the amount of \$14,373.

Please advise if you need additional information.

Concurrence with Staff Recommendation:

---

William R. Ross, City Manager



## Community Development

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

December 5, 2008

**TO:** William R. Ross, City Manager  
**FROM:** Carol L. Konieczki, Community Development Director  
**RE:** Request to Increase CDBG Emergency Hazard Loan Income Limits

---

Community Development Staff have received numerous calls for emergency assistance over the last several months. With the current economy, Staff anticipate this trend in increased requests for assistance to continue. The current income limit to be eligible for a CDBG Emergency Hazard Deferred Loan is the household income must not exceed 50% of the area median income as determined by the Department of Housing and Urban Development (HUD). As a result, several households requesting assistance were over the income limit by minimal amounts and Staff was not able to provide the assistance they desperately require. A copy of the current income limits is attached for your reference.

For example, Staff recently received a request from a household of seven, including young children, to replace a non-functioning furnace. With the current income guidelines, however, Staff was unable to assist this family because they were over the income limit by approximately \$2,000. This household has no other means to replace the furnace and in the meantime conditions will continue to deteriorate as winter is upon us. If the income limit was increased to 80% of the area median income the household would be eligible for the assistance.

Staff is currently working to update the rehabilitation guidelines, including the Emergency Hazard program. The new guidelines will not be complete until Spring 2009, at which time they will be presented to City Council in their entirety for approval. One update to the rehabilitation guidelines is to increase the income limit for emergency assistance from 50% to 80% of the area median income. Staff would like to request City Council approve a deviation from the current guidelines to accommodate this change until the complete update to the rehabilitation guidelines is final. By making this change prior to completion of the updated rehabilitation guidelines, Staff will be able to immediately assist additional households with emergency repairs this winter.

Please place this item for consideration on the December 16, 2008 City Council agenda.

Cc: Dennis Diffendiffer, Rehabilitation Coordinator  
Heather Soat, Financial Analyst  
Kim VanEvery, Rehabilitation Loan Specialist

CLK:hls

# CDBG INCOME LIMITS - 2008

## City of Jackson

### Household Size

% of Median	1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
30%	12,550	14,300	16,100	17,900	19,350	20,750	22,200	23,650
50%	20,900	23,900	26,850	29,850	32,250	34,650	37,000	39,400
60%	25,080	28,680	32,220	35,820	38,700	41,580	44,400	47,280
80%	33,450	38,200	43,000	47,750	51,550	55,400	59,200	63,050
100%	41,800	47,800	53,700	59,700	64,500	69,300	74,000	78,800
115%	48,070	54,970	61,755	68,655	74,175	79,695	85,100	90,620
120%	50,160	57,360	64,440	71,640	77,400	83,160	88,800	94,560

Effective 2/13/08

/kve

kvelcdbginclmts



## Community Development

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

December 10, 2008

**TO:** William R. Ross, City Manager  
**FROM:** Carol L. Konieczki, Community Development Director  
**RE:** Request Authorize City Manager to Approve CDBG Emergency Hazard Project Limit

---

The current limit for an emergency hazard project funded by CDBG is \$10,000.00 plus loan closing costs. Staff recently encountered a project in which the total cost of emergency repairs exceeded this limit. The home required a new furnace and new roof as the family had no heat and a severely, leaking roof. The total cost of the project was \$11,320.00 and the loan amount was \$11,406.59, including closing costs of \$86.59. In an effort to minimize costs to the homeowner, Staff bid each item separately with individual contractors to preclude normal general contractor mark-up. Due to the nature of these urgent repairs, Council previously approved a memo at the November 18 meeting to increase the loan limit for CDBG emergency assistance for this project to expedite assistance to the family.

