



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

AGENDA – CITY COUNCIL MEETING

(Revised)

June 12, 2012

7:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Derek Dobies, 6th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Citizen Comments. (3-Minute Limit)**
6. **Presentations/Proclamations.**
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of May 22, 2012.
 - B. Approval of the minutes of the special City Council meeting of May 29, 2012.
 - C. Approval of City license renewals for the year ending April 30, 2013, in accordance with the recommendation of the City Clerk.
 - D. Approval of the request from the Downtown Development Authority to conduct their annual Jammin in Jackson summer concert series in Bucky Harris Park on Thursday, June 7 and 21, July 12 and 26, and August 9 and 23, from 5:00 p.m. to 7:00 p.m. (Recommended approval has been received from Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)
 - E. Approval of the request from P & T Fitness to conduct their annual Mick Webster Memorial Bicycle Tour on various routes throughout the City on Saturday, June 30, 2012, from 7:00 a.m. to 3:00 p.m. (Recommended approval has been received from Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - *F. **Item Deleted.**
 - G. Approval of the request to award the Hazardous Materials Assessment Contract to the low bidder, Red Cedar Consulting, LLC, Lansing, for a period of one year.
 - H. Approval of the request to award the Emergency Asbestos Assessment and Abatement Services Contract to the low bidder, Adrian Environmental, LLC, Adrian, for a period of one year.
 - I. Approval of the request to award contracts to the listed low bidders for the purchase of bulk chemical treatment supplies for the Water and Wastewater Treatment Plants for fiscal year 2012-2013, and authorization for the Mayor and City Clerk to execute the appropriate contract document(s), in accordance with the recommendation of the Deputy City Manager.
 - J. Receipt of petitions filed by Certainteed Corporation; Flagstar Bank, FSB; Meritax, LLC as agent for CVS and Sears Roebuck & Company with the Michigan Tax Tribunal and referral to the City Assessor and City Attorney for appropriate action.

- *K.** Establishment of June 26, 2012, as the time and place to hold a public hearing to consider the approval of an application for a Public Act 328 of 1998 personal property tax abatement from HCL America, Inc.
8. **Committee Reports.**
- A. Receipt of the City Affairs/Rules & Personnel Committee Report #4.
 - B. Receipt of the Finance/Tax Policy Committee report.
9. **Appointments.**
- A. Approval of the appointment of Steven Maga to the Employees Retirement System Board of Trustees filling a current vacancy, in accordance with the recommendation of the Employees Retirement System Board of Trustees.
10. **Public Hearings.**
- A. Public hearing of necessity for street construction on High Street from Cooper Street to Losey Avenue.
 - 1. Resolution ordering the construction and preparation of the Special Assessment Roll.
 - B. Public hearing of necessity for street reconstruction on Homewild Avenue from Ellery Street to Edgewood Street.
 - 1. Resolution ordering the construction and preparation of the Special Assessment Roll.
 - C. Public hearing of necessity for street construction on Forest Avenue from 571 feet west of Edgewood to Edgewood Street.
 - 1. Resolution ordering the construction and preparation of the Special Assessment Roll.
11. **Resolutions.**
- A. Consideration of a resolution requesting transfer of ownership of Class C & SDM Licenses and Dance and Sunday Sales Permits, located at 2214 E. Ganson St., Jackson, MI 49202, Jackson County, from McThirsty's Pub & Grub to Nautique, LLC.
 - B. Consideration of a resolution recognizing Hospice of Jackson D/B/A Allegiance Hospice as a nonprofit organization operating in the community.
 - C. Consideration of a resolution recognizing the CMS Club of Jackson as a nonprofit organization operating in the community.
 - D. Consideration of a resolution amending the 2011 HOME budget to provide the Greater Jackson Habitat for Humanity additional HOME funding to complete its project at 626 Harris Street.
 - E. Consideration of a resolution amending the following funds in the fiscal year 2011/12 budget:
 - 1. Increase the General Fund Planning budget \$8,000.00 for Planning Services;
 - 2. Increase the Public Improvement Fund budget \$15,000.00 for City Hall improvements, and
 - 3. Increase the Public Improvement Fund budget \$45,000.00 for City Hall improvements.
 - *F.** Consideration of a resolution ratifying, approving and confirming the utility rates for water, wastewater, and stormwater for fiscal year 2011-2012, and adopting the utility rates for fiscal year 2012-2013.
12. **Ordinances.**
- *A.** Consideration of an ordinance amending Sections 16-510 through 16-515 of Chapter 16, City Code, and adding Sections 16-516 through 16-519 to Chapter 16, City Code, to provide for the health, welfare, and safety of citizens of the City of Jackson by permitting and regulating the growth and consumption of medical marihuana by patients qualified to consumer and grow medical marihuana by the Michigan Department of Community

Health or its successor agency pursuant to the Michigan Medical Marihuana Act. (City Affairs/Rules and Personnel recommend approval.)

- *B. Consideration of an ordinance amending Sections 18-151 through 18-159 to Chapter 18, City Code, to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.
- *C. Consideration of an ordinance amending Chapter 28, Zoning, City Code, regarding Medical Marihuana establishments.
- *D. Consideration of an ordinance declaring an additional temporary moratorium on the establishment of operations, and the issuance of permits or licenses for operations that relate to either the cultivation, dispensing, or use of medical marihuana in the City of Jackson.
- E. Final adoption of Ordinance No. 2012.13 amending Chapter 28, Section 28-32, City Code, to rezone property located at 1052 Cooper Street, 111 W. Argyle Street, 1037 Hamilton Street, and 1039 Hamilton Street from R-1 to C-2.
- F. Final adoption of Ordinance No. 2012.14 amending Article VI, Chapter 2, City Code, to clarify annuity withdrawals for members who have purchased military service credit.

13. **Other Business.**

- A. Consideration of the request to approve Change Order No. 3 to the contract with Dore & Associates Contracting, Inc., in the increased amount of \$1,343,400.00 for the former Consumers Energy Building Asbestos Abatement and Demolition project, 212 W. Michigan Avenue, and authorization for the Mayor to execute the appropriate document(s), and for the City Attorney to make minor modifications as necessary. (Finance/Tax Policy Committee recommends approval.) (Item postponed at the March 27, 2012, City Council meeting.)

14. **New Business.**

- A. Consideration of the request to approve the bid award to Concept Construction, Jackson, in the amount of \$26,236.00 for the owner-occupied Community Development rehabilitation project located at 260 Griswold Street, in accordance with the recommendation of the Deputy City Manager.
- B. Consideration of the request to approve the bid award to E F Potter, Parma, MI, in the amount of \$32,865.00 for the owner-occupied Community Development rehabilitation project located at 1102 South Jackson Street, in accordance with the recommendation of the Deputy City Manager.
- C. Consideration of the request to approve travel expenses in the amount of \$468.86, for Councilmember Daniel P. Greer to attend the Michigan Municipal League Annual Convention to be held on October 3-5, 2012, on Mackinac Island.
- D. Consideration of the request to approve the insurance renewal premium with the Michigan Municipal League Liability and Property Pool (MML Pool), in the amount of \$399,920.00 for Fiscal Year 2012-13, and authorization for the Finance Director to pay the Invoice, in accordance with the recommendation of the City Attorney.
- E. Consideration of the request to approve fee increases for the City Cemeteries. (Finance/Tax Committee recommends approval.)
- F. Consideration of the request to approve traffic calming in the vicinity of the Allegiance Health Campus using basket weave stop sign pattern.
- G. Consideration of the request for authorization to repair and build one (1) 14-inch Fairbanks Morse Vertical Turbine Pump by Northern Pump and Well, Lansing, for the Wastewater Treatment Plant in the amount of \$27,555.00, in accordance with the recommendation of the Deputy City Manager.
- H. Consideration of the request to approve the first renewal of the contract with Prolime, Washington, Michigan, for spent lime sludge removal in the amount of \$11.88 per cubic yard for an anticipated total project cost of \$237,600.00, and authorization for the Mayor

and City Clerk to execute the appropriate document(s).

- I. Consideration of the request from the Fire Department to approve authorization to accept the SAFER Grant, administered by the Federal Emergency Management Agency (FEMA), through the Department of Homeland Security (DHS), in the amount of \$1,875,156.00 as approved by DHS.
- J. Consideration of adopting the City of Jackson's Commitment to Citizen Value. (Received at the May 29, 2012, City Council meeting.)

15. **City Councilmembers' Comments.**

16. **Manager's Comments.**

17. **Executive Session to Discuss Pending Legal Matters.**

18. **Return to Open Session.**

19. **Adjournment.**

***Items deleted, added, or moved.**

JACKSON CITY COUNCIL MEETING

MINUTES

MAY 22, 2012

CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Martin J. Griffin.

PLEDGE OF ALLEGIANCE – INVOCATION.

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

ROLL CALL.

Present: Mayor Martin J. Griffin and Councilmembers Carl L. Breeding, Kimberly Jaquish, Daniel P. Greer, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies—7. Absent: 0.

Also present: City Manager Larry Shaffer, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Police Chief Matt Heins, City Assessor David Taylor, City Engineer Jon Dowling, Deputy City Manager/Community Development Director Patrick Burtch and Deputy Fire Chief Dave Wooden.

AGENDA.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the agenda. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

CITIZEN COMMENTS.

Kevin Oxley distributed a pamphlet and discussed the Countywide Special Education Millage proposal that will appear on the August 7, 2012, Primary Election ballot.

PRESENTATIONS/PROCLAMATIONS.

Councilmember Breeding introduced his niece Zari Mahoney-Johnson, who is Jackson High School's Valedictorian for the Class of 2012. Zari is the daughter of Leon and Bette Johnson and the niece of Gail (County Commissioner) and Kathleen Mahoney. She has also served as the Honorary Chairperson for Councilmember Breeding's re-election campaigns.

Timothy Johnson explained his Eagle Scout Memorial Project for Fallen Police Officers and Firefighters who died protecting and serving the citizens of Jackson. The project is the placement of a monument in Blackman Park. He needs to raise \$10,000 to complete this project and hopes to meet that goal with fundraisers and donations.

CONSENT CALENDAR.

Councilmember Frounfelker requested Item F be removed for separate consideration. Motion was made by Councilmember Frounfelker and seconded by Councilmember Jaquish to approve the following Consent Calendar, with Item F removed for separate consideration. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of May 15, 2012.
- B. Approval of the request to divide vacant property on Enterprise Road, Parcel Number 6-1873.6000 as requested by the property owner.
- C. Approval of the request to divide the property at 424 and 426 North West Avenue, according to the deed provided by the Michigan Department of Transportation (MDOT).
- D. Receipt of a Summons and Complaint filed in the United States District Court, Robert F. Tulloch vs. City of Jackson, et al, and referral of this matter to the City Attorney for handling.
- E. Receipt of the Community Development Block Grant (CDBG) and HOME Financial Summaries through April 2012.
- F. *Removed for separate consideration.*
- G. Receipt of the City Engineer's report for street construction on Forest Avenue from the west bend to Edgewood Street, and establishment of June 12, 2012, at the City Council meeting as the time and place to hold a public hearing of necessity.

CONSENT CALENDER ITEM F.

Receipt of the City Engineer's report for street construction on Homewild Avenue from Ellery Street to Edgewood Street, and the closure of Homewild Avenue between Ellery Street and Forest Avenue, and establishment of June 12, 2012, at the City Council meeting as the time and place to hold a public hearing of necessity.

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to receive the report and establish the June 12, 2012, public hearing. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte and Dobies—6. Nays: Councilmember Frounfelker—1. Absent: 0.

COMMITTEE REPORTS.

A. RECEIPT OF THE CITY AFFAIRS/RULES & PERSONNEL COMMITTEE REPORT.

Councilmember Breeding gave a brief verbal report on the Committee's May 22, 2:00 p.m. meeting. They established a meeting for Tuesday, May 29, 2012, (time TBD). They discussed the proposed medical marihuana ordinance(s) and 3 possible options. The Committee met on May 21, with the appointed officials for their annual evaluations.

Motion was made by Councilmember Breeding and seconded by Councilmember Schlecte to receive the written and verbal reports. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

APPOINTMENTS.

None.

PUBLIC HEARINGS.

A. PUBLIC HEARING OF NECESSITY FOR STREET PAVING ON HIBBARD STREET FROM WILDWOOD AVENUE TO THE NORFOLK SOUTHERN RAILROAD.

Mayor Griffin opened the public hearing. Mark Baker spoke in support of the project and stated he has neighbors who also support the project. Kathryn Hawley spoke in opposition to the project and stated she has neighbors who share her view of opposing the project. The Mayor closed the public hearing.

1. RESOLUTION ORDERING THE REPAVING AND PREPARATION OF THE SPECIAL ASSESSMENT ROLL.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

B. PUBLIC HEARING ON THE PROPOSED USE OF THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS THROUGH THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE.

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

1. AUTHORIZATION FOR THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY IDENTIFYING THE CITY AS THE GRANT FISCAL AGENT AND THE ENTITY ELIGIBLE TO UTILIZE THE ALLOCATED FUNDS.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to authorize the City Manager to sign the Memorandum of Understanding. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

RESOLUTIONS.

A. ITEM DELETED.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 2, CITY CODE, TO CLARIFY ANNUITY WITHDRAWALS FOR MEMBERS WHO HAVE PURCHASED MILITARY SERVICE CREDIT.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

B. FINAL ADOPTION OF ORDINANCE NO. 2012.10, AMENDING SECTION 2-502, ARTICLE VI, CHAPTER 2, CITY CODE, DEFINING THE TERMS “INSURABLE INTEREST,” “ELIGIBLE CHILD,” AND “SURVIVING SPOUSE.”

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt Ordinance No. 2012.10. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

C. FINAL ADOPTION OF ORDINANCE NO. 2012.11, AMENDING SECTION 1-18(D), CHAPTER 1, CITY CODE, AMENDING FINES AND PENALTIES TO BE CONSISTENT WITH STATE LAW.

Motion was made by Councilmember Dobies and seconded by Councilmember Jaquish to adopt Ordinance No. 2012.11. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

D. FINAL ADOPTION OF ORDINANCE NO. 2012.12, AMENDING SECTIONS 25-26 AND 25-29 OF ARTICLE II (VEHICLE AND TRAFFIC CODE) OF CHAPTER 25, CITY CODE, AMENDING FINES AND PENALTIES TO BE CONSISTENT WITH STATE LAW.

Motion was made by Councilmember Dobies to adopt Ordinance No. 2012.12. Councilmember Breeding stated that this Ordinance was not considered separately from Ordinance No. 2012.11 at the May 15, 2012, meeting. Councilmember Dobies withdrew his motion.

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to approve the ordinance and place it on the May 29, 2012, Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

OTHER BUSINESS.

A. CONSIDERATION OF THE REQUEST TO APPROVE THE FISCAL YEAR 2012-2013 BUDGET FOR THE DOWNTOWN DEVELOPMENT AUTHORITY (DDA) PURSUANT TO ACT 197 OF THE PUBLIC ACTS OF 1975 AS LAST AMENDED. (REFERRED BACK TO THE DDA AT THE MAY 15, 2012, CITY COUNCIL MEETING.)

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

NEW BUSINESS.

- A. CONSIDERATION OF THE REQUEST TO SUPPORT TIMOTHY JOHNSON'S EAGLE SCOUT MEMORIAL PROJECT FOR FALLEN OFFICERS AND FIREFIGHTERS WHO DIED PROTECTING AND SERVING THE CITIZENS OF JACKSON BY APPROVING THE PLACEMENT OF A MONUMENT TO BE LOCATED IN BLACKMAN PARK, ON THE CORNER OF S. JACKSON AND W. MICHIGAN AVENUE. (PARKS & RECREATION COMMISSION UNANIMOUSLY RECOMMENDS APPROVAL.)**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- B. CONSIDERATION OF A REQUEST TO APPROVE A HOME REHABILITATION CONTRACT TO TURN-KEY HOME BUILDERS, GRAND LEDGE, IN THE AMOUNT OF \$30,707.00 FOR PROPERTY LOCATED AT 403 HOMEWILD.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- C. CONSIDERATION OF A REQUEST TO APPROVE A HOME REHABILITATION CONTRACT TO SYNERGY CONSTRUCTION, ROCHESTER HILLS, IN THE AMOUNT OF \$26,185.00 FOR PROPERTY LOCATED AT 708 E. GANSON.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- D. CONSIDERATION OF THE REQUEST TO PURCHASE TWO (2) PROPERTIES TO REHABILITATE AND RESELL TO QUALIFIED HOMEBUYERS:**

- 1. CONSIDERATION OF A RESOLUTION AMENDING THE 2011 HOME BUDGET TO ADD AN ACTIVITY TO ACQUIRE, REHABILITATE, AND THEN RESELL PROPERTIES TO INCOME QUALIFIED HOMEBUYERS;**

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Frounfelker and Dobies—6. Nays: 0. Abstain: Councilmember Schlecte—1. Absent: 0.

2. APPROVAL OF THE ACQUISITION OF 702 S. GRINNELL ST., AND 810 W. WASHINGTON AVENUE;

Motion was made by Councilmember Greer and seconded by Mayor Griffin to approve the acquisition of 702 S. Grinnell St., and 810 W. Washington Ave. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Greer and Dobies—4. Nays: Councilmembers Jaquish and Frounfelker—2. Abstain: Councilmember Schlecte—1. Absent: 0. (*See reconsideration below.*)

3. AUTHORIZATION FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE CLOSING DOCUMENTS; AND

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to authorize the City Attorney to make minor modifications to the closing documents. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer and Dobies—5. Nays: Councilmember Frounfelker—1. Abstain: Councilmember Schlecte—1. Absent: 0.

4. AUTHORIZATION FOR THE DEPUTY CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR OR HIS DESIGNEE TO SIGN DOCUMENTS TO CLOSE THE TRANSACTIONS.

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to authorize the Deputy City Manager/Community Development Director or his designee to sign documents to close the transactions. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer and Dobies—5. Nays: Councilmember Frounfelker—1. Abstain: Councilmember Schlecte—1. Absent: 0.

RECONSIDERATION:

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to reconsider Item D. 2. The motion was adopted by the following vote. Yeas: Councilmembers Breeding, Jaquish, Greer, Frounfelker and Dobies—5. Nays: Mayor Griffin—1. Abstain: Councilmember Schlecte—1. Absent: 0.

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to approve the acquisition of 702 S. Grinnell St., and 810 W. Washington Ave. The motion was lost due to the following tie vote. Yeas: Mayor Griffin and Councilmembers Greer and Dobies—3. Nays: Councilmembers Breeding, Jaquish and Frounfelker—3. Abstain: Councilmember Schlecte—1. Absent: 0.

The City Attorney explained that the above motion to acquire property requires a three-fifths vote of the Council, which is 5 affirmative votes, to be adopted.

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Greer requested an update on the former Sparton Electronics site. The City Manager reported that he spoke with the Blackman Township Supervisor and was told they are still trying to put the fire out – it is a dangerous and difficult fire to extinguish. Councilmember Greer asked the City Manager to inquire about the planned and complete demolition of this site.

Councilmember Jaquish congratulated Timothy Johnson and offered her assistance with his Eagle Scout Memorial Project.

Councilmember Breeding asked the City Manager to respond to the following questions. (1) Why are the billed amounts different for the same water usage for homes two blocks apart? The water bill indicates the usage readings are actual, but why are the units digits always zero? Why aren't the water rates included with the water bills? (2) Why haven't the streets in front of the train station been reconstructed? (3) Why can't the official photos of the City Council be displayed? (Eight since 1997)

Councilmember Frounfelker thanked the DDA for a wonderful planting day and stated he believes the planting of perennials is a good idea. He also asked staff to check into the City's addressing policy and let the Police Chief know this is being looked into.

Councilmember Dobies also offered congratulations to Timothy Johnson. He understands all of the hard work that goes into achieving the rank of Eagle Scout and offered his help.

MANAGER'S COMMENTS.

City Manager Shaffer will provide the entire Council with answers to Councilmember Breeding's questions.

ADJOURNMENT.

No further business being presented, Mayor Griffin adjourned the meeting at 7:47 p.m.

Lynn Fessel
City Clerk

JACKSON CITY COUNCIL SPECIAL MEETING

MINUTES

MAY 29, 2012

CALL TO ORDER.

The Jackson City Council met in special session in City Hall and was called to order at 7:00 p.m. by Mayor Martin J. Griffin.

Councilmember Greer gave the invocation and requested a moment of silence in honor of our fallen soldiers, veterans and all that serve in our military.

ROLL CALL.

Present: Mayor Martin J. Griffin and Councilmembers Carl L. Breeding, Kimberly Jaquish, Daniel P. Greer, Laura Dwyer Schlecte, Andrew R. Frounfelker and Derek J. Dobies—7. Absent: 0.

Also present: City Manager Larry Shaffer, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Police Chief Matt Heins, City Assessor David Taylor, City Engineer Jon Dowling, Deputy City Manager/Community Development Director Patrick Burtch, Finance Director Philip Hones and Deputy Fire Chief Dave Wooden.

AGENDA.

Councilmember Breeding reported that since the City Affairs/Rules & Personnel Committee postponed consideration of the proposed medical marihuana ordinance(s), agenda items 6.A. and 8.A. which are related to that subject should be removed. Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the agenda, as amended, with Items 6.A. and 8.A. removed. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

CITIZEN COMMENTS.

Joe Cain reminded everyone that Michigan citizens voted to permit the use and cultivation of marihuana for specified medical conditions.

Brian Masters discussed the need for resurfacing and replacement of curbs on Mansion Street and submitted a petition for reconstruction of E. Mansion Street between Merriman and Eggleston.

Darrin Taylor stated he would also like to see E. Mansion Street reconstructed.

Parrish Stahl and Edward Peterson spoke in opposition to the proposed budget cuts that would affect Frank Weathers and the Human Relations Commission.

Roger Maufort spoke in support of the section of the proposed medical marihuana ordinance(s) that states that the medical marihuana grow location means a structure that is not a residential dwelling or residential accessory structure. He explained that he runs the Jackson County Compassion Club and hopes to be able to continue operating the Club.

John Wilson discussed the proposed 2012/13 budget questioning an increase in water and sewer rates, funding for the Enterprise Group, tax dollars used for the purchase and rehabilitation of homes and the Reverse 911 Program. He encouraged the Council to vote no on the budget.

Gerald Montgomery spoke in opposition to medical marihuana, but stated that if it is allowed it should be taxed.

CONSENT CALENDAR.

- A. Receipt of the City of Jackson's summary of revenue and expenditures for ten (10) months ended, April 30, 2012.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to receive the summary. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Breeding—1. Absent: 0.

COMMITTEE REPORTS.

- A. CONSIDERATION OF A CITY AFFAIRS/RULES & PERSONNEL COMMITTEE MEDICAL MARIHUANA ORDINANCE(S) RECOMMENDATION, A MOTION TO APPROVE AND TO LINK WITH A COMPANION ZONING ORDINANCE BFORE FINAL ADOPITON**

This Item was removed when the agenda was adopted.

- B. RECEIPT OF THE FINANCE/TAX POLICY COMMITTEE REPORT.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to receive the report. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

- 1. RECEIPT OF CITY OF JACKSON'S COMMITMENT TO CITIZEN VALUE.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to receive the Commitment to Citizen Value and recommend that it be placed on the next Council agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

RESOLUTIONS.

A. FORMAL ACTION REGARDING THE PROPOSED FISCAL YEAR 2012-2013 ANNUAL BUDGET:

- 1. RESOLUTION ADOPTING THE FISCAL YEAR 2012-2013 ANNUAL BUDGET INCLUDING CONTINGENCIES LISTED BY THE FINANCE/TAX POLICY COMMITTEE, PROVIDING APPROPRIATIONS FOR VARIOUS FUNDS (EXCEPT FOR THE CDBG FUNDS WHICH ARE ADOPTED SEPARATELY), AMENDING THE CURRENT FISCAL YEAR 2011-2012 BUDGET TO THOSE AMOUNTS PROJECTED, AND ORDERING A TAX LEVY.**

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Breeding—1. Absent: 0.

ORDINANCES.

- A. CONSIDERATION OF MEDICAL MARIHUANA ORDINANCE(S). (ORDINANCE WITH A RECOMMENDATION FROM THE CITY AFFAIRS/RULES & PERSONNEL COMMITTEE WILL BE PROVIDED AT MEETING.)**

This Item was removed when the agenda was adopted.

- B. FINAL ADOPTION OF ORDINANCE NO. 2012.12, AMENDING SECTIONS 25-26 AND 25-29 OF ARTICLE II (VEHICLE AND TRAFFIC CODE) OF CHAPTER 25, CITY CODE, AMENDING FINES AND PENALTIES TO BE CONSISTENT WITH STATE LAW.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt Ordinance No. 2012.12. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

Council recessed at 8:10 p.m. and reconvened at 8:17 p.m.

OTHER BUSINESS.

- A. CONSIDERATION OF THE REQUEST TO PURCHASE TWO (2) PROPERTIES TO REHABILITATE AND RESELL TO QUALIFIED HOMEBUYERS:**

- 1. APPROVAL OF THE RESOLUTION TO AMEND THE 2011 HOME BUDGET TO ADD AN ACTIVITY TO ACQUIRE, REHABILITATE, AND THEN RESELL PROPERTIES TO INCOME QUALIFIED HOMEBUYERS;**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Greer, Schlecte, Frounfelker and Dobies—5. Nays: Councilmembers Breeding and Jaquish—2. Absent: 0.

2. APPROVAL OF THE ACQUISITION OF 702 S. GRINNELL ST., AND 810 W. WASHINGTON AVENUE;

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to approve the acquisition of one of the properties – staff to choose which one – whichever is the lesser amount. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Frounfelker and Dobies—5. Nays: Councilmember Breeding—1. Abstain: Councilmember Schlecte—1. Absent: 0.

3. AUTHORIZATION FOR THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE CLOSING DOCUMENTS, AND

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to authorize the City Attorney to make minor modifications to the closing documents. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Frounfelker and Dobies—5. Nays: Councilmember Breeding—1. Abstain: Councilmember Schlecte—1. Absent: 0.

4. AUTHORIZATION FOR THE DEPUTY CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR OR HIS DESIGNEE TO SIGN DOCUMENTS TO CLOSE THE TRANSACTIONS

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to authorize the Deputy City Manager/Community Development Director or his designee to sign documents to close the transactions. Not receiving the required 5 affirmative votes, the motion FAILED adoption. The vote was as follows: Yeas: Mayor Griffin and Councilmembers Greer, Frounfelker and Dobies—4. Nays: Councilmembers Breeding and Jaquish—2. Abstain: Councilmember Schlecte—1.

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to authorize the City Attorney to sign documents to close the transactions. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Greer, Frounfelker and Dobies—5. Nays: Councilmember Breeding—1. Abstain: Councilmember Schlecte—1. Absent: 0.

CITY COUNCILMEMBERS' COMMENTS.

Councilmember Greer noted that he found differences on the City's website between the Code of Ordinances and the City Charter and would like this to be looked into.

Councilmember Frounfelker stated he changed his vote regarding the acquisition of property because it is important to maintain the HOME funds. He appreciates the ability to acquire just one house so that we can be conservative with expenditures.

Councilmember Dobies asked that the proposed medical marihuana ordinance language, all 3 options being considered, be posted to the website.

MANAGER'S COMMENTS.

None.

EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.

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

RETURN TO OPEN SESSION.

Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to return to open session. The motion was adopted by unanimous voice vote.

ADJOURNMENT.

No further business being presented, a motion was made by Councilmember Schlecte and seconded by Councilmember Greer to adjourn. The motion was adopted by unanimous voice vote and the meeting adjourned at 9:05 p.m.

Lynn Fessel
City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 6, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn Fessel*

SUBJECT: City License Approvals for the Year Expiring April 30, 2013

**MOTION: APPROVAL OF CITY LICENSE RENEWALS FOR THE YEAR
ENDING APRIL 30, 2013, IN ACCORDANCE WITH THE
RECOMMENDATION OF THE CITY CLERK.**

The listing below represents companies that returned renewal applications for City business licenses. All department approvals, insurance certificates and fees have been received.

If Council approves this request, the City Clerk will issue the appropriate licenses.

Dry Cleaner

Shafer Dry Cleaning Co.
115 W. Washington Ave.

Snow White Laundry
432 N. Blackstone

City Manager



Jackson Downtown Development Authority

June 12, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director JG

SUBJECT: Special Event Application: Jammin in Jackson

MOTION Approval of the request from the Downtown Development Authority to conduct their annual Jammin in Jackson summer concert series in Bucky Harris Park on Thursday, June 7 and 21, July 12 and 26, and August 9 and 23, from 5:00 p.m. to 7:00 p.m. This event is covered under the City of Jackson insurance policy. Please note, a retroactive approval is requested for the June 7 Jammin in Jackson event date.

DEPARTMENTAL APPROVAL SUMMARY

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted. The DDA sincerely apologizes for their late request of your approval for this event, and ensures all future Special Event Application directly from the DDA will be submitted in advance.

Department	Approval	Denial	Economic Impact
Police	x		\$0
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$540
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$540

Conditions and Considerations:

None.

Insurance Status: Approved

att: Special Event Application: Jammin in Jackson
JG/jt



CITY OF JACKSON
SPECIAL EVENT APPLICATION
 DDA* 161 W. Michigan Avenue * Jackson, MI 49201
 (517) 788-4355

Date Received By DDA Office: 5/14/12 **Time:** 8:00am **By:** J

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

Sponsoring Organization's Legal Name: Downtown Development Authority

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

Organization Agent: Jennifer Tucker Title: Assistant Director

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

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

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

Event Name: Jammin' In Jackson

Please give a brief description of the proposed special event: Jammin' in Jackson will take place on Thursday evenings throughout the summer and will feature live and local music on stage, as well as potential food vendors in Bucky Harris Park. Admission is free.

Event Day(s) & Date(s): Thursdays, June 7 and 21, July 12 and 26, August 9 and 23 Event Time(s): 4:30-7:00 pm

Set-Up Date & Time: day of event at 4:00pm Tear-Down Date & Time: day of event at 7:00-8:00pm

Event Location: Bucky Harris Park

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 2

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

STREET CLOSURES: Start Date/ Time: NONE through Date/ Time: NONE

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

Requesting 2 parallel spaces on N. Jackson St. adjacent to Bucky Harris Park for ease of loading/unloading for performers

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? 4:30pm until 7:00pm



CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
 DDA * 161 W. Michigan Avenue * Jackson, MI 49201
 (517) 788-4355

ENTERTAINMENT: Are there any entertainment features related to this event? YES NO * TBD
 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? 50-200 people

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
3 additional garbage receptacles stationed in the park on event days

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

Covered under City's Insurance Policy

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

5.14.12
 Date

Jeanette Lutz
 Signature of Sponsoring Organization's Agent

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



Jackson Downtown Development Authority

June 12, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director *JG*

SUBJECT: Special Event Application: Mick Webster Memorial Bicycle Tour

MOTION Approval of the request from P & T Fitness to conduct their annual Mick Webster Memorial Bicycle Tour on various routes throughout the City on Saturday, June 30th, 2012 from 7:00 a.m. to 3:00 p.m. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance.

DEPARTMENTAL APPROVAL SUMMARY

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

Department	Approval	Denial	Economic Impact
Police	x		\$20
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$0
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			\$20

Conditions and Considerations:

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk

Insurance Status: Pending

att: Special Event Application: Mick Webster Memorial Bicycle Tour
Route Maps
Event Brochure

JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 5/11/12 Time: 4pm By: JT

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

Sponsoring Organization's Legal Name: P&T Fitness (Relay for Life Team)

Organization Address: 225 N. Jackson St, Jackson, MI 49201

Organization Agent George Webster Title: _____

Phone: (work) 789-6362 Phone: (home) _____ Phone: (during the event) 812-9627

Agent's Address 225 N. Jackson St Jackson, MI 49201

Agent's E-Mail Address george@pandfitness.com (Team)

Event Name 4th Annual Mike Webster Memorial Bicycle Ride

Please give a brief description of the proposed special event: Bicycle Tour with 4 Routes: 18, 20, 50, 62 miles To Raise Money for Relay for Life

Event Day(s) & Date(s) June 30th 2012 (Saturday)

Event Time(s) 7:00 AM - 3:00 pm

Set-Up Date & Time 7:00 AM Tear-Down Date & Time 3:00 pm

Event Location Front of P&T Fitness

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

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

STREET CLOSURES: Start Date/Time None through Date/Time: Police Escort to Kella Shary Parks

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, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410

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? 100-150 Riders

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.)
Police escort from PET Fitness to Elda Sheep Park
at 9:00 AM

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 and Downtown Development Authority as an additional insured party on the policy, for the specified event.

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.
A \$25 Special Event Application fee must be submitted along with this Special event Application.
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, limitations, or fees, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

5/11/12
Date

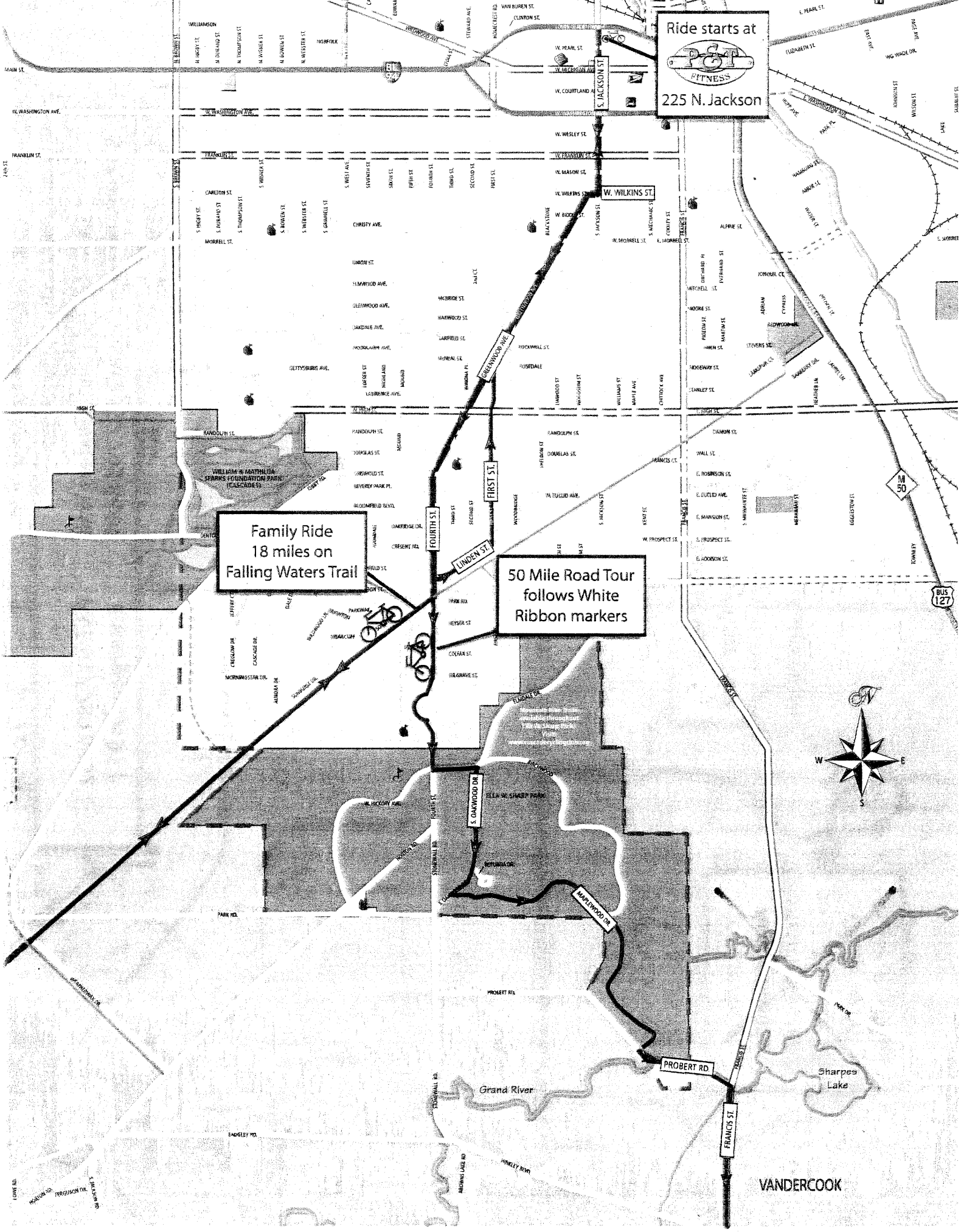
[Signature]
Signature of Sponsoring Organization's Agent