Staff is currently updating the rehabilitation guidelines, including the Emergency Hazard program. Staff anticipates the new guidelines will be complete in Spring 2009, at which time they will be presented to City Council in their entirety for approval. An update to the guidelines will include a request to authorize the City Manager to approve emergency hazard projects exceeding the \$10,000.00 limit at his/her discretion up to a maximum of \$15,000.00. As there have not been many projects in the past requiring such extensive emergency repairs, staff does not anticipate many emergency hazard projects will exceed the \$10,000.00 limit. In the interim, Staff would like to request City Council approve a deviation from the current guidelines to accommodate this change and permit the City Manager to approve emergency hazard projects exceeding the \$10,000.00 limit at his/her discretion up to a maximum of \$15,000.00, until the complete update to the rehabilitation guidelines is final.

Please place this item for consideration on the December 16, 2008 City Council agenda.

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

CLK:hls



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

**DATE:** December 11, 2008  
**TO:** William R. Ross, City Manager  
**FROM:** Jon H. Dowling, P.E., City Engineer  
**RE:** Grand River Artswalk and Hamilton Anderson Amendment #4

The City has been working to develop an Artswalk along the Grand River from downtown to the Armory Arts Village. The project stalled for several years as we sent documentation to Norfolk Southern Railroad seeking permission to use part of their right of way for the Artswalk. On October 16, 2008, you and I, along with Carol Konieczki, Randy McMunn, Amy Torres of The Enterprise Group and Sam Lovall of Hamilton Anderson Associates met with staff from Michigan Department of Environmental Quality (MDEQ) and Michigan Department of Transportation (MDOT) to discuss the status of grants from both agencies. Since we were getting nowhere with the railroad, the state agencies gave the City until early December to develop an alternate route that would not require negotiations with the railroad and suggested that we consider building the trail to the north along the river. We developed several routes as shown on the attached drawing.

Then, in early November, City staff met with representatives of Consumers Energy, Tingley Paint, Art Moehn properties, Jackson County Fair, and Enterprise Group to see if we could get easements to cross their property. Each of the representatives were favourable to having the artswalk on their property.

On December 5, 2008, we met with MDOT and MDEQ again to review our progress and to inform them of a problem with segment two. A title search confirmed that a parcel just south of the Tingley property was owned by Norfolk Southern. This made segment two an invalid option at this time, since it reintroduced railroad negotiations. The only option available to build next year is Option One using segments three and four, which is also the lowest cost of the three options. Both MDOT and MDEQ were pleased with our progress and approved of Option One.

During the meeting we discussed restoring the brick road on Mechanic from Ganson to the Armory Arts and installing decorative lighting. MDOT was acceptable to using some of the unused balance of the Enhancement Grant on a 50-50 match to fix up Mechanic Street. We provided an aggressive time schedule to do this work in the following construction season which is as follows:

Council Authorization for HA to begin design	December 16, 2008
Submit GI Package and Programming	February 20, 2009
GI Date – Approximate	March 20, 2009
Final Plans, Proposal and Estimates (MDOT Dates)	April 29, 2009
MDOT Letting Date	July 10, 2009
Begin Construction	August 14, 2009