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

Ride starts at
P&T
FITNESS
225 N. Jackson

Family Ride
18 miles on
Falling Waters Trail

50 Mile Road Tour
follows White
Ribbon markers



Emergency Phone

Road SAG:
517.812.9627

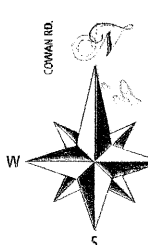
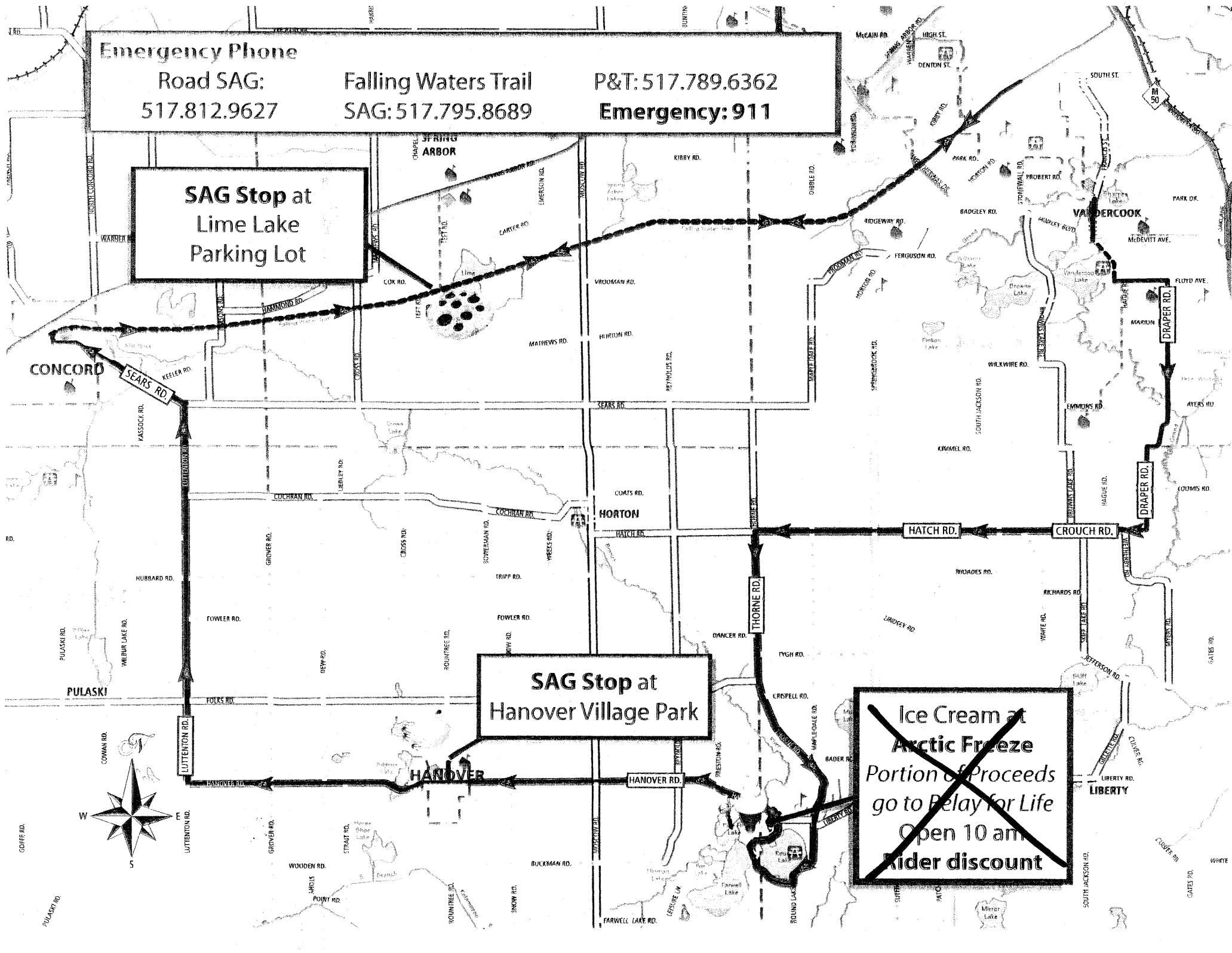
Falling Waters Trail
SAG: 517.795.8689

P&T: 517.789.6362
Emergency: 911

**SAG Stop at
Lime Lake
Parking Lot**

**SAG Stop at
Hanover Village Park**

~~Ice Cream at
Arctic Freeze
Portion of Proceeds
go to Relay for Life
Open 10 am
Rider discount~~



Mick Webster 4th Annual Memorial Bicycle Tour



Mick Webster 2-12-1952 - 5-17-2006

Wife for 33 years and partner of George Webster, owner of P&T Fitness. She never gave up during her 6 year battle with Malignant Melanoma.

When:

June 30th

Registration: 8:00a.m. – 10:00a.m.

Mass Start Option: 9:00a.m

Where:

Start from P & T Fitness, Inc.

225 N. Jackson St

Jackson, MI 49201

Route:

18 Mile Family Ride

28 Mile Route

50 Mile Route

100K Route

SAG Vehicle and 2 SAG stops

- Refreshments will be offered after the ride.
- Limited T-Shirts will be available to early entrees.
- Helmets are required by all riders.
- Registration fees for individuals will be \$20.00. After June 23rd \$25.00.
- Family fee is \$30.00 and \$35.00 after June 23rd
- For Information call P & T Fitness At 789-6362 or 1-800-298-5781 or go to:
www.pandtfitness.com
- All Proceeds go to:



"She never gave up, let's not give up either"

P & T Fitness, Inc
225 N. Jackson Street
Jackson, MI 49201



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

June 12, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: Request to Award an Annual Hazardous Materials Assessment Contract and an Annual Emergency Hazardous Materials Assessment and Abatement Contract

MOTION

- 1) Award the Hazardous Materials Assessment Contract to the low bidder, Red Cedar Consulting, LLC, for a period of one year.
- 2) Award the Emergency Asbestos Assessment and Abatement Services Contract to the low bidder, Adrian Environmental, LLC, for a period of one year.

An integral aspect of achieving the goals and objectives in the Jackson Overall Economic Stabilization Program is the demolition of housing which has been condemned through processes in place within the Building Inspection division. On April 24, 2012, City Council adopted revisions to Section 5.3 Demolition of Structures, which now includes the requirement to conduct a hazardous materials assessment in accordance with state and federal regulations. The amended ordinance section also specifies the need to properly abate hazardous materials before demolition can occur.

Due to the anticipated level of demolitions the City will undertake, a two-part invitation to bid was prepared and advertised requesting interested contractors to provide the cost to:

- 1) Conduct hazardous materials assessments on an as-needed basis for individual structures (priced per inspection by square footage); or
- 2) Provide emergency asbestos assessment and abatement services for confirming, reporting, and removing asbestos material discovered during the demolition of a structure that was not identified during the assessment phase or abated before the demolition of the building.

A hazardous materials assessment is required to be completed before contractors are invited to offer bids for abatement and demolition undertakings. The hazardous materials assessment will identify the presence and locations of hazardous materials (i.e., asbestos, mercury, PCB, etc.), confirmed through testing by an accredited laboratory. An assessment report will be submitted which is suitable for soliciting hazardous materials abatement services and will be included in demolition specifications. The Invitation to Bid also provided for a separate contract to be awarded to the low bidder who could provide asbestos abatement on an emergency basis if, during demolition, hazardous materials are discovered that were not identified during the assessment process and removed prior to the demolition of the building. Abatement activities require the contractor to be properly licensed by the Michigan Department of Licensing and Regulatory Affairs.

Attached are two bid tabulations, one for each portion of the bid to be contracted separately. The low bidder to conduct hazardous materials assessments on an as-needed basis is Red Cedar Consulting, LLC, while the low bidder to provide emergency abatement services is Adrian Environmental, LLC, which entity is properly licensed to conduct abatement activities.



**BID TABULATION FOR
HAZARDOUS MATERIALS ASSESSMENTS
FOR INDIVIDUAL STRUCTURES ON AN AS NEEDED BASIS**

JUNE 5, 2012, 11:00 AM

	Red Cedar Consulting PO Box 13216 Lansing, MI 48901	Adrian Environmental LLC 652 Lenawee St. Adrian, MI 49221	Environmental Testing & Consulting, Incorporated 38900 W. Huron River Drive Romulus, MI 48174	BBEK Construction LLC 2850 Alliance Dr. Suite M Waterford, MI 48328	Martin & Associates Environmental, Inc. 8135 Cox's Drive, Suite 108 Portage, MI 49002	Protech Environmental 251 Jackson Plaza Ann Arbor, MI 48103	
	PER INSPECTION The per inspection price quoted must be all inclusive (survey, samples, reports, travel, postage, etc.)						
Item No.	HAZARDOUS MATERIALS ASSESSMENTS FOR INDIVIDUAL STRUCTURES ON AN AS NEEDED BASIS (Square footage as indicated by the Assessor's Records)	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE
1	Structure uner 1,100 square feet	300.00	400.00	410.00	450.00	499.00	575.00
2	Structure 1,100 to 1,800 square feet	310.00	400.00	530.00	500.00	499.00	600.00
3	Structure 1,800 to 2,500 sq	325.00	400.00	600.00	550.00	555.00	625.00
4	Sewer, Rem, less than 24 inch	350.00	500.00	670.00	600.00	555.00	650.00



Department of Public Works-Utility Division

2995 Lansing Avenue - Jackson, MI 49202

Telephone: (517) 788-4075 — Facsimile: (517) 788-4641

CITY COUNCIL MEETING

June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager

SUBJECT: Recommendation for Purchase of Water and Wastewater Treatment Chemicals for 2012-2013

MOTION: AWARD CHEMICAL PURCHASE CONTRACTS FOR WATER AND WASTEWATER TREATMENT PLANTS FOR FISCAL YEAR 2012-2013 AS DEPICTED IN SECTION 1 BELOW

On May 23, 2012, eighteen bid packets were submitted and opened in the Purchasing Department for water and wastewater bulk chemical treatment supplies for fiscal year 2012-2013. Of the eighteen bids, seven companies have the lowest bid price on the various chemicals. The lowest chemical bids are as follows:

SECTION 1

<u>Product</u>	<u>Supplier</u>	<u>Bid Price</u>
Chlorine	JCI-Jones Chemicals, Inc.	\$409.00 per ton x 55 tons = \$22,495.00
Ferric Chloride	Kemira Water Solutions	\$416.00 per ton x 55 tons = \$22,880.00
Fluoride	Alexander Chemical Corp.	\$585.00 per ton x 52 tons = \$30,420.00
Liquid Caustic Soda	JCI-Jones Chemicals, Inc.	\$528.00 per ton x 130 tons = \$68,640.00
Lime	Huron Lime, Inc.	\$143.60 per ton x 3,320 tons = \$476,752.00
Phosphate	Chemical Services, Inc.	\$97.50 per hundred weight x 345 cwt = \$33,637.50
Ferrous Chloride	Kemira Water Solutions	\$0.099 per gallon x 250,000 gallons = \$24,750.00
Calcium Hypochlorite Tablets	F2 Industries, Inc.	\$105.00 per pail x 30 pails = \$3,150.00
Sulfur Dioxide	Alexander Chemical Corp.	\$1.00 per lb x 18,000 lbs = \$18,000.00
Sodium Hypochlorite	JCI-Jones Chemicals, Inc.	\$0.69 per gallon x 73,000 gallons = \$50,370.00
Soda Ash	BHS Marketing, LLC Montana	\$346.99 per ton x 160 tons = \$55,518.40

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works-Utility Division to award the respective chemical supply contracts to the low bidders listed above. Water and wastewater treatment funds are budgeted for these purchases. I respectfully request that these awards be submitted to City Council for their approval and that the Mayor and City Clerk be authorized to sign the contract documents. Please contact us if there are any questions.



BID TABULATION FOR Emergency Asbestos Assessment And Abatement Services

		Adrian Environmental LLC 652 Lenawee St. Adrian, MI 49221	ALAM Inc. 2505 Precision Street Jackson, MI 49202	Martin & Associates Environmental, Inc. 8135 Cox's Drive, Sutie 108 Portage, MI 49002	Environmental Testing & Consulting, Inc. 38900 W. Huron River Dr. Romulus, MI 48174	BBEK Construction LLC 2850 Alliance Dr. Suite M Waterford, MI 48328
		PER INSPECTION AND ABATEMENT The per inspection and abatement price quoted must be all inclusive (inspection, samples, reports, travel, postage, etc.)				
Item No.	Emergency Asbestos Assessment And Abatement Services For Confirming, Reporting, and Removing Asbestos Material Discovered During The Demolition Of A Structure That Was Not Identified During The Abatement Phase Of The Demolition Process	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE	PER INSPECTION PRICE
1	Mobilization fee	150.00	200.00	350.00	150.00	350.00
2	Price per asbestos bulk sample confirmation (24 hour turnaround)	\$14.00 each	\$100/sample	\$12.00 each	20.00	650.00
3	Price per linear or square foot of pipe insulation or other friable materials including air monitoring	\$12.00 each	\$13/sf - \$13/lf	\$30/sf w/Min. 24 sf	No removal	See Attachment A
4	Price per linear or square foot of floor tile and other non-friable materials including air monitoring	\$2.00 each	\$4/sf	\$4/sf w/min. 150 sf	No removal	See Attachment A

BID TABULATION
FOR
WATER AND WASTEWATER TREATMENT CHEMICALS
MAY 23, 2012, 11:00 AM

COMPANY	PRICE TO REMAIN IN EFFECT	CHLORINE per ton	FERRIC CHLORIDE per ton	FLUORIDE per ton	LIQUID CAUSTIC SODA per ton	LIME per ton	PHOSPHATE per hundred weight	FERROUS CHLORIDE per gallon	CALCIUM HYPOCHLORITE TABLETS per pail	SULFUR DIOXIDE per pound	SODIUM HYPOCHLORITE per gallon	SODA ASH per ton
Alexander Chemical Corp.	365 days	470.00		585.00					150.00	1.00	0.710	
Water Solutions Unlimited	365 days						98.00					
Huron Lime, Inc.	365 days					143.60						
Mississippi Lime	365 days					225.00						
Kemira Water Solutions, Inc.	90 days							0.120				
	180 days							0.115				
	365 days		416.00					0.099				
JCI Jones Chemicals, Inc.	365 days	409.00			528.00				1.33	0.690		
Carmeuse Lime, Inc.	365 days					154.03*						
Thatcher Company of Montana	365 days											352.20
Chemical Services, Inc.	365 days				592.00		97.50		165.00			398.00
PVS Technologies, Inc.	365 days		495.00					0.310				
Carus Corporation	365 days						103.40					
Penco, Inc.	365 days			745.51+								
PVS Nolwood Chemicals	365 days			612.00	588.00		155.00				0.740	353.50**
BHS Marketing, LLC	365 days											346.99
Shannon Chemical	90 days						104.00					
	180 days						107.00					
	365 days						111.00					
Univar USA, Inc.	365 days				560.00			121.00			354.50	
K. A. Steel Chemicals, Inc.	365 days				541.74						0.777	
F2 Industries, Inc.	365 days						106.00		105.00			

*Based on a 24 ton minimum load
+23% Adjusted Basis
**24 ton minimum. 7 day lead-time needed.




CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 5, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Petitions Filed with the Michigan Tax Tribunal

MOTION: RECEIPT OF PETITIONS FILED BY CERTAINTIED CORPORATION; FLAGSTAR BANK, FSB; MERITAX, LLC AS AGENT FOR CVS AND SEARS ROEBUCK & COMPANY WITH THE MICHIGAN TAX TRIBUNAL AND REFERRAL TO THE CITY ASSESSOR AND CITY ATTORNEY FOR APPROPRIATE ACTION

Attached please find petitions filed with the Michigan Tax Tribunal. Requested action is receipt and referral to the City Assessor and City Attorney for appropriate action.

C: City Manager

STATE OF MICHIGAN
MICHIGAN TAX TRIBUNAL

CERTAINTEED CORPORATION,

MTT DOCKET NO.

Petitioner,

-against-

CITY OF JACKSON,

Respondent.

P E T I T I O N

Now comes petitioner, **CERTAINTEED CORPORATION**, by its attorneys, Janata, Lacap & Associates, P.C., and petitions the entire Tribunal as follows:

1. Petitioner is a corporation with offices at **P.O. Box 860, Valley Forge, PA 19482**
2. Respondent, **CITY OF Jackson**, levies and collects the property taxes on the subject property.
3. The subject is real property classified as Industrial and the Parcel I.D. number is 6-157500000. **Property Address: 701 E Washington Ave.**
4. The subject property is located in the **Jackson Public SCHOOL DISTRICT**.
5. The subject property has been assessed at **\$2,902,850 for 2012** with a T.C.V. of **\$5,805,700** and a State Equalized Value of **\$2,902,850**.
6. In this matter, an appeal was filed with the Board of Review contesting the **2012** assessment, or the property is classified under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c, as commercial real property, industrial real property, or developmental real property and this is a direct appeal to the Tribunal.
7. If an appeal was made to the to the Board of Review, our requested adjustment of the **2012** assessment was denied by the Board.
8. The subject assessment is excessive and does not reflect what similar properties in the area have sold for.
9. Petitioner contends the true cash value of the subject property is **\$2,000,000**, which would yield a state equalized value of **\$1,000,000** resulting in an equalized value in controversy of **\$1,902,850**.

WHEREFORE, petitioner requests that the Tribunal reduce the assessed value of the subject property from **\$2,902,850** to **\$1,000,000** and order a refund with interest as provided by the Tax Tribunal Act.

RECEIVED
CITY of JACKSON

MAY 30 2012
CLERK'S OFFICE

BY _____

Dated: May 25, 2012

By _____

JANATA, LACAP & ASSOCIATES P.C.
Henry LaCap, Esq.
110 Pleasant Ave.
Upper Saddle River, NJ 07458
(201) 818-0024

C: Assessor Attorney

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

<p>1. Petitioner, Address and Phone No. CERTAINTEED CORPORATION P.O. Box 860 Valley Forge, PA 19482</p>	<p>2. Respondent, Address and Phone No. City of Jackson 161 W. Michigan Ave. Jackson, MI 49201</p>		
<p>3. Agent name, address and phone JANATA, LACAP & ASSOCIATES P.C. Henry LaCap, Esq. 110 Pleasant Ave. Upper Saddle River, NJ 07458 (201) 818-0024</p>	<p>4. Agent Name and address, if known Not Known.</p>		
<p>5. Filing Fee Paid: \$600.00</p>	<p>6. Is a proof of service attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
Column below for Property Tax appeal only	Column below for Non-Property Tax appeal only		
<p>A. Amount of State Equalized Value in Contention: * \$1,902,850</p> <p>* For parcel with highest SEV in contention</p>	<p>A. Amount in Contention: Tax: \$ _____ N/A Penalty: \$ _____ Interest: \$ _____</p>		
<p>B. Issue (designate one): <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization</p> <p>C. Reason for appeal: <input checked="" type="checkbox"/> True cash value (TCV) & taxable value (TV) <input type="checkbox"/> TV only <input type="checkbox"/> Uncapping: Tax Year(s) at issue: _____ <input type="checkbox"/> Tax Bill: Tax Year(s) at issue: _____ <input type="checkbox"/> STC Order: Tax Year(s) at issue: _____ <input type="checkbox"/> Other (please state): _____</p> <p>D. Type of Property: <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal</p> <p>E. Classification of Property: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Timber Cutover</p>	<p>B. Tax Type (designate one): Aircraft Fuel Privilege Airport Parking Tax Estate Tax Individual Income Motor Carrier Motor Fuel Sales, Use, Withholding Severance Tax Single Business Stadia or Convention Facility Financing State Convention Facility Dev State Real Estate Transfer Tax Tobacco Products Other (please state): _____</p>		
<p>E. Tax Year(s) 2012</p>	<p>F. Parcel ID No. (for parcel listed in "A" above) 6-157500000</p>	<p>C. Assessment No(s). (attach an additional sheet, if necessary)</p>	<p>D. May <u>25</u> 2012</p>
<p>G. Are you appealing more than one parcel? If yes, how many? <u>NO</u></p>			

**STATE OF MICHIGAN
MICHIGAN TAX TRIBUNAL**

Flagstar Bank, FSB,

Petitioner,

v.

MTT Docket No.

[Parcel No(s). 4-026400000, 4-026500000]

Jackson,

Respondent.

_____ /

PETITION

Flagstar Bank, FSB ("Petitioner"), through its attorneys, HONIGMAN MILLER SCHWARTZ AND COHN LLP, says:

1. Petitioner's principal office address is 5151 Corporate Drive, MS S-700-4, Troy, MI 48098. Petitioner is a party in interest with respect to property taxes on tax parcel no(s). 4-026400000, 4-026500000 ("Petitioner's Property"), also known as Flagstar Center at 301 West Michigan Avenue. If this petition includes more than one (1) real property tax parcel, the tax parcels are contiguous.

2. Respondent, Jackson, assesses and collects property taxes on Petitioner's Property.

3. In 2012, Respondent determined the taxable value of Petitioner's Property to be \$1,134,750 (\$1,056,950, \$77,800) and assessed Petitioner's Property

at \$1,134,750 (\$1,056,950, \$77,800), which will result in a state equalized value in the same amount based upon the tentative equalization factor.

4. Petitioner's Property is classified as Commercial Real. Petitioner's Property is presently used or available for use for Office purposes. Petitioner believes that Petitioner's Property was originally designed to be used for Office purposes.

5. This matter involves issues relating to: (a) valuation, (b) assessment, (c) taxable value and (d) uniformity.

6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative to the value of a loss.

7. If P.A. 174 of 2006 requires a board of review protest for Petitioner's Property, a board of review protest was filed in March, 2012.

8. The 2012 assessment, including state equalized value and taxable value, imposed on Petitioner's Property, and the taxes to be levied and collected thereon, are invalid and unlawful and operate as a fraud upon the taxpayer for the reasons that:

(a) The assessment, including state equalized value and/or taxable value, exceeds the amount permitted by the Michigan Constitution and applicable statutes;

(b) The assessment, including state equalized value and/or taxable value, are at higher percentages of true cash value than permissible under the Michigan Constitution and applicable statutes;

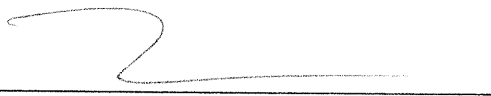
(c) The assessment, including taxable value and/or state equalized value, are based upon an erroneous determination of the true cash value of that portion of Petitioner's Property that is taxable under Michigan law, and are based upon the application of wrong principles; and,

(d) The assessment, including state equalized value and/or taxable value, and the mode of assessment adopted by Respondent, discriminate against Petitioner and deny Petitioner its constitutional rights to uniformity, equal protection and due process of law.

WHEREFORE, Petitioner requests that the Tax Tribunal enter an Order reducing the 2012 taxable value of Petitioner's Property from \$1,134,750 (\$1,056,950, \$77,800) to \$601,090 (\$574,320, \$26,770), and reducing the 2012 state equalized value of Petitioner's Property from \$1,134,750 (\$1,056,950, \$77,800) to \$601,090 (\$574,320, \$26,770), and requiring Respondent to pay Petitioner the refunds attributable to such reductions, plus interest and costs.

Respectfully submitted,

HONIGMAN MILLER SCHWARTZ AND COHN LLP
Attorney for Petitioner

By: 
Michael B. Shapiro (P20282)
660 Woodward Avenue
2290 First National Bldg.
Detroit, Michigan 48226-3506
(313) 465-7622

Dated: 05/24/2012

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

1 Petitioner, Address and Phone No. Flagstar Bank, FSB 5151 Corporate Drive, MS S-700-4 Troy, MI 48098 (248) 312-5297	2 Respondent, Address and Phone No. Jackson 161 W. Michigan Avenue Jackson, MI 49201-1324 (517) 788-4033
--	---

3 Agent name, address and phone Michael B. Shapiro Honigman Miller Schwartz and Cohn LLP 2290 First National Building Detroit Michigan 48226 (313) 465-7622	4 Agent name and address, if known Unknown.
---	---

5 Filing Fee Paid: <p align="center"><u>\$425.00</u></p>	6 Is a proof of service attached? <p align="center"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
--	--

Column below for property Tax appeal only	Column below for Non-Property Tax appeal only
--	--

A. Amount of State Equalized Value in Contention:* <p align="center"><u>\$ 482,630</u></p> * For parcel with highest SEV in contention	A. Amount in Contention: Tax: _____ Penalty: _____ Interest: _____
--	--

B. Issue (designate one): <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization C. Reason for appeal: <input checked="" type="checkbox"/> True cash value (TCV) & taxable value (TV) <input type="checkbox"/> TV only Uncapping: Tax Year(s) at issue: Tax Bill: Tax Year(s) at issue: STC Order: Tax Year(s) at issue: <input type="checkbox"/> Other D. Type of Property: <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal E. Classification of property <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Timber Cutover	B. Tax Type (designate one): <input type="checkbox"/> Aircraft Fuel Priviledge <input type="checkbox"/> Airport Parking Tax <input type="checkbox"/> Estate Tax <input type="checkbox"/> Individual Income <input type="checkbox"/> Motor Carrier <input type="checkbox"/> Motor Fuel <input type="checkbox"/> Sales, Use, Withholding <input type="checkbox"/> Severance Tax <input type="checkbox"/> Single Business <input type="checkbox"/> Stadia or Convention Facility Financing <input type="checkbox"/> State Convention Facility Dev <input type="checkbox"/> State Real Estate Transfer Tax <input type="checkbox"/> Tobacco Products Other (please state): _____
--	---

E. Tax Year(s) 2012	F. Parcel ID No. (for parcel listed in "A" above) 4-026400000	C. Assessment No(s).	D. Date of Issuance
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G. Are you appealing more than one parcel? <u>YES</u> If yes, how many? <u>2</u>	
--	--

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

MERITAX, LLC AS AGENT FOR CVS #8268-01,
Petitioner,

MTT Docket #

v

CITY OF JACKSON,
Respondent.

ENTIRE TRIBUNAL PROPERTY TAX PETITION

1. Property Parcel No: 2-110300000.
(If more than one parcel is at issue, attach a completed Multiple Parcel Petition Form addressing all other parcels at issue.)
2. The property identified above is real ___ personal.
3. If more than one parcel of real property is under appeal, are the properties contiguous? ___ Yes ___ No. (If no, separate Petitions are required for each non-contiguous parcel.)
4. If more than one parcel of personal property is under appeal, are there also parcels of real property under appeal? ___ Yes ___ No. (If no, separate Petitions are required for each parcel of personal property.) If yes, are all of the parcels of personal property located on a parcel of real property under appeal? ___ Yes ___ No. (If no, separate Petitions are required for each parcel of personal property not located on a parcel of real property under appeal.)
5. If parcels of personal property are under appeal, when were the personal property statements filed by parcel number (attach additional page if necessary): _____

6. The property identified above is classified as: 201

7. If the assessment or assessments at issue were protested, the protest was made to Respondent's ___ March ___ July ___ December Board of Review.
8. If a protest was required and no protest was made, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary): _____

9. If the appeal was not submitted by the deadline for the filing of an appeal for the classification or classifications of the properties at issue (i.e., May 31 or July 31 of the tax year involved), list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary):

10. The property or properties at issue are located in Jackson County. The property or properties' address is:
605 N. West Ave., Jackson, MI 49202-3262
11. The assessment or assessments at issue were established by the (applicable local governmental unit): City Of Jackson
12. Petitioner's legal residence or principal office address is:
6249 South East St., Suite I, Indianapolis, IN 46227
13. This appeal involves issues relating to the (check all that are applicable):
 the property or properties' true cash and taxable values
 the property or properties' taxable value only
If the property or properties' taxable value is at issue, is there a dispute as to the value of an addition or loss? ___ Yes ___ No
 uniformity of the property or properties' assessment
 the property or the properties' exemption from ad valorem taxation under MCL _____

14. The tax year(s) at issue are: 2012

15. If more than the current tax year is being appealed, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the prior tax year or years (attach additional page if necessary):

N/A

16. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2012	\$1,247,000	\$623,500	\$541,588

17. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	\$600,000	\$300,000	\$300,000

18. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	\$647,000	\$323,500	\$241,588

19. Petitioner requests the following relief (attach additional page if necessary):

Reduction of TCV, SEV and AV as indicated in paragraph 17.

20. List the separate and specific facts upon which Petitioner relies to support the relief requested (attach additional page if necessary):

Comparable sales and/or income capitalization analysis. Valuation disclosure to be provided pursuant to Tribunal's calendar.

Signature of Petitioner's Authorized Representative or, *if none*, Petitioner:



Address: 115 South Main Street, Suite 300, Royal Oak, MI 48067

Telephone Number: (248) 546-7600

Date: 5/23/12

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

SEARS ROEBUCK & COMPANY,
Petitioner,

v

MTT Docket No. _____

CITY OF JACKSON,
Respondent.

ENTIRE TRIBUNAL PROPERTY TAX PETITION

1. Property Parcel No: 2-2469.5000
(If more than one parcel is at issue, attach a completed Multiple Parcel Petition Form addressing all other parcels at issue.)
2. The property identified above is real personal.
3. If more than one parcel of real property is under appeal, are the properties contiguous? Yes No. (If no, separate Petitions are required for each non-contiguous parcel.)
4. If more than one parcel of personal property is under appeal, are there also parcels of real property under appeal? Yes No. (If no, separate Petitions are required for each parcel of personal property.) If yes, are all of the parcels of personal property located on a parcel of real property under appeal? Yes No. (If no, separate Petitions are required for each parcel of personal property not located on a parcel of real property under appeal.)
5. If parcels of personal property are under appeal, when were the personal property statements filed by parcel number (attach additional page if necessary): _____

6. The property identified above is classified as commercial improved.

7. If the assessment or assessments at issue were protested, the protest was made to Respondent's ___ March ___ July ___ December Board of Review.
8. If a protest was required and no protest was made, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary): _____

9. If the appeal was not submitted by the deadline for the filing of an appeal for the classification or classifications of the properties at issue (i.e., May 31 or July 31 of the tax year involved), list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue (attach additional page if necessary): _____

10. The property or properties at issue are located in Jackson County. The property or properties' address is:
1250 Boardman Road, Jackson

11. The assessment or assessments at issue were established by the (applicable local governmental unit): City of Jackson Assessor's Office
12. Petitioner's legal residence or principal office address is:
3333 Beverly Road
Hoffman Estates, IL 60179
13. This appeal involves issues relating to the (check all that are applicable):
 the property or properties' true cash and taxable values
 the property or properties' taxable value only
If the property or properties' taxable value is at issue, is there a dispute as to the value of an addition or loss? ___ Yes ___ No
 uniformity of the property or properties' assessment

_____ the property or the properties' exemption from ad valorem taxation under MCL _____

14. The tax year(s) at issue are: _____2012_____

15. If more than the current tax year is being appealed, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the prior tax year or years (attach additional page if necessary):

16. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2012	3,023,494	1,511,747	1,511,747

17. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	1,750,000	875,000	875,000

18. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2012	1,273,494	636,747	636,747

19. Petitioner requests the following relief (attach additional page if necessary):

Reduce the true case value, the assessed value and the taxable value to the figures provided in question 17.

20. List the separate and specific facts upon which Petitioner relies to support the relief requested (attach additional page if necessary):
See answer to Question 19.
-
-
-

Signature of Petitioner's Authorized Representative or, *if none*, Petitioner:

Patrick C. Doody

Address: Law Offices of Patrick C. Doody
70 W. Madison, Suite 2060
Chicago, IL 60602

Telephone Number: (312) 346-4992/3

Date: May 25, 2012

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

SEARS ROEBUCK & COMPANY,
Petitioner,

v

MTT Docket No. _____

CITY OF JACKSON,
Respondent.

MULTIPLE PARCEL PETITION FORM 2 OF 2

1. The classification of the property identified herein as established by Respondent's Board of Review is:

Tax Year	Parcel Number	Real/Personal	Classification
2012	2-247300000	Real	Commercial

2. The values for the property identified herein as established by Respondent's Board of Review are:

Tax Year	Parcel Number	True Cash Value	Assessed Value	Taxable Value
2012	2-247300000	2,978,642	1,489,321	1,489,321

Application for Exemption of New Personal Property

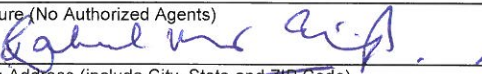
Issued under P.A. 328 of 1998. An exemption will not be effective until approved by the State Tax Commission.

INSTRUCTIONS: Read instructions on page 2 of this form before completing this application. File the original and two copies of this form and the required attachments (resolution approving, copy of legal description and a detailed description of the business operations) with the clerk of the local government unit. The State Tax Commission requires two complete sets.

PART 1: APPLICANT INFORMATION

1a. Applicant/Company Name (Applicant must be an ELIGIBLE BUSINESS) HCL America, Inc.		2. County Jackson	
1b. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP Code) 330 Potrero Ave. Sunnyvale, California 94085		3. City/Township/Village (indicate which) City	
1c. Location of Eligible Business (No. and Street, City, State, ZIP Code) Suite 500, 5th floor, 209 E. Washington, Jackson, MI 49201		4a. Local School District Jackson	4b. School Code 38170
5. Check below the type of business in which you are engaged and provide a detailed description of the business operation on a separate sheet <input type="checkbox"/> Manufacturing <input type="checkbox"/> Research & Development <input checked="" type="checkbox"/> Office Operations <input type="checkbox"/> Mining <input type="checkbox"/> Wholesale Trade			
6a. Identify type of ELIGIBLE DISTRICT where Eligible Business and New Personal Property will be located Brownfield Redevelopment Authority		6b. Governing Unit that Established ELIGIBLE DISTRICT City of Jackson, MI	6c. Date ELIGIBLE DISTRICT was Established April 20, 1999
7. Name of Person in the Eligible Business to Contact for Further Information Rahul Singh		8. Telephone Number (919) 637-3625	
9. Mailing Address 11000 Regency Parkway, Suite 10, Cary, NC 27518			

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which application is being made. The undersigned, authorized officer further certifies that the applicant is an Eligible Business as defined in P.A. 328 of 1998.