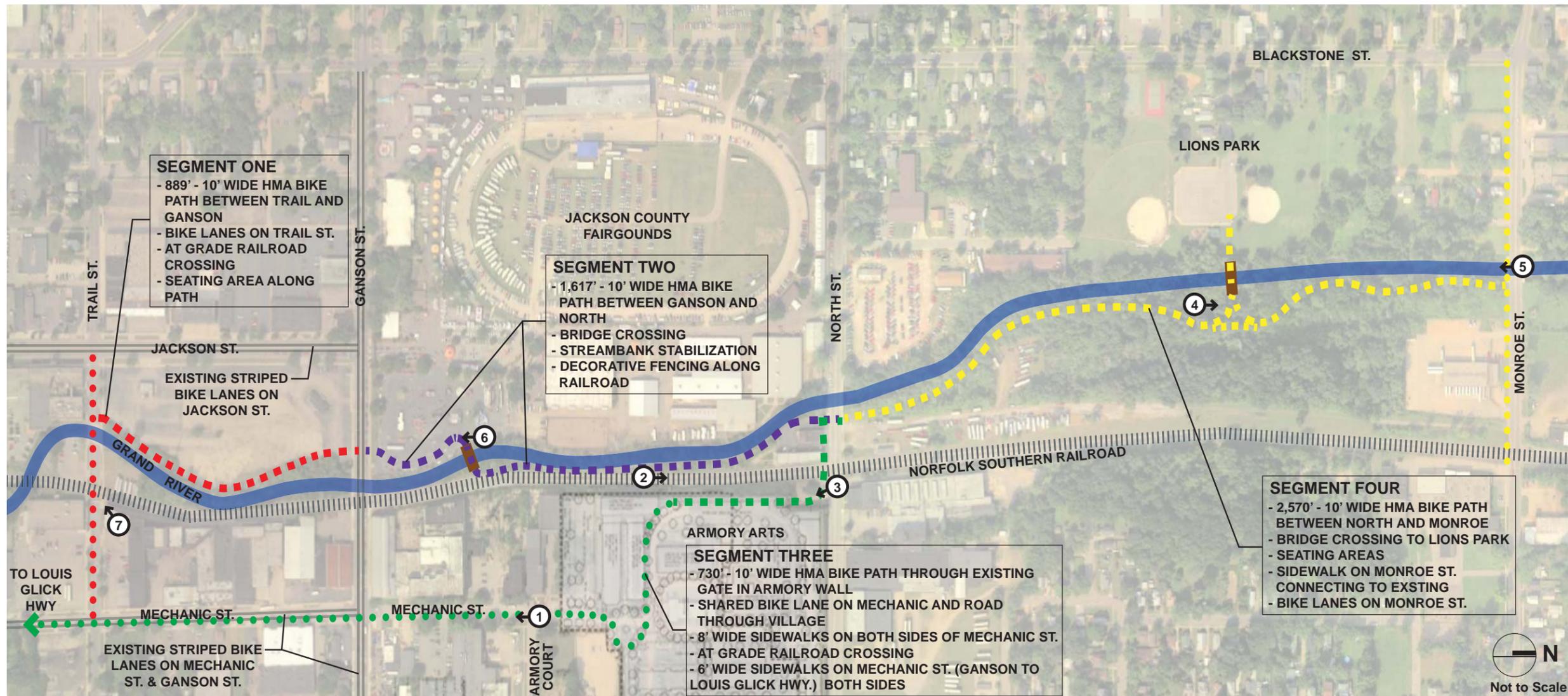
William Ross  
December 11, 2008  
Page 2

Hamilton Anderson Associates has been working with the City on the Artswalk since the beginning. The first set of plans prepared to submit to MDOT for review is the design along the railroad which will not meet our funding schedule. This design could be used in the future if we are able to get to an agreement with the railroad. The new route now needs to be surveyed and designed. Hamilton Anderson has prepared Amendment #4 to their contract in the amount of \$163,721.00. The funding for this amendment is budgeted in the major street funds. In order to start the survey and meet this aggressive schedule to build this project next summer we need to start as soon as possible.

With your concurrence, I request that the attached Amendment # 4 to Hamilton Anderson Associates for the Grand River Artswalk be submitted to City Council for their approval and that the City Manager and City Engineer be authorized to sign the amendment.

Please do not hesitate to contact me if you need further information.

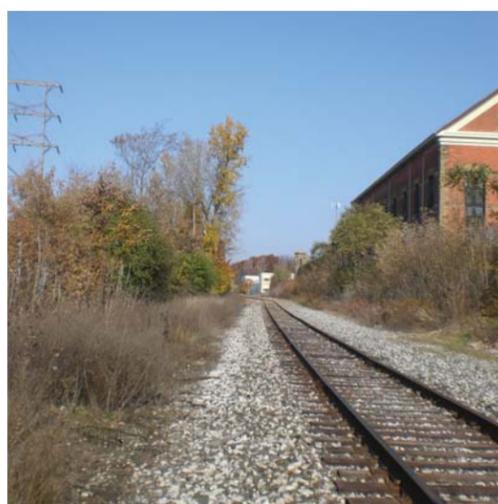
c: Randall T. McMunn, Assistant City Engineer  
Carol Konieczki, Community Relations Director