11. Name of Company Official Rahul Singh		12. Title Head of Operations	
13. Signature (No Authorized Agents) 		14. Date 06/12/2012	
15. Mailing Address (include City, State and ZIP Code) 11000 Regency Parkway, Suite 10, Cary, NC 27518			
16. Email Address rahul.singh@hcl.com		17. Telephone Number (919) 637-3625	18. Fax Number (919) 678-7581

PART 2: LOCAL GOVERNMENT UNIT CLERK VERIFICATION

19. Name of Local Governmental Unit Which Passed Resolution for Exemption of New Personal Property		20. Date of Resolution (Attach Copy)	21. Expiration Date of Exemption
22. Name of Clerk		23. Date application was received by Local Unit	
24. Clerk's Signature		25. Clerk's Mailing Address	
26. Telephone Number	27. Fax Number		28. Email Address
29. LUCI Code	30. School Code		31. Date District was Established

STATE TAX COMMISSION USE

Application No.	Date Received	LUCI Code	School Code
-----------------	---------------	-----------	-------------



City Manager's Office

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4035 • Facsimile (517) 768-5820

February 8, 2012

Mr. Rahul Singh, Regional Director
HCL America, Inc.
11000 Regency Park, Suite 10
Cary, NC 27518

Re: City of Jackson, Michigan – Personal Property Tax Exemption Application

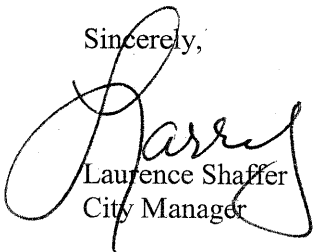
Dear Mr. Singh,

Please find attached a Personal Property Tax Exemption Application package from the City of Jackson. Would you be kind enough to complete the forms and return to me at your earliest convenience? The personal property tax exemption is authorized by the State of Michigan under Public Act 328 of 1998 and under resolution adopted by the Jackson City Council on April 20, 1999 entitled, "Resolution Establishing the Eligible District and Duration of Exemption for Personal Property Tax Exemption Applications under Public Act 328 of 1998".

The personal property tax exemption can be for up to 100 percent of the personal property tax for that property acquired and located in the City of Jackson after adoption of an authorizing resolution by the City Council. By resolution, the personal property tax exemption is limited to twelve (12) years.

Let me know if I can help you complete the application. The City of Jackson is very proud to be the new home of HCL America, Inc. I look forward to understanding how I can facilitate this application.


Sincerely,


Laurence Shaffer
City Manager

LS:skh

Attachment

cc: Julius Giglio, City Attorney
Lynn Fessel, City Clerk
Amy Torres, Enterprise Group

Mr. Singh,
Let me know
how I can
help!


Application for Exemption of New Personal Property

Issued under P.A. 328 of 1998. An exemption will not be effective until approved by the State Tax Commission.

INSTRUCTIONS: Read instructions on page 2 of this form before completing this application. File the original and two copies of this form and the required attachments (resolution approving, copy of legal description and a detailed description of the business operations) with the clerk of the local government unit. The State Tax Commission requires two complete sets.

PART 1: APPLICANT INFORMATION

1a. Applicant/Company Name (Applicant must be an ELIGIBLE BUSINESS)		2. County	
1b. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP Code)		3. City/Township/Village (indicate which)	
1c. Location of Eligible Business (No. and Street, City, State, ZIP Code)	4a. Local School District	4b. School Code	
5. Check below the type of business in which you are engaged and provide a detailed description of the business operation on a separate sheet			
<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Research & Development	<input type="checkbox"/> Office Operations	
<input type="checkbox"/> Mining	<input type="checkbox"/> Wholesale Trade		
6a. Identify type of ELIGIBLE DISTRICT where Eligible Business and New Personal Property will be located	6b. Governing Unit that Established ELIGIBLE DISTRICT	6c. Date ELIGIBLE DISTRICT was Established	
7. Name of Person in the Eligible Business to Contact for Further Information		8. Telephone Number	
9. Mailing Address			

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which application is being made. The undersigned, authorized officer further certifies that the applicant is an Eligible Business as defined in P.A. 328 of 1998.

11. Name of Company Official		12. Title	
13. Signature (No Authorized Agents)		14. Date	
15. Mailing Address (include City, State and ZIP Code)			
16. Email Address	17. Telephone Number	18. Fax Number	

PART 2: LOCAL GOVERNMENT UNIT CLERK VERIFICATION

19. Name of Local Governmental Unit Which Passed Resolution for Exemption of New Personal Property		20. Date of Resolution (Attach Copy)	21. Expiration Date of Exemption
22. Name of Clerk		23. Date application was received by Local Unit	
24. Clerk's Signature		25. Clerk's Mailing Address	
26. Telephone Number	27. Fax Number	28. Email Address	
29. LUCI Code	30. School Code	31. Date District was Established	

STATE TAX COMMISSION USE			
Application No.	Date Received	LUCI Code	School Code

Instructions for Completing Form 3427, Application for Exemption of New Personal Property

As a supplement to the following instructions, please read State Tax Commission (STC) Bulletin No. 9 of 1999 which explains the provisions of Public Act (P.A.) 328 of 1998, as amended.

Line 1: P.A. 328 of 1998, as amended, states that, to qualify for exemption, New Personal Property must be owned or leased by an Eligible Business. Please see page 2 of STC Bulletin No. 9 of 1999 for the definition of an Eligible Business. Please note that a copy of the legal description for the property where the Eligible Business is located must be attached.

Line 2, 3, 4: Indicate the county; the city or township; or village; and the local school district in which the New Personal Property and the Eligible Business will be located.

Line 5: P.A. 328 of 1998, as amended, provides that an Eligible Business must be engaged in one of the following types of businesses: manufacturing, mining, research and development, wholesale trade, or office operations. Please see page 2 of STC Bulletin No. 9 of 1999 for the definition of an Eligible Business. Please note that a detailed description of the business operation must be provided on a separate sheet.

Line 6 a-c: P.A. 328 of 1998, as amended, provides that New Personal Property and the Eligible Business must be located in an Eligible District. Please see page 4 of STC Bulletin No. 9 of 1998 for a listing of the eight different types of Eligible Districts.

Line 7: If there is someone in your business, other than the person signing this application, who should be contacted if further information is needed, please name the person on line 7.

Line 10b: Note that a signature from a company official is required on line 13. This application cannot be processed without a signature.

Lines 19 to 31: These lines must be completed by the Clerk of the Local Governmental Unit which has adopted the resolution required by P.A. 328 of 1998, as amended.

Note that a copy of the resolution, a legal description, and a detailed description of the business operations must be sent to the State Tax Commission along with this application. Once issued, the exemption will pertain to all new personal property placed in the eligible district for the entire length of time approved by the local unit and issued by the State Tax Commission. The exemption may not be limited to specific new personal property or a lesser time than the full length of issuance. If any of the information requested on lines 19 to 31 is missing, this form will be returned to the Clerk.

Fees for Various Tax Abatements Offered by The City of Jackson

<u>Industrial Development District – Act 198</u>	\$250.00
<u>Industrial Facilities Exemption Certificate – Act 198</u>	\$430.00
<u>Personal Property Exemption Certificate – Act 328</u>	\$350.00
<u>Obsolete Property Rehabilitation District</u>	\$500.00
<u>Obsolete Property Rehabilitation Application</u>	\$500.00
<u>NEZ's, Ren Zones, and Tool & Die Zones</u>	\$340.00

Tax Abatement Fees adopted by City Council April 12, 2011

NEW PERSONAL PROPERTY TAX EXEMPTION AGREEMENT

AGREEMENT made this day of _____ 200 __, by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 ("City"); and _____, a Michigan corporation, with offices located at _____, City and County of Jackson, Michigan;

WHEREAS, the City has received an application from Applicant, an eligible business, for the approval of a tax exemption for new personal property under 1998 Public Act 328, as amended, ("PA 328") for new personal property to be located within an eligible district in an Industrial Development District/Zone established by the City on _____; and

WHEREAS, it is the policy of the City that a written agreement between the City and the Applicant is required and executed before the City will submit its resolution to the State Tax Commission requesting approval of Applicant's request for a tax exemption for new personal property; and

WHEREAS, Applicant understands that an exemption under PA 328 must comply with the requirements of this Agreement.

NOW, THEREFORE, in consideration of the City's and State's approval of the tax exemption for new personal property, the parties agree as follows:

1. The term of this Agreement commences on the date the State approves this exemption under PA 328 and terminates on the date that the exemption terminates under either Section 2 or Section 6.

2. The tax exemption under PA 328, as approved by the City, is effective commencing _____, and ending _____, _____ () years after completion of the project that this exemption relates to. The exemption applies to all eligible personal property (as defined in PA 328) placed into the district regardless of when, during the term of this Agreement, the eligible personal property is actually placed in the eligible district. The exemption is limited to the \$_____ of estimated expenditures provided by Applicant to the City.

3. Within fifteen (15) days after the City Council has adopted a resolution approving a tax exemption for new personal property in an eligible district, the City will submit a copy of the resolution to the state treasurer and the State Tax Commission.

4. The Applicant shall create not less than _____ () new jobs within the eligible district in which Applicant is located within _____ () years after the date of the letter of approval.

5. The City's exclusive remedy for a default shall be the right to either reduce the duration of, or revoke the exemption except that for a default in section 6 the Applicant shall repay the City all abated taxes which previously benefited the Applicant for disbursement proportionately to all taxing units having taxing jurisdiction over the exempted personal property, plus all accrued interest, penalties and administration fees applicable to this exemption in the same amount as would be collected if this personal property tax were considered delinquent.

The City shall not seek any remedy under this section 5 until after all of the following have occurred:

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

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

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

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

6. The Applicant will not cease operations within the eligible district prior to the expiration of the term of the new personal property tax exemption without a transfer of the tax exemption being approved by the City to a third party that continues adequate operations of Applicant's eligible business within the eligible district.

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

8. The Applicant further agrees that beginning June 30, _____, and before each subsequent June 30 during the term of the exemption, it shall submit annual reports for the preceding calendar year to the City and the City Assessor setting forth the progress in attaining and maintaining the requirements of this Agreement.

9. The parties agree that the City, in approving the tax exemption, has relied on the good faith of Applicant's estimates and expectations described in its application. The parties agree that exclusive jurisdiction to resolve any disputes in this Agreement shall be in Jackson County, Michigan.

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

11. The Applicant further agrees that if ownership of the business or facility for which this new personal property tax exemption is approved by the State Tax Commission is changed during the term of this Agreement, then Applicant will communicate all terms and conditions of this Agreement to the transferee or new owner and assist the City in obtaining the signature of the authorized agent of the transferee or new owner on this Agreement or one substantively the same as this Agreement.

12. The Applicant agrees to file a separate personal property statement each year covering only the personal property covered by this exemption.

13. If there is a conflict between this Agreement and the provisions of PA 328 the provisions of PA 328 shall control.

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

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

Signed in the presence of:

CITY OF JACKSON

By _____

Its _____

APPLICANT

By _____

Its _____

City of Jackson, Michigan

Recommended Guidelines for Personal Property Tax Exemption Applications Under Public Act 328 of 1998

OBJECTIVES

1. To create a climate which encourages investment in new technology and/or the purchase of new machinery or equipment, that encourages training and education of City residents, through local employers, which will provide the change in skills and focus needed to retain local jobs and nurtures new employment opportunities for all City residents.
2. To create uniform and consistent guidelines to determine the duration of the exemption and the eligibility for a Personal Property Tax exemption under P.A. 328 of 1998.
3. To reduce unemployment, promote economic growth, and encourage the expansion of the City's industrial and commercial tax base.

PROPOSED CITY INDUSTRIAL AND COMMERCIAL PERSONAL PROPERTY TAX ABATEMENT POLICY

1. The objective of this policy is to stimulate investment in new technology, and/or in new equipment and machinery to allow eligible City businesses to become more competitive in the global marketplace, to keep as many jobs in the City as possible and to stabilize the tax base of the City.
2. Applicants shall comply with all provisions of P.A. 328 of 1998, as amended.
3. Applicants shall have no delinquent property taxes.
4. The applicant or a company representative of a new or existing firm shall request assistance directly from the City using the appropriate form provided by the Michigan Department of Treasury and adhering to all provisions therein.
5. Applicants shall pay an application fee that will consist of the actual processing costs incurred by the City, as determined by the City Clerk's office and approved by the City Council.

City of Jackson, Michigan

Guidelines
for
Personal Property Tax Exemption Applications
Under Public Act 328 of 1998
(Continued)

QUALIFICATIONS:

1. The physical location of an applicants project must be in the City of Jackson.
2. All applicants for the Personal Property Tax exemption from the City of Jackson must be one of the following types of business:

- ◆ Manufacturing
- ◆ Mining
- ◆ Research & Development
- ◆ Wholesale & Trade (export/import - but not including retail)
- ◆ Office Operations

In addition, the City recognizes the following types of industries as specific targets for inclusion under P.A. 328: occupants within the Small Business Development Center (Incubator), Research & Development firms, those firms requiring high degrees of technical training including the electronics industry, the automation industry, and others with high wages and skills, and office operations that expand and diversify the employment base. The City recognizes this approach as reasonable and supports the strategy.

However, the City reserves the right to approve any and all applicants as eligible for the Personal Property Tax exemption as allowed under P.A. 328 of 1998, as amended.

3. All applicants applying for the Personal Property Tax exemption must certify to the City that the jobs the business proposes to create, as a consequence of this exemption, are "qualified jobs". The Michigan Jobs Commission interprets qualified jobs to mean jobs that conform with State and federal minimum wage laws.

City of Jackson, Michigan

Guidelines
for
Personal Property Tax Exemption Applications
Under Public Act 328 of 1998
(Continued)

QUALIFICATIONS: (Continued)

4. All new personal property, which may be owned or leased, must meet the following two (2) requirements:
 - ◆ It must be personal property that was NOT previously subject to tax under the General Property Tax Act. This means all new equipment and machinery, and any used equipment and machinery not formerly on the Michigan tax rolls. **and**
 - ◆ It must be personal property that was placed in the 328 District **after** the City adopted the resolution which provides for the exemption.
5. All applicants for a Personal Property Tax exemption must execute the prescribed letter of agreement for Personal Property Tax Abatement, and submit the Letter of Agreement with the required application.

DURATION OF EXEMPTION:

All approved new Personal Property Tax exemptions granted under P.A. 328 of 1998 shall be for a period of 12 years.

The following example is offered to help applicants better understand how the Act is intended to work: If an exemption is granted for 12 years, the new personal property purchased in the 10th year of the exemption will be exempt for 2 years only.

CITY OF JACKSON, MICHIGAN

Guidelines For Personal Property Tax Exemption Applications Under Public Act 328 of 1998

PROCEDURES:

Firms applying for the Personal Property exemption know that the following procedures and processes shall be used in determining the eligibility of each applicant.

1. Applicants must use the form (STC 3427) provided by the Michigan Department of Treasury. Those fees are currently \$350.00 to process an application. This is, and shall be, the same fee charged for processing an Industrial Facilities Exemption Certificate.
2. Forms must be sent to the City Clerk's Office, 161 West Michigan Avenue, Jackson, MI 49201, and will be reviewed by the City Assessor and Attorney.
3. Within 30 days, the City Clerk shall schedule a public hearing through the City Council to approve or deny the application. In the same time period, the City Clerk shall also notify, in writing, all other taxing jurisdictions potentially affected by this application of the upcoming public hearing.
4. City Council shall hold the public hearing during which it shall balance the economic needs of the private firm against the benefits to the community. If in the City's judgment, the application does not sufficiently benefit the City, the application may be denied. To this end, applicants should demonstrate the benefit of their application to the City. An example of such an impact analysis is provided in the Appendix.
5. At the same City Council meeting the Council may approve, by resolution, all applications, in accordance with P.A. 328 of 1998, as amended.
6. The application will then be forwarded to the City Clerk who shall forward notification of the exemption to the Michigan Department of Treasury, State Tax Commission.
7. The Michigan Department of Treasury shall notify the City Assessor within 60 days of receipt of the exemption notification. The Michigan Tax Commission shall have the final approval authority for all locally approved applications, per P.A. 328 of 1998, as amended.
8. The exemption granted shall become effective in the subsequent calendar year, unless denied by the Michigan Department of Treasury.
9. In the event that a firm that has been granted an exemption under P.A. 328 becomes the property of a new and unaffiliated owner, the exemption becomes void, unless the new owner requests a transfer of the remaining eligible exemption period. In that situation, the City has the authority to reopen the review process and either renew or revoke the remaining exemption.

CITY OF JACKSON, MICHIGAN

Guidelines For Personal Property Tax Exemption Applications Under Public Act 328 of 1998

APPENDIX

The City of Jackson levies a 1% income tax per year on all employee wages and salaries for employees living within the City. For all employees living outside the City, the income tax is ½% per year. With the income tax, the City has a mechanism for offsetting the potential personal property tax revenue impact by granting the personal property tax exemption under Public Act 328 of 1998.

To balance City service revenue needs against the economic needs of firms wishing to locate and grow within the City, the City Council must first determine what the entity generates in local public revenue as compared to the cost to the City of granting the personal property tax exemption. For example, if the amount of the new public revenue (coming from the 1% City income tax on the wages of new employees) is equal to or exceeds the personal property tax being exempted, the City has an immediate economic benefit. Once the relationship between revenue and expense is determined, a more detailed review may be requested. Factors included in the more detailed review may include, but shall not be limited to the following:

- Small Business Development Center Tenant
- Future Plans of Firm
- The Economic Distress of the Firm
- Tenure of Firm in the City
- Other City assistance plans, options, and expenses
- Relation to other City development objectives

Other issues relevant in the City Council's decision might include how the entity will reduce employment and promote additional economic development beyond what is proposed.

Firms applying for an exemption under Public Act 328 of 1998, as amended, should work with City staff to identify the characteristics identified above. Further, a representative of the firm should be present at the public hearing to provide additional details. Any questions should be directed to the City Manager.

June 5, 2012

Report # 4 from the Chairperson of the City Affairs/Rules and Personnel Committee:

To: City Council

The City Affairs/Rules & Personnel Committee met on **Monday, May 21, 2012**, at 2:00 p.m.

All members were present and voting. The Committee:

- 1) Met with the 4 appointed officials to discuss their annual evaluations.
- 2) Voted 2-1 to recommend to the City Council that if non-union employees receive a raise, the appointed officials will also receive a raise – the same percent.
- 3) Voted 3-0 to recommend to the City Council to extend contracts as follows: City Clerk to 6/28/13, City Attorney to 8/30/14 and City Assessor to 9/15/14.

Met on Tuesday, May 22, 2012, at 2:00 p.m. All members were present and voting. The Committee:

- 1) Scheduled a meeting on Tuesday, May 29, 2012 to vote on a recommendation to the City Council regarding the medical marihuana ordinance(s).
- 2) Rescheduled standing City Affairs/Rules & Personnel Committee meetings to the 2nd Wednesday of each month, beginning in June at 3:00 p.m.

Met on Tuesday, May 29, 2012, at 6:00 p.m. All members were present and voting. The Committee:

1) Tabled consideration of the medical marihuana ordinance(s) for one week, scheduling a June 5, 2012, meeting at 2:00 p.m.

Met on Tuesday, June 5, 2012, at 2:00 p.m. All members were present and voting. The Committee:

1) Voted 2-1 to recommend to the City Council the “Home Use Only” proposed medical marihuana ordinance(s).

Committee members: Laura Dwyer Schlecte, Mayor Martin J. Griffin, Carl L. Breeding, Chairperson



CITY COUNCIL SPECIAL MEETING
June 12, 2012

MEMO TO: Mayor and City Councilmembers

FROM: Andrew R. Frounfelker, Chairman
Finance/Tax Policy Committee

DATE: June 6, 2012

SUBJECT: Finance/Tax Policy Committee Report

The Finance/Tax Policy Committee met on Tuesday, June 5, 2012, with Committee Members Martin Griffin, Derek Dobies, and myself in attendance along with City staff.

The Finance/Tax Policy Committee discussed the Change Order and Demolition Contract for 212 W. Michigan Avenue. The Committee voted to recommend approval of the Change Order.

The Committee also discussed the SAFER Grant application, and will further research some issues before making a recommendation to the City Council.

A proposed increase in Cemetery Fees was presented by Kelli Hoover, Parks & Recreation Director. The City cemeteries have not had a fee increase in many years. The Committee voted unanimously to recommend an increase in Cemetery fees to take effect on July 1, 2012.

ARF:skh



Employees Retirement System

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4030 — Facsimile: (517) 768-5857

CITY COUNCIL MEETING
JUNE 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, Vice Chair, Employees Retirement System
SUBJECT: Recommendation to Fill Vacancy on Retirement System Board

MOTION: APPROVAL OF THE APPOINTMENT OF STEVEN MAGA TO THE EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES FILLING A CURRENT VACANCY, IN ACCORDANCE WITH THE RECOMMENDATION OF THE EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES.

Due to the recent entrance into the Deferred Retirement Option Program of Philip Hones, former Trustee and Chair of the Employees Retirement System, a vacancy has occurred on the board of trustees. Mr. Hones's term was to have been effective through August 31, 2014.

Chapter 2, Article VI, Section 2-530(b) of the City Code of Ordinances states that "In the event a vacancy occurs on the board of trustees the city council shall fill the vacancy, by appointment, for the unexpired portion of the term."

On April 11, 2012, a memo was sent to all Employees Retirement System members informing them of the vacancy and asking for letters of interest of those who may be interested in serving on the board. One letter was received by the deadline, from retirement system member Steven Maga.

At the June 6, 2012 pension board meeting, Mr. Maga's letter was reviewed. It was approved by the board to recommend to the City Council that Steven Maga, Staff Accountant, be appointed to the board of trustees for the duration of the above stated term, through August 31, 2015. Mr. Maga's letter of interest is attached.

Thank you for your consideration to this recommendation.

LF/ss



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn*
SUBJECT: Public hearing and Resolution determining the necessity of street construction on High Street from Cooper Street to Losey Avenue.

MOTION: **PUBLIC HEARING OF NECESSITY FOR STREET CONSTRUCTION ON HIGH STREET FROM COOPER STREET TO LOSEY AVENUE.**

1. RESOLUTION ORDERING THE CONSTRUCTION AND PREPARATION OF THE SPECIAL ASSESSMENT ROLL.

A public hearing was established at Council's May 15th meeting for June 12, 2012. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner including an estimate of the proposed project and funding sources, along with an estimate of individual property assessments, which can be paid in ten (10) annual installments. Requested action is adoption of the resolution, after the public hearing is held.

C: City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street construction on High Street from Cooper Street to Losey Avenue the following estimated costs, to wit:

Street Paving (MDOT/FHWA)	\$ 393,000.00
Street Paving (Assessments)	\$ <u>179,296.53</u>
Total Project Cost	\$ <u>572,296.53</u>

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 12th day of June, 2012 at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street repaving is a necessary public improvement and directs staff to proceed with the street repaving, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

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 12th day of June, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 13th day of June, 2012.

Lynn Fessel, City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Public hearing and Resolution determining the necessity of street reconstruction on Homewild Avenue from Ellery Street to Edgewood Street.

MOTION: **PUBLIC HEARING OF NECESSITY FOR STREET RECONSTRUCTION ON HOMEWILD AVENUE FROM ELLERY STREET TO EDGEWOOD STREET.**

1. RESOLUTION ORDERING THE CONSTRUCTION AND PREPARATION OF THE SPECIAL ASSESSMENT ROLL.

A public hearing was established at Council's May 22nd meeting for June 12, 2012. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner including an estimate of the proposed project and funding sources, along with an estimate of individual property assessments, which can be paid in ten (10) annual installments. Requested action is adoption of the resolution, after the public hearing is held.

C: City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street reconstruction on Homewild Avenue from Ellery Street to Edgewood Street the following estimated costs, to wit:

Local Street Funds	\$ 5,099.44
CDBG	\$ 119,000.00
Street Construction (Assessments)	\$ 38,900.56
Water Funds	<u>\$ 103,000.00</u>
Total Project Cost	\$ 266,000.00

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 12th day of June, 2012 at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

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 12th day of June, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 13th day of June, 2012.

Lynn Fessel, City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Public hearing and Resolution determining the necessity of Street
Construction on Forest Avenue from west bend to Edgewood Street.

**MOTION: PUBLIC HEARING OF NECESSITY FOR STREET
CONSTRUCTION ON FOREST AVENUE FROM WEST BEND TO
EDGEWOOD STREET.**

**1. RESOLUTION ORDERING THE CONSTRUCTION AND
PREPARATION OF THE SPECIAL ASSESSMENT ROLL.**

A public hearing was established at Council's May 22nd meeting for June 12, 2012. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner including an estimate of the proposed project and funding sources, along with an estimate of individual property assessments, which can be paid in ten (10) annual installments. Requested action is adoption of the resolution, after the public hearing is held.

C: City Manager

RESOLUTION
STREET CONSTRUCTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance No. 98-6 and 98-20, the City Council has reviewed the report regarding the necessity of street reconstruction on Forest Avenue from the west bend to Edgewood Street the following estimated costs, to wit:

Local Street Funds	\$ 17,835.03
CDBG	\$ 106,000.00
Street Construction (Assessments)	\$ 39,164.97
Water Funds	\$ <u>111,400.00</u>
Total Project Cost	\$ 274,400.00

WHEREAS, notice has been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 12th day of June, 2012 at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

WHEREAS, the City Council and Assessor having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the street construction is a necessary public improvement and directs staff to proceed with the street construction, in accordance with plans, maps, and specifications in the City Engineer's office; and

BE IT FURTHER RESOLVED that the City Assessor is ordered to assess the cost of said improvement to the property owners who benefit therefrom on a front footage basis and prepare an assessment roll covering this assessment district as soon as possible after the public improvement has been completed.

* * * * *

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 12th day of June, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan, on this 13th day of June, 2012.

Lynn Fessel, City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Request to transfer Class C Liquor License

MOTION: CONSIDERATION OF A REQUEST TO TRANSFER OWNERSHIP OF CLASS C & SDM LICENSES AND DANCE AND SUNDAY SALES PERMITS, LOCATED AT 2214 E. GANSON ST. JACKSON, MI 49202, JACKSON COUNTY, FROM McTHIRSTY'S PUB & GRUB TO NAUTIQUE, LLC.

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

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

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

Thank you.

C: City Manager



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
 called to order by _____ on _____ at _____
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____
 that the application from _____
(name of applicant)

for the following license(s): _____
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit
 Extended Hours Dance Permit Hours Required: _____
 Extended Hours Entertainment Permit Hours Required: _____

to be located at _____
 be considered for _____
(approval or disapproval)

Approval

Disapproval

Yeas: _____
 Nays: _____
 Absent: _____

Yeas: _____
 Nays: _____
 Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of th resolution offered and adopted by the _____
 council/board at a _____ meeting held on _____
(regular or special) (date) (township, city, village)

Name and title of authorized officer (please print): _____
 Signature and date of authorized clerk: _____
 Phone number and e-mail of authorized officer: _____



Application for New Licenses, Permits, or Transfer of Ownership or Interest in License

(Retail License Applicants)

PLEASE READ! A copy of this completed application should be submitted to the local legislative body and local law enforcement agency where the license is/will be held so your request can be processed correctly.

Part 1 - Please answer both questions below (if you are requesting a license as a part of your application)

Are you requesting a new license as a part of your application? Yes No (If yes, cashier is instructed to use fee code 4012)

Are you transferring an existing license as a part of your application? Yes No (If yes, cashier is instructed to use fee code 4034)

If you answer **yes** to **both** questions, which type of license is to be transferred? class C, SDM

Part 2 - Definitions

Off-premise licenses - Licenses that are issued for the type of business where alcoholic beverages are sold for consumption elsewhere, and where consumption on the premises is not allowed. There are two main types; SDD (spirits and mixed drink spirits) and SDM (beer and wine). Please check the appropriate box for your request. Note: Any additional transfer or license fees may be calculated and collected at a later date.

On-premise licenses - Licenses that are issued to allow alcoholic beverages to be sold, served and consumed on the premises. Note: Any additional transfer or license fees may be calculated and collected at a later date.

Part 3 - Inspection Fees (Check box applicable to your application)

Inspection fee - 1 license (4036) \$70.00 Inspection fee - 2 licenses (4036) \$140.00 Inspection fee - 3 licenses (4036) \$210.00

Part 4 - Transaction Information (Check boxes applicable to your application)

New license Transfer stock/interest Add/Drop space Transfer location Transfer classification Change status (self incorporation)

New permit Transfer ownership Transfer limited partnership interest Other

Name(s) of current licensee: Mcthirsty's Pub & Grub LLC

Current licensed address: 2214 E. Ganson, Jackson, MI 49202

Part 5 - License Types and Permits (Check boxes applicable to your application)

MCL 436.1525(1) provides that license fees shall be paid at the time of filing applications. (All checks/money orders should be made payable to the State of Michigan)

Off Premise License Type:	Base Fee:	Off Premise Permits:	Base Fee:
<input checked="" type="checkbox"/> SDM License	\$100.00	<input type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input type="checkbox"/> SDD License	\$150.00	<input type="checkbox"/> Sunday Sales Permit (PM) (Held with SDD license)	\$22.50
<input type="checkbox"/> Resort SDD License	Upon Licensure	<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Transfer Resort SDD license	\$150.00	<input type="checkbox"/> Beer and Wine Sampling	No charge *
		<input type="checkbox"/> Living Quarters	No charge *

*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

Off Premise Permission(s):	Base Fee:
<input type="checkbox"/> Off-premise Storage	No charge
<input type="checkbox"/> Direct Connection(s)	No charge
<input type="checkbox"/> Gas Pumps	No charge



Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 5 Continued - License Types and Permits (Check boxes applicable to your application)

On Premise License Type:	Base Fee:	On Premise Permits:	Base Fee:
<input type="checkbox"/> B-Hotel License	\$600.00	<input type="checkbox"/> New Banquet Facility Permit	\$600.00
<input type="checkbox"/> A-Hotel License	\$250.00	<input type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input type="checkbox"/> Brewpub license	\$100.00	<input checked="" type="checkbox"/> Sunday Sales Permit (PM)	15% of license fee
<input checked="" type="checkbox"/> Class C License	\$600.00	<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Club License	\$300.00	<input type="checkbox"/> Outdoor Service	No charge *
<input type="checkbox"/> Resort License	Upon Licensure	<input type="checkbox"/> Entertainment Permit	No charge *
<input type="checkbox"/> Redevelopment License	Upon Licensure	<input checked="" type="checkbox"/> Dance Permit	No charge *
<input type="checkbox"/> Tavern License	\$250.00	<input type="checkbox"/> Topless Activity Permit	No charge *
<input type="checkbox"/> G-1 License	\$1,000.00	<input type="checkbox"/> Banquet Facility Permit	No charge *
<input type="checkbox"/> G-2 License	\$500.00	<input type="checkbox"/> Living Quarters	No charge *
<input type="checkbox"/> Aircraft License	\$600.00	<input type="checkbox"/> Specific Purpose Permit (list activity below):	No charge *
<input type="checkbox"/> Watercraft License	\$100.00	Hours requested: _____	
<input type="checkbox"/> Train	\$100.00	<input type="checkbox"/> Extended Hours Permit (check type below):	No charge *
<input type="checkbox"/> Other (state below):	Upon Licensure	<input type="radio"/> Dance <input type="radio"/> Entertainment	
		Hours requested: _____	
		<input type="checkbox"/> New Additional Bar Permit (s)** Indicate #: _____ \$350.00	
On Premise Permission(s):	Base Fee:	*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.	
<input type="checkbox"/> Off-premise Storage	No charge	**Note: \$350.00 is due for <u>each</u> additional bar requested. This fee must also be included when calculating the total amount due for Sunday Sales Permit (PM).	
<input type="checkbox"/> Direct Connection(s)	No charge		
<input type="checkbox"/> Gas Pumps	No charge		

Part 6 - Applicant Information

Name of entity/person that will hold the license: Nautique LLC

- Corporations/Limited Liability Company(s) - State the name as it is filed with the State of Michigan Corporation Division and provide a copy of your articles.
- Corporations/Limited Liability Company(s) must provide a list of stockholders/members in Part 8 of this form.
- If your company has not filed with the State of Michigan, you must submit a copy of a filed certificate of authority to transact business in Michigan along with your application.

Street address of proposed licensed establishment: 2214 E. Ganson Zip Code: 49202

City, Village: Jackson Township: _____ County: Jackson

Contact person for your company: Sarah E. Arnold

Business Phone: 517 414-6706 Cell Phone: Same E-mail address: _____

Do you have an attorney that you would like us to contact? Yes - See below No

Attorney name and address: _____

Office Phone: _____ Cell Phone: _____ E-mail address: _____



**Application for New License, Permits, or Transfer of Ownership or Interest in License
 (Retail License Applicants)**

Part 7a - Name and Address

- Each stockholder/member/partner must complete Part 7b of the application.
 (For companies with multiple stockholders/members/partners, please make copies of this section for each individual to complete)
- Administrative rule R 436.1115 provides that an applicant for a license shall submit fingerprints and undergo investigation by the Commission. Fingerprints are not required for an applicant previously fingerprinted for a license with the Commission. If your local police agency does not have paper fingerprint cards, please contact the MLCC today at (866) 813-0011 and we will send them to you right away.
- Please attach the the fingerprint card and \$30.00 fee payable (for each card) to the State of Michigan and return them to the Lansing office of the Michigan Liquor Control Commission.

Name: Sarah E. Arnold
 Home address: 750 S. Lakeside Dr., Michigan Center, MI 49254
 Business Phone: 517 444-6706 Cell Phone: _____ E-mail address: _____

Part 7b - Personal Information (Individuals)

Date of Birth: 1-10-65 Social Security Number: 378-78-1396

Are you a citizen of the United States of America? Yes No (If you answered "no", you will be asked to provide documentation to verify citizenship)
 Have you ever legally changed your name? Yes No (If you are/were married remember to list your prior name(s) or during naturalization or court process.)

If you answered yes, please state your prior name(s) (including maiden): Wallace

Have you ever been arrested? Yes No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
<u>4/2006</u>	<u>Hillsdale, MI</u>	<u>OWI</u>	<u>closed</u>

If you are currently married, what is your spouse's full name? _____
 (first, middle, last)

Spouse's date of birth: _____
 Is your spouse a citizen of the United States of America? Yes No (If you answered "no", you will be asked to provide documentation to verify your spouse's citizenship)

Has your spouse ever been arrested? Yes No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
------	------------	--------	-------------

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan (civil defense volunteer policeman, mayors, village presidents, and members of city councils are not considered to be law enforcement officers).
 Yes No

Do you or your spouse hold any class of license for the manufacture or sale of alcoholic beverages at wholesale in Michigan?
 Yes No

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

4/24/12 Sarah E. Arnold _____
 Date Individual, print name Individual signature



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
 (Retail License Applicants)**

Part 8 - Report of Stockholders/Members/Limited Partners

Corporations - Please complete this section and attach more copies of this page if more room is needed.

Name and Address of all Stockholders:	Total Number of Shares Held:

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109

What is the total number of shares that the corporation has issued to its stockholders? _____

Limited Liability Companies - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all members:	Total Percent (%) of interest held
Sarah E. Arnold	100%

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
 (Retail License Applicants)**

Part 8 Continued - Report of Stockholders/Members/Limited Partners

Limited Partnerships - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all partners:	Total Percent (%) of interest held

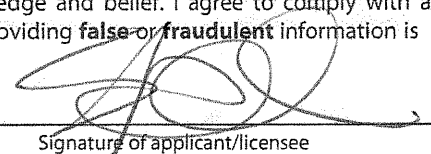
Name and address of Managers, pursuant to administrative rule R 436.1111

Signature of Applicant:

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false or fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

4/24/12
 Date

Sarah E. Arnold, owner
 Print name of applicant/licensee and title


 Signature of applicant/licensee

To check the status of your request, visit www.michigan.gov/lcc and click on "Online Services." Scroll down to Liquor Control Commission and click on "Online Status Check." Enter your request id number (RID) to check on your application 24 hours a day.