7. Railroad Crossing at Trail St. looking West



1. Mechanic St. looking South



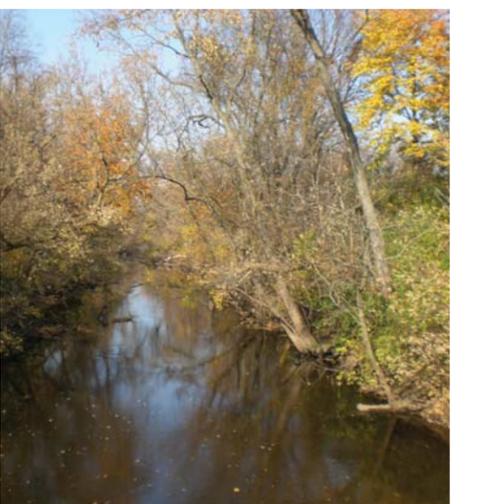
2. Railroad Tracks between Ganson St. and North St. looking North



3. Door at Armory Arts Wall - North St.



4. Natural Area between North St. and Monroe St.



5. Grand River looking South from Bridge on Monroe St.



6. Jackson County Fairgrounds parking lot looking South

December 11, 2008

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

Subject: Re: Grand River ArtsWalk;  
Amendment No. 4  
HAA Job No: 25303.00

Dear Mr. Dowling:

Thank you for the opportunity to submit this amendment to the Grand River ArtsWalk project contract. We respectfully request approval of Amendment No.4 in the amount of \$163,701. A breakdown and description of the scope of services is enclosed.

Original Contract Amount:	\$144,880.00
Amendment No. 1:	\$ 47,660.00
Amendment No. 2:	\$ 46,425.00
Amendment No. 3:	5,500.00
Current Contract Total:	\$244,465.00

Proposed Amendment No. 4: \$163,721.00

Proposed New Contract Amount: \$408,186.00

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

Sincerely,

HAMILTON ANDERSON ASSOCIATES



Sam B. Lovall ASLA  
Project Manager

ACCEPTED: CITY OF JACKSON

By: \_\_\_\_\_  
William R. Ross, City Manager

By: \_\_\_\_\_  
Jon H. Dowling, City Engineer

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

B:mof  
Enclosure

**Grand River ArtsWalk**  
City of Jackson  
HAA Job #: 25303.00  
December 9, 2008

#### **Amendment No. 4 Scope of Services**

##### **Task One: Trail Improvement from Glick St. north to Monroe St. (using Mechanic St. in its existing condition)**

###### **Schematic Design/Design Development and Construction Documents**

Based on Norfolk Southern Railroad's reluctance to discuss easements for portions of the Grand River ArtsWalk, various alternate routes were studied that do not involve Norfolk Southern Railroad ROW. Three trail route alternatives were presented to representatives from the Michigan Department of Transportation (Enhancement Program) and Michigan Department of Environmental Quality (CMI Grant Program) on December 5, 2008. Enthusiasm from both funding agencies was noted in their desire to redirect funding to construct the following trail route (this route will connect the Armory Arts Village to Downtown along Mechanic Street and extend the path further to the north toward an east/west state wide connector. Meanwhile, negotiations will continue with Norfolk Southern Railroad for a path along the river between Armory Arts Village and Downtown). The route endorsed by both funding agencies is as follows:

From Louis Glick Highway to Armory Arts Village along Mechanic Street – new sidewalks combined with existing bike lanes in the street; through the Armory Arts – on-street bike lanes and sidewalks, transitioning to a shared use path; along North Street to the Grand River's east Bank – on-street bike lanes and sidewalks; from North Street to Monroe Street – a shared use path along the river, including a pedestrian bridge/spur path over the river to Lions Park; and on Monroe Street to connect with existing sidewalks to the East and sidewalks on Blackstone (to the West) – on-street bike lanes and sidewalks.