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 4, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn*

SUBJECT: Recognition of the Hospice of Jackson d/b/a/ Allegiance Hospice as a Nonprofit Organization

MOTION: CONSIDERATION OF A RESOLUTION RECOGNIZING HOSPICE OF JACKSON D/B/A ALLEGIANCE HOSPICE AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY

Attached please find a resolution recognizing Hospice of Jackson d/b/a Allegiance Hospice as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses. You will also find their cover letter explaining the reason for their request and documentation of their 501 C (3) status from the IRS.

Requested action is to adopt the resolution.

C: City Manager

**LOCAL GOVERNING BODY RESOLUTION FOR
CHARITABLE GAMING LICENSES**

(Required by MCL 432.103(K)(ii))

At a regular meeting of the Jackson City Council called to order by

_____ on June 12, 2012

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

Moved by _____ and supported by
Name

_____ that the request from the Hospice of Jackson d/b/a Allegiance Hospice, of Jackson, in the county of Jackson, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for Approval.

APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Jackson City Council at a regular meeting held on

DATE

SIGNED:

TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

BSL-CG-1153(R7/02)



Allegiance
HOSPICE

May 25, 2012

Jackson City Council
C/o Lynn Fessel, City Clerk
161 West Michigan Avenue
Jackson, Michigan 49201-1303

Ladies and Gentlemen:

Hospice of Jackson d/b/a Allegiance Hospice ("Allegiance Hospice") is a 501(c)(3) tax exempt, nonprofit healthcare organization that provides hospice services to the citizens of Jackson and its surrounding communities.

The mission of Allegiance Hospice includes meeting the physical, emotional, spiritual, and social needs of terminally ill individuals and members of their families who are in need of such services within the Jackson community. This often includes providing services to individuals and their families who do not have health insurance and may not have the ability to otherwise pay for such services. As such, Allegiance Hospice conducts several fundraising programs each year.

To accommodate these fund raising efforts, Allegiance Hospice would like to apply for State of Michigan Charitable Gaming Licenses as a "qualified" local civic organization. This process requires Allegiance Hospice to submit a resolution passed by the Jackson City Council recognizing Hospice of Jackson d/b/a Allegiance Hospice, as a nonprofit organization in the community (See MCL 432.103(k)).

Allegiance Hospice respectfully requests that the Jackson City Council pass a resolution recognizing Hospice of Jackson d/b/a Allegiance Hospice, as a nonprofit organization in the community. A sample "Local Governing Body Resolution For Charitable Gaming Licenses" (as provided by the State of Michigan Charitable Gaming Division) is attached for your convenience. This resolution will assist Allegiance Hospice in becoming "qualified" to apply for a State of Michigan Charitable Gaming License(s), as is required for all nonprofit organizations seeking a license to conduct fund raising raffles.

Thank you very much for your assistance with this matter.

Very truly yours,

ALLEGIANCE HOSPICE

Larry Brothers
Executive Director Chronic Care Services

Attachment

District Director

Date: FEB 13 1981

Employer Identification Number:

38-2336367

Person to Contact:

W. Berkler

Contact Telephone Number:

(313) 226-7330

(Hot Toll Free)

► Hospice of Jackson
309 South Jackson Street
Jackson, Michigan 49201

Det:81-80

Dear Applicant:

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

We have further determined that, as indicated in your application, you are a private foundation within the meaning of section 509(a) of the Code. In this letter, we are not determining whether you are an operating foundation as defined in section 4942(j)(3).

If your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. Also, you should inform us of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should call us. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA). However, since you are a private foundation, you are subject to excise taxes under Chapter 42 of the Code. You also may be subject to other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

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

You are required to file Form 990-PF, Return of Private Foundation Exempt from Income Tax. Also, your foundation managers are required to file an annual report if you have at least \$5,000 of assets at any time during the tax year. (Form 990-AR, Annual Report of Private Foundation, may be used for this purpose.) The annual report, if required, and the Form 990-PF must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty

of \$10 a day, up to a maximum of \$5,000, for each return or report filed late, unless there is reasonable cause for the delay.

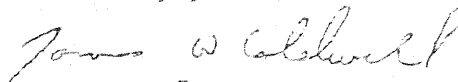
You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or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

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

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

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

Sincerely yours,



James W. Caldwell
District Director

Internal Revenue Service

Department of the Treasury

District
DirectorP. O. Box 2508
Cincinnati, OH 45201▶ Hospice of Jackson
309 South Jackson Street
Jackson, MI 49201Person to Contact:
W. Tagami
Telephone Number:
313-226-7330
Refer Reply to:
EP/EO
Date:

OCT 27 1983

Dear Sir or Madam:

By our letter dated February 13, 1982, you were held to be a private foundation within the meaning of section 509(a) of the Code.

As a result of our recent examination (copy enclosed) we have determined that you never should have been classified as a private foundation from your date of incorporation, October 1, 1980, forward. Accordingly, we are modifying your foundation status from private foundation to public charity status under 170(b)(1)(A)(vi) and 509(a)(1) since you are described in 170(b)(1)(A)(vi) effective October 1, 1980.

You have agreed to this modification by signing Form 6018, Consent to Proposed Adverse Action. Accordingly, this letter becomes our final determination.

This is a modification letter.

Sincerely yours,

James J. Ryan
District Director



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 4, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk *Lynn*

SUBJECT: Recognition of the CMS Club of Jackson as a Nonprofit Organization

**MOTION: CONSIDERATION OF A RESOLUTION RECOGNIZING
THE CMS CLUB OF JACKSON AS A NONPROFIT
ORGANIZATION OPERATING IN THE COMMUNITY**

Attached please find a resolution recognizing the CMS Club of Jackson as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses. You will also find their cover letter explaining the reason for their request and documentation of their 501 C (3) status from the IRS.

Requested action is to adopt the resolution.

C: City Manager



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

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(ii))

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

called to order by _____ on _____
DATE

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

Moved by _____ and supported by _____

that the request from CMS Club of Jackson,
NAME OF ORGANIZATION CITY

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

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

gaming licenses, be considered for approval.
APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

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

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

92nd year of service

Mission Statement and Executive Sponsor

CMSClub

community minded service

The mission of the Jackson-based CMS (Community Minded Service) Club is to provide financial and volunteer support to individuals and organizations within Jackson County, focusing on:

- ◆ Emergency needs
- ◆ Education
- ◆ Community service events and charities

Executive Sponsor: David Mengebier

Reviewed by Committee, Voted Upon and Approved November 2008

as of ~~June~~ May 17, 2012

President Keren Halverson
Vice Pres. Juliana Bailey
Secretary - Deb Dennis
Treasurer - Susie Marker

AS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248514008
Oct. 01, 2008 LTR 4168C EO
38-2242303 000000 00 000
00019871
BODC: TE

CMS CLUB
% SUSIE MARKER
1 ENERGY PLAZA DR
JACKSON MI 49201-2357016

Employer Identification Number: 38-2242303
Person to Contact: MRS. LUTES
Toll Free Telephone Number: 1-877-829-5500

Dear TAXPAYER:

This is in response to your request of Sep. 22, 2008, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in OCTOBER, 1984, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(4) of the Internal Revenue Code.

Our records also indicate you are a private foundation described under section 509(a) of the Code.

Because you are not an organization described in section 170(c) of the Code, donors may not deduct contributions made to you. You should advise your contributors to that effect.

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

Sincerely yours,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING May 22, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: Request to Reallocate Additional HOME Funds to the Greater Jackson Habitat for Humanity Project at 626 Harris Street

MOTION

Approve the resolution to amend the 2011 HOME budget to provide the Greater Jackson Habitat for Humanity additional HOME funding to complete its project at 626 Harris Street.

In April 2011, the City Council awarded the Greater Jackson Habitat for Humanity \$35,000 in HOME funds to conduct new housing construction. Habitat selected a vacant lot at 626 Harris Street it acquired from the Jackson County Land Bank Authority on which to construct a new single family residence. In addition to the City's HOME funds, Habitat was able to secure \$30,000 from Eaton Corporation to initiate the build; however, shortly after construction began, the Habitat executive director resigned, winter months came, and the project stalled after the foundation was installed.

In December 2011, Chris Kilmer was hired as the new Executive Director for Habitat. Shortly after assuming that position, Mr. Kilmer discovered several critical issues that needed to be addressed immediately before Habitat could to continue its mission of providing simple, decent and affordable housing. Community Development staff recently met with Mr. Kilmer to discuss the status of several Habitat projects and how the City could assist Habitat in completing these projects.

Among the issues Mr. Kilmer needed to address was the Homeowner Selection Committee, which had not functioned for approximately 18 months, and funding limitations. Mr. Kilmer was open and honest about past administration not following procedure before a construction project began in that a Partner Family had not been selected, nor had all the funding been identified before construction began. During the meeting with Community Development staff, Mr. Kilmer relayed Partner Families have been selected for each project, including 626 Harris Street.

Due to the prominent location of 626 Harris Street, which corners on East Ganson Street, Community Development staff feels it is in the best interest of the City to provide sufficient additional HOME funds for Habitat to successfully complete this new construction project. HOME regulations would require the repayment of funds already drawn for this project should it not be completed in a timely fashion. City Building Inspectors and Habitat volunteer staff will work together to provide a finished home that blends with other homes in the neighborhood and have amenities a family would utilize, such as an attached garage, concrete driveway and other architectural elements more conducive to usability and sustainability.

According to the attached May 31, 2012 letter from Habitat, an additional \$40,000 is needed to complete this project. It is recommended City Council approve a reallocation of \$40,000 in HOME funds to Habitat to ensure the home is completed to the satisfaction of the City and HUD.

cc: Steve Maga, Heather Soat, Michelle L. Pultz-Orthaus



BOARD OFFICERS:

President

Pastor Erick Johnson

Vice President

Terry Klaasen

Treasurer

Steve Noble

Secretary

Amy Rice

Executive Director

Chris Kilmer

Board Members

Abby Grimmatt

Karen Jackson

Ron Mealey

Stacey Nall

Kimberly Ann Caras

Cheryl Ketchins

COMMITTEES:

Church Relations

Erick Johnson

Rodney Johnson

Construction

Site Selection

Family Selection

Karen Jackson

Family Support

Cheryl Ketchins

Finance

Terry Klaasen

Board Development

Fund Development

Steve Noble

Speaker's Bureau

Public Relations

Abby Grimmatt

ReStore

Bruce Green



5-31-2012

Chris Kilmer, Executive Director
Greater Jackson Habitat for Humanity
251 W. Prospect
Jackson, MI 49203

Michelle L. Pultz-Orthaus
Records Management Coordinator
161 W Michigan Avenue
Jackson, MI 49201
517-768-6436 phone
517-780-4781 fax

Dear Michelle,

On behalf of Greater Jackson Habitat for Humanity, I would like to ask the City to consider adding additional HOME funds to our current allocation for our project at 626 Harris St. Although Habitat was able to secure \$30,000 from Eaton Corp. to initiate the build, the project has stalled due to funding limitations.

Habitat is highly concerned about completing this project due to the high profile the property has and in addition, a Partner Family has been selected for the future home. An additional \$40,000 would help to keep this project moving and would secure its completion.

In conclusion, I would like to thank the City for the continual patience and support it has given Habitat in fulfilling its mission of providing simple, decent and affordable housing. Partnerships like this are what make Habitat successful in our local community.

Sincerely,

Chris Kilmer MA, LLPC
Executive Director
Greater Jackson Habitat for Humanity



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING June 12, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: REQUEST TO APPROVE BUDGET AMENDMENTS FOR FISCAL YEAR 2011/12

MOTION

Consideration of a resolution amending the following funds in the fiscal year 2011/12 budget:

- 1) Increase the General Fund Planning budget \$8,000 for Planning Services;
- 2) Increase the Public Improvement Fund budget \$15,000 for City Hall Improvements; and
- 3) Increase the Public Improvement Fund budget \$45,000 for City Hall Improvements.

Community Development staff respectfully request the following amendments to the fiscal year 2011/2012 budget:

General Fund – Planning

Request to increase the Planning budget in the General Fund \$8,000 for Planning Services. Region II Planning Commission is assisting the City's Planning Commission with revisions to the Zoning Ordinance with regard to several items, including but not limited to: site plan review procedures, building design standards, non-conforming uses, parking design and access management, site development standards, landscaping standards, and temporary uses. Funding for this activity will be appropriated from the General Fund surplus.

Public Improvement Funds

Request to increase the Public Improvement Fund budget \$15,000 for City Hall Improvements for the addition of new cubicles and setup in the Community Development Department. The additional cubicles are necessary for increased staffing to enforce the Non-Owner Occupied Residential Property Registry and the Foreclosed, Vacant and Abandoned Residential Property Registry. Funding for this activity will be appropriated from the Public Improvement Fund surplus.

Public Improvement Funds

Request to increase the Public Improvement Fund budget \$45,000 for City Hall Improvements to correct HVAC deficiencies on the third floor of City Hall. An estimate to correct the lack of air conditioning and ventilation on the third floor has been requested. Staff anticipate the maximum funds necessary to complete this project to be \$45,000. Funding for this activity will be appropriated from the Public Improvement Fund surplus.

Cc: Phil Hones, Finance Director
Steve Maga, Staff Accountant
Heather Soat, Accounting Manager

RESOLUTION

BY THE CITY COUNCIL :

WHEREAS, Community Development Staff desires to make improvements to the City's Zoning Ordinance by utilizing Region II Planning Commission for an estimated cost of \$8,000; and

WHEREAS, the Community Development Department desires to purchase and setup cubicles for additional staff to enforce the Non-Owner Occupied Residential Property Registry and the Foreclosed, Vacant and Abandoned Residential Property Registry for an estimated cost of \$15,000; and

WHEREAS, the Community Development Department desires to correct HVAC deficiencies in City Hall for an estimated cost of \$45,000; and

WHEREAS, there is sufficient surplus in both the General Fund and Public Improvement Fund to cover these requested budget increases:

NOW, THEREFORE, BE IT RESOLVED, that the 2011/2012 Budget be amended as follows:

General Fund

	Increase	Decrease
Revenues		
101-000-699.999 Appropriation from Fund Balance	\$ 8,000	\$ -
Expenditures		
101-401-802.000 Planning Services	\$ 8,000	\$ -

Public Improvement Fund

Revenues		
245-000-699.999 Appropriation from Fund Balance	\$ 60,000	\$ -
Expenditures		
245-245-976.011 City Hall Improvements	\$ 60,000	\$ -

* * * * *

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 12th day of June, 2012.


IN WITNESS WHEREOF, I have hereunto
 affixed my signature and the Seal of the City
 of Jackson, Michigan, on this 13th day of June, 2012.

_____ **City Clerk**



CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burch, Deputy City Manager 

SUBJECT: Utility Rates for Fiscal Year 2012-2013

MOTION: RATIFYING, APPROVING AND CONFIRMING THE UTILITY RATES FOR WATER, WASTEWATER AND STORMWATER FOR FISCAL YEAR 2011-2012 AND ADOPTING THE UTILITY RATES FOR FISCAL YEAR 2012-2013 WHICH ARE IN THE ATTACHED RESOLUTION.

Attached is a resolution recommending the utility rates for fiscal year 2012-2013. The utility rates have been increased by 2.65% for both water and wastewater users, reflecting a reduction from the staff proposed increase of 3.5%. The increase for the water and sewer rate is actually less than the December 2011 Consumer Price Index (CPI) of 3% for 2011. The water and wastewater fee increase is effective July 1, 2012 for all bills issued on or after that date.

Stormwater rates shall be reduced to reflect the condition that over the last year, fewer credits have been successfully applied for and subsequently granted less than originally anticipated. The stormwater rate for commercial and industrial properties will be \$2.50 per Equivalent Hydraulic Area (EHA). That represents a reduction of 7.4% from the original fee of \$2.70 per EHA. Residential rate for the stormwater use is recommended to be reduced from \$8.00 per quarter to \$7.50 per quarter or a reduction of 6.25%. The city's consultant, Tetra Tech was originally hired in October 2008, to perform a rate study for water and wastewater rates. Tetra Tech was then hired in September 2010 to assist with the creation of the stormwater utility. The rates are a continuation of the plan established by our consultant and approved by the City Council.

The rates listed for fiscal year 2011-2012 are recommended to be ratified, approved and confirmed by the City Council. I am further requesting that City Council adopt the proposed utility rates for fiscal year 2012-2013 as specifically listed in the attached resolution.

RESOLUTION

BY THE CITY COUNCIL:

BE IT RESOLVED by the City Council, on June 12, 2012, pursuant to the authority conferred upon it by the Charter of the City of Jackson, Chapter 27, Article IV, Section 27-107 and 27-108 and Article VI, Section 27-186 of the City Code, that the rate schedule for FY 2011-12 for all user charges billed by the City of Jackson Utility Billing Office are Ratified, Approved and Confirmed and that the rate schedules for FY 2012-13 for all user charges billed by the City of Jackson Utility Billing Office shall be Effective for all water, wastewater and stormwater billings after June 30, 2012, as follows:

1. Utility bills for water and wastewater shall be based on quarterly meter readings and billed quarterly except that commercial and industrial bills may, at the discretion of the Deputy City Manager, be based on monthly meter readings and billed monthly. The stormwater portion of the utility bill shall be a flat rate for residential and based on EHA for nonresidential.