Hamilton Anderson proposes to assist the City in developing design plans and construction documents for this task / pathway development as an amendment to our agreement for the Grand River ArtsWalk Project. A breakdown of costs is as follows:

###### **Project Organization, Schematic Design and Design Development**

**Total Hours – 300\* Expenses - \$1,357 Estimated Not to Exceed Cost - \$73,797**

- Project set up, administration, scope revisions, budget, schedule, etc.
- Provide soil borings to determine path material, base material and bridge foundation design (geotechnical)
- Provide topographic, easement, wetland limits and utility survey
- Determine wetland limits along trail (evaluation of wetland)
- Provide revised river hydrologic analysis/design (inc. hydraulic model and report)
- Site reconnaissance/ trail route determination North to Monroe
- Develop concept plans for revised route
- Prepare graphics to support new trail
- Prepare estimate of probable costs
- Review concept alignments & prelim. details w/ City (conf. call)
- Receive approval on concept direction from City and revise plan / graphics
- Present schematic design to public & stakeholders (open house)
- Summarize information gathered at public meeting in memorandum format
- Revise initial grant application in conjunction with City of Jackson
- Further develop approved trail alignment
- Prepare estimate of probable costs for final alternative
- Review concept alignment & prelim. details w/ City (Meeting)

- Receive approval on final design direction from City and revise plan / graphics
  - general development plan
  - landscape plan
  - construction details (sketch format)
- Prepare estimate of probable costs for complete DD package
- Review final DD package w/ City (conference call)
- Submit permits for construction approval (MDEQ, City of Jackson, County, etc)

**Construction Documents**

**Total Hours – 413\*    Expenses - \$1,652    Estimated Not to Exceed Cost - \$ 60,461**

Prepare documents (drawings and technical specifications) to be used for bidding purposes by the City of Jackson. Documents will include, but not be limited to;

- Cover sheet
- Existing conditions
- General development
- SESC
- Layout and grading
- Street striping plans
- Utility improvements
- Landscape plans
- Site development details
- Bridge plan and details
- Special provisions and technical specifications
- QA/QC review (in house)
- QA/QC revisions
- Permit drawings
- Final estimate of probable costs
- Owner Review @ 50% and 90% complete
- Revisions per owner comments
- Submit for Grade Inspection
- GI Revisions

**Total estimated cost for Task One:    \$137,267**

**Task Two: Mechanic Street Improvements, Ganson Street to Armory Court (+/- 600 ' of New Brick Street, Curb and Gutter, Sidewalk, Historic Lighting, etc.)**

Further discussions with MDOT and MDEQ invited a request for funding to reconstruct the brick street along Mechanic Street, including new curb and gutter, sidewalks and street lights, from Ganson to the Armory Arts Village.

Hamilton Anderson proposes to assist the City in developing design plans and construction documents for this pathway development as an amendment to our agreement for the Grand River ArtsWalk Project. A breakdown of costs is as follows:

**Project Organization, Schematic Design and Design Development**

**Total Hours – 126\*    Expenses - \$531    Estimated Not to Exceed Cost - \$ 14,120**

- Project set up, administration, scope revisions, budget, schedule, etc.
- Provide soil borings to determine street cross section (geotechnical)
- Provide AutoCAD drawing to the City, conforming to the City standard for developing separate utility construction plans.
- Develop concept plan for street reconstruction (one alternative)
- Research brick pattern and material sources
- Prepare estimate of probable costs for each alternative
- Prepare preliminary SHPO Documentation (support City of Jackson)
- Review preliminary application with City and SHPO staff (conference call)

- Revise application and submit to SHPO office
- Further develop approved street alignment
- Prepare estimate of probable costs for final alternative
- general development plan
- general historic lighting and electrical distribution plan
- construction details (sketch format)
- Prepare estimate of probable costs for complete DD package

**Construction Documents**

**Total Hours – 84\*      Expenses - \$338      Estimated Not to Exceed Cost - \$ 11,465**

Prepare documents (drawings and technical specifications) to be used for bidding purposes by the City of Jackson. Documents will include, but not be limited to;

- General Development
- Street Layout and grading
- Utility improvements
- Street Details
- Electrical and lighting Plan
- Special Provisions and technical specifications
- QA/QC Review (in house)
- QA/QC Revisions
- Permit Drawings
- Final Estimate of probable costs
- Owner Review @ 50% and 90% complete
- Revisions per owner comments
- Submit for Grade Inspection
- GI Revisions

**Total estimated cost for Task Two:                      \$ 26,454**

**Total estimated cost for Amendment No. 4:    \$163,721**

\*Hours represent HAA hours only, does not include hours for sub-consultants.

**Schedule of Work**

Hamilton Anderson Associates will submit necessary documents for grade inspection to the Michigan Department of Transportation (MDOT) on or before February 20, 2009. Final plans, grant proposal and estimate of probable costs will be submitted to MDOT no later than April, 29, 2009.

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



# MEMORANDUM

**DATE:** December 1, 2008

**TO:** William R. Ross  
City Manager

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

**SUBJECT:** November Manager's Report

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Chief Matthew Heins

- Attended:
  - POLC-NS mediation
  - Dahlen Conservancy Benefit Breakfast
  - LEAF Meeting
  - Outdoor Range Meeting with Insurance Carrier and City Attorney
  - In-Service Training
  - Area Chief's Meeting
  - Human Relations Commission Meeting
  - Concealed Pistol Law Meeting with Gilbert Carlson
  - Lansing Community College Police Academy Graduation
  - Citizens Police Academy Graduation
- Hosted Employee of the Month Reception for Sergeant Carter
- Held End of Probation Meetings with:
  - Officer Jim Bonneau
  - Officer Steve Andrews
- Interviewed by Reserve Officer for Class Report on 2<sup>nd</sup> Amendment
- Held Meeting with Incoming Detective Sergeant Regarding Expectations
- Held Meeting with Incoming Training Officer Regarding Expectations
- One week vacation

Deputy Chief John Holda

- Attended:
  - Area Chief's Meeting
  - 911 Changeover Meeting

- Training Consortium Meeting
- MPRI Subcommittee Meeting
- Criminal Justice/Corrections Advisory Board –Jackson Community College
- POLC-Non Supervisory Unit –mediation
- Pistol Range Meeting
- Allegiance Health Update Meeting
- Open Carry/Firearms Meeting w/city attorney
- MDC Project: Capital Improvement project request completed along with project outline memo to Chief/Margaret Cunningham (Purchasing) for review and schedule on December council agenda.
- 12 hour shift posting and coordination with lieutenants
- Ethics presentation at Citizens Police Academy
- Sample order review for draft Records Retention Policy
- One week vacation

Lt. Aaron Kantor

- Attended:
  - MPRI meeting – Discussed parolee placement
  - Citizens Police Academy Presentation
  - LEAF meeting in Lansing – Discussed policy drafts
  - Homeland Security meeting in Lansing
  - Mental Health Court meeting – Reviewed possible additions to the court
  - SRT Training
  - In-Service Training
  - Meeting with City Attorney and City Clerk to finalize pawn shop ordinance language
- Met with Community Development on possible CDBG project with graffiti.
- Other update information:
  - Tentatively finished the pawn shop ordinance language change. Hope to have this in front of Council in early 2009.
  - Finished a proposal to update our secondary PSAP with homeland security funds. Committee will review proposals on December 3 and will make final decision on December 17. Approx. cost – \$60,000
  - Worked on possible graffiti project with CDBG funds. Ultimately decided CDBG funds may not be the best option due to the significant strings attached. (Mandatory paint training for citizens, etc.)
  - Worked with JTV on the production of a community DVD which would educate the public on how to avoid disorderly and resisting arrests.
  - Another arrest was made as the result of the mortgage fraud investigation. (Freddie Young)
- One week vacation

Lt. Christopher Simpson

- Attended:
  - Department Head meeting

- Meeting with Steve Thelen to discuss rental of the event center and debrief the County Fair event for 2008
- Attended the Ordinance Review Committee Meeting
- Met with Chief and City Attorney Gilbert Carlson to discuss Open Carry laws
- Domestic Violence Committee meeting
- Human Services Committee meeting
- Jackson Area Landlord Associations meeting with the general membership.  
Discussed issues relevant to landlord/tenant issues