2. For the purpose of reading meters and rendering bills for service the Deputy City Manager, shall divide the City into three districts of approximately equal size, plus a fourth district which includes commercial and industrial accounts. The reading, billing and due date of the four districts being as follows:

<u>District</u>	<u>Read & Billing</u>	<u>Due Date</u>	<u>Past Due & Final Notice</u>	<u>Non-Pay** Shut-off</u>
No. 1	January April *July *October	February 20 May 20 August 20 November 20	March June September December	April 7 July 7 October 7 January 7
No. 2	February May *August *November	March 20 June 20 September 20 December 20	April July October January	May 7 August 7 November 7 February 7
No. 3	March *June *September December *(Summer Sewer Average September to March)	April 20 July 20 October 20 January 20	May August November February	June 7 September 7 December 7 March 7
No. 4	Monthly	Monthly	Monthly	Monthly **(60 days past due)

*Wastewater service bills for the six-month summer period for residential customers shall be based on the average volume of wastewater service used during the six month winter period.

**Non-pay shutoffs will begin after the 6th day of the month or after the bill is thirty (30) days past due. (See paragraph 11 of this resolution.)

INSIDE THE CITY WATER RATES FOR
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS

3. City water service charges will be based on the following rate schedules:

a. Billing Charge:

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$3.27 per billing	\$3.36 per billing

b. Readiness Charge:

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.17667	\$ 0.18135
3/4"	0.26500	0.27202
1"	0.44167	0.45337
1 1/2"	0.88333	0.90674
2"	1.41333	1.45078
3"	2.65000	2.72023
3" Turbine	3.09167	3.17360
4"	4.41667	4.53371
4" Turbine	5.30000	5.44045
6"	8.83333	9.06741
6" Turbine	11.04167	11.33427
8"	14.13333	14.50786
10" Turbine	25.61667	26.29551

c. Commodity Charge:

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$2.34/100 cu.ft.	\$2.40/100 cu.ft.
for the next 90,000 cu.ft./mo.	1.78/100 cu.ft.	1.83/100 cu.ft.
for the next 900,000 cu.ft./mo.	1.14/100 cu.ft.	1.17/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	1.05/100 cu.ft.	1.08/100 cu.ft.
Quarterly Commodity Rate:	\$2.34/100 cu.ft.	\$2.40/100 cu.ft.

ANNUAL CHARGES FOR
UNMETERED FIRE LINE SERVICES

4. Automatic sprinkling system and/or other unmetered fire service connections for lines which are directly connected to the City water distribution system shall be subject to the following “ready-to-serve” charges:

	FY 2011-12	FY2012-13
2-inch or smaller	\$25 per year	\$25 per year
4-inch	50 per year	50 per year
6-inch	100 per year	100 per year
8-inch	125 per year	125 per year
over 8-inch	150 per year	150 per year

This service is available to metered water customers only.

OUTSIDE THE CITY WATER RATES

5. Persons, firms or corporations owning or occupying premises outside the City of Jackson which receive their water supply from the City water distribution system not otherwise covered by contract, shall be subject to double rates, except that:

- a. Charges as are required above for ready-to-serve fire sprinkler connections or other unmetered fire service connections shall be the same regardless of whether the property is inside or outside the City limits; and
- b. Single rate charges shall apply to any publicly owned facilities operated within a public park, a portion of which is within the City’s borders.

INSIDE THE CITY WASTEWATER RATES FOR
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS

6. City wastewater service charges shall be based upon the following schedules:

a. Billing Charge:

All user classifications shall be subject to a billing charge for meter reading and bill processing and other customer services. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$4.79 per billing	\$4.92 per billing

b. Commodity Charge:

All user classifications shall be subject to a commodity charge for recovering the costs of sewer system operation and maintenance, and replacement of equipment. The user's commodity charge shall be based on the volume of wastewater discharged during the current billing period, with the exception of residential summer sewer averages which will be based upon the average six (6) month's previous winter usage, and the rate is set forth as follows:

FY 2011-12	FY 2012-13
\$1.37 per 100 cu.ft.	\$1.41 per 100 cu.ft.

c. Readiness Charge:

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	FY 2011-12		FY 2012-13	
	<u>Daily Charge</u>	<u>OCDR*</u>	<u>Daily Charge</u>	<u>OCDR*</u>
5/8"	\$ 0.04200	\$ 0.08400	\$ 0.04311	\$ 0.08623
3/4"	0.06300	0.12600	0.06467	0.12934
1"	0.10500	0.21000	0.10778	0.21557
1 1/2"	0.21000	0.42000	0.21557	0.43113
2"	0.33600	0.67200	0.34490	0.68981
3"	0.63000	1.26000	0.64670	1.29339
3" Turbine	0.73500	1.47000	0.75448	1.50896
4"	1.05000	2.10000	1.07783	2.15565
4" Turbine	1.26000	2.52000	1.29339	2.58678
6"	2.10000	4.20000	2.15565	4.31130
6" Turbine	2.62500	5.25000	2.69456	5.38913
8"	3.36000	6.72000	3.44904	6.89808
10" Turbine	6.09000	12.18000	6.25139	12.50277

*Outside City Double Rate

EXTRA STRENGTH CHARGES FOR ALL CLASSES
INSIDE & OUTSIDE THE CITY

7. Extra strength charges apply to all users - residential, commercial and industrial. For recovering the cost of treating wastewater which is permitted for discharge into the City wastewater treatment facilities, but which has extra strength properties, a surcharge shall be assessed upon the user as follows for both FY 2011-12 & FY 2012-13:

- a. \$0.1079 per pound of suspended solids when suspended solids concentration is greater than 250 mg/l.
- b. \$0.1526 per pound of BOD₅ when the BOD₅ concentration is greater than 250 mg/l
- c. \$0.6446 per pound of TKN when the TKN concentration is greater than 40 mg/l.
- d. \$2.2760 per pound of total phosphorus when the total phosphorus concentration is greater than 10 mg/l.

OUTSIDE THE CITY WASTEWATER RATES

8. Persons, firms or corporations owning or occupying premises outside the City of Jackson which discharge wastewater to the City wastewater treatment facilities, not otherwise covered by a service agreement, shall be subject to service charges as follows:

a. If the discharge passes through the City's wastewater collection system prior to treatment and the individual user has a City-read meter, the service charges shall be the same as the City service charges set forth in paragraphs 6 and 7 of this resolution, except that the readiness to serve charge, to cover the user's share of the debt service, shall be double that for City users.

b. If the discharge passes through the City's wastewater collection system and is unmetered, the service charges shall be determined by the following:

	FY 2011-12	FY 2012-13
Commodity charge per facility unit of:	\$36.99 per quarter	\$37.97 per quarter
Billing charge of:	\$4.79 per bill	\$4.92 per bill

Plus double the City readiness charge for the equivalent size meter. (For unmetered accounts inside the City, the readiness charge will equal the City rate.)

* For purpose of this resolution, a "facility unit" means the amount of wastewater discharge from a residential dwelling. The Deputy City Manager may determine the number of facility units attributable to a service according to standard discharges from wastewater contributors therein.

OTHER CHARGES

9. Additional charges equal to the actual expense incurred by the City shall be billed to and paid by any user when it is necessary to collect and analyze wastewater samples discharged by the user, to remove or treat prohibited material discharged by the user, or to clean or repair wastewater facilities or any part thereof as a result of the user's discharge.
10. All water and wastewater bills shall be subject to a late charge of 10 percent if payment is not received in the office of the City Treasurer on or before the due date thereof.
11. In case any person shall, for the space of thirty (30) days after its water and wastewater service bill has become due and payable, refuse or neglect to pay the same, it shall be the duty of the Deputy City Manager to cause the water and/or wastewater service to be discontinued. Service shall not be restored until all arrears in water and wastewater service charges are paid in full, together with Thirty and 00/100 Dollars (\$30.00) to cover expenses of office and/or field procedures associated with final notices for shutting off and/or turning on the water. The \$30.00 charge will also be assessed when the Department attempts but is unable to turn the water off after the account is 30 days in arrears. If the turn on is not during regular working hours, the cost will include both the Thirty and 00/100 (\$30.00) charge plus the charge for overtime calls made by the Water Department. All past due water and wastewater bills shall be collected as provided by law.
12. In the event the City adds an interest/late charge to any unpaid delinquent invoice for water and wastewater related services, it shall be added as an assessable cost when and if said invoice is placed on a special assessment roll by the City Clerk.

STORM WATER USER FEES

13. City stormwater service charges will be based on the following rate schedule:
- a. Residential Charge:
All residential units (detached single family homes up to and including 4 units) shall be charged a flat rate. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$8.00 per billing	\$7.50 per billing

 - b. Non-Residential Charge:
All non-residential properties shall be charged a rate which is multiplied by their EHA units. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$2.70 per EHA per billing	\$2.50 per EHA per billing

The method for calculating the EHA is defined in the City's Stormwater Management Manual. Stormwater user fee credits are also defined in the Manual.

14. This resolution, upon its effective date, shall supersede and repeal all prior resolutions establishing or amending water and wastewater service charges to the extent each conflicts herewith.
15. This resolution shall take effect July 1, 2012, provided it has been published in accordance with the provisions of Chapter 27 of the Code of the City of Jackson.

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 City Council on June 12th , 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, this 13th day of June, 2012.

Lynn Fessel City Clerk

BLACKMAN TOWNSHIP

Contract District Customer

Effective for all water billings after June 30, 2012

Blackman water service charges will be based on the following rate schedules:

a. Billing Charge: (City rate x 160%) (60% forwarded to Blackman Township)

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$5.24 per billing	\$5.38 per billing

b. Readiness Charge: (City rates x 160%) (60% forwarded to Blackman Township)

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.28267	\$ 0.29016
3/4"	0.42400	0.43524
1"	0.70667	0.72540
1 1/2"	1.41333	1.45078
2"	2.26133	2.32126
3"	4.24000	4.35236
3" Turbine	4.94667	5.07776
4"	7.06667	7.25394
4" Turbine	8.48000	8.70472
6"	14.13333	14.50786
6" Turbine	17.66667	18.13484
8"	22.61333	23.21258
10" Turbine	40.98667	42.07282

c. Commodity Charge: (City rates x 125%)

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$2.93/100 cu.ft.	\$3.01/100 cu.ft.
for the next 90,000 cu.ft./mo.	2.23/100 cu.ft.	2.29/100 cu.ft.
for the next 900,000 cu.ft./mo.	1.43/100 cu.ft.	1.47/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	1.32/100 cu.ft.	1.35/100 cu.ft.
Quarterly Commodity Rate:	\$2.93/100cu.ft.	\$3.01/100 cu.ft.

LEONI TOWNSHIP
Contract District Customer

Effective for all water billings after June 30, 2012

Leoni water service charges will be based on the following rate schedules:

a. Billing Charge: (City rate x 175%) (75% forwarded to Leoni Township)

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$5.73 per billing	\$5.88 per billing

b. Readiness Charge: (City rates x 175%) (75% forwarded to Leoni Township)

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.30933	\$ 0.31753
3/4"	0.46400	0.47630
1"	0.77300	0.79348
1 1/2"	1.54600	1.58697
2"	2.47333	2.53887
3"	4.63767	4.76057
3" Turbine	5.41067	5.55405
4"	7.72933	7.93416
4" Turbine	9.27500	9.52079
6"	15.45833	15.86798
6" Turbine	19.32300	19.83506
8"	24.73333	25.38876
10" Turbine	44.82933	46.01731

c. Commodity Charge: (City rates x 175%)

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$4.10/100 cu.ft.	\$4.21/100 cu.ft.
for the next 90,000 cu.ft./mo.	3.12/100 cu.ft.	3.20/100 cu.ft.
for the next 900,000 cu.ft./mo.	2.00/100 cu.ft.	2.05/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	1.84/100 cu.ft.	1.89/100 cu.ft.
Quarterly Commodity Rate:	\$4.10/100cu.ft.	\$4.21/100 cu.ft.

SUMMIT TOWNSHIP
Contract District Customer

Effective for all water billings after June 30, 2012

Summit water service charges will be based on the following rate schedules:

a. Billing Charge: (Same as City rate)

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$3.27 per billing	\$3.36 per billing

b. Readiness Charge: (Same as City rate)

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.17667	\$ 0.18135
3/4"	0.26500	0.27202
1"	0.44167	0.45337
1 1/2"	0.88333	0.90674
2"	1.41333	1.45078
3"	2.65000	2.72023
3" Turbine	3.09167	3.17360
4"	4.41667	4.53371
4" Turbine	5.30000	5.44045
6"	8.83333	9.06741
6" Turbine	11.04167	11.33427
8"	14.13333	14.50786
10" Turbine	25.61667	26.29551

c. Commodity Charge: (City rates x 137.5%)

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$3.22/100 cu.ft.	\$3.31/100 cu.ft.
for the next 90,000 cu.ft./mo.	2.45/100 cu.ft.	2.51/100 cu.ft.
for the next 900,000 cu.ft./mo.	1.57/100 cu.ft.	1.61/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	1.45/100 cu.ft.	1.49/100 cu.ft.
Quarterly Commodity Rate:	\$3.22/100cu.ft.	\$3.31/100 cu.ft.

OUTSIDE CITY WATER RATES FOR
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS

Effective for all water billings after June 30, 2012

As noted in paragraph 5 of this resolution, all users owning or occupying premises outside the City of Jackson which receive their water supply from the City water distribution system, not otherwise covered by contract, shall be subject to double rates.

Outside City water rates will be based on the following rate schedules:

a. Billing Charge: (City rate x 200%)

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$6.54 per billing	\$6.71 per billing

b. Readiness Charge: (City rates x 200%)

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.35333	\$ 0.36269
3/4"	0.53000	0.54405
1"	0.88333	0.90674
1 1/2"	1.76667	1.81349
2"	2.82667	2.90158
3"	5.30000	5.44045
3" Turbine	6.18333	6.34719
4"	8.83333	9.06741
4" Turbine	10.60000	10.88090
6"	17.66667	18.13484
6" Turbine	22.08333	22.66854
8"	28.26667	29.01574
10" Turbine	51.23333	52.59101

c. Commodity Charge: (City rates x 200%)

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$4.68/100 cu.ft.	\$4.80/100 cu.ft.
for the next 90,000 cu.ft./mo.	3.56/100 cu.ft.	3.65/100 cu.ft.
for the next 900,000 cu.ft./mo.	2.28/100 cu.ft.	2.34/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	2.10/100 cu.ft.	2.16/100 cu.ft.
Quarterly Commodity Rate:	\$4.68/100cu.ft.	\$4.80/100 cu.ft.

MICHIGAN DEPT. OF CORRECTIONS

Contract District Customer

Effective for all water billings after June 30, 2012

Mich. Dept. of Corrections water service charges will be based on the following rate schedules:

a. Billing Charge: (City rate x 160%) (60% forwarded to Blackman Township)

All user classifications shall be subject to a billing charge for meter reading and bill processing. The user's billing charge is set forth as follows:

FY 2011-12	FY 2012-13
\$5.24 per billing	\$5.38 per billing

b. Readiness Charge: (City rates x 160%) (60% forwarded to Blackman Township)

All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user's readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<u>Meter Size</u>	<u>FY 2011-12 Daily Charge</u>	<u>FY 2012-13 Daily Charge</u>
5/8"	\$ 0.28267	\$ 0.29016
3/4"	0.42400	0.43524
1"	0.70667	0.72540
1 1/2"	1.41333	1.45078
2"	2.26133	2.32126
3"	4.24000	4.35236
3" Turbine	4.94667	5.07776
4"	7.06667	7.25394
4" Turbine	8.48000	8.70472
6"	14.13333	14.50786
6" Turbine	17.66667	18.13484
8"	22.61333	23.21258
10" Turbine	40.98667	42.07282

c. Commodity Charge: (City rates)

All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user's commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

Monthly Commodity Rates:	FY 2011-12	FY 2012-13
for the first 10,000 cu.ft./mo.	\$2.34/100 cu.ft.	\$2.40/100 cu.ft.
for the next 90,000 cu.ft./mo.	1.78/100 cu.ft.	1.83/100 cu.ft.
for the next 900,000 cu.ft./mo.	1.14/100 cu.ft.	1.17/100 cu.ft.
for all over 2,000,000 cu.ft./mo.	1.05/100 cu.ft.	1.08/100 cu.ft.

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE



CITY ATTORNEY

161 West Michigan Avenue
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MEMORANDUM
June 6, 2012

To: Honorable Mayor and City Council
From: Bethany Smith, Deputy City Attorney *BS*
Re: Medical Marihuana Home Use Ordinance

MOTION: The requisite action is to approve the Ordinance and place it on the next regularly scheduled City Council Agenda for adoption.

Attached please find a proposed medical marihuana home use only Ordinance for your consideration. The City Affairs Committee voted 2-1 at its June 5, 2012 meeting to recommend that medical marihuana home use only Ordinance to the City Council.

If you have any questions, please contact me.

ORDINANCE NO. 2012-_____

An ordinance amending Sections 16-510 through 16-515 of Chapter 16 of the Code of Ordinances and adding Sections 16-516 through 16-519 to Chapter 16 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by permitting and regulating the growth and consumption of medical marihuana by patients qualified to consume and grow medical marihuana by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. The City Council adopts this ordinance to permit and regulate the growth and consumption of medical marihuana by patients registered and qualified to consume and grow medical marihuana by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act, and to further provide for the regulation of locations at which a registered caregiver may grow medical marihuana for his or her qualifying patients.

Section 2. That Article XVIII, Sections 16-510 through Section 16-519 of Chapter 16 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE XVIII. MEDICAL MARIHUANA USES.

Sec. 16-510. Medical Marihuana Uses.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Medical marihuana home use means a dwelling where a qualifying patient grows or uses medical marihuana for personal consumption in the privacy of the person's primary residence, and/or where a registered primary caregiver, serving not more than five (5) qualifying patients, grows or dispenses medical marihuana for his or her registered qualifying patients in the privacy of the primary caregiver's primary residence.

MMA refers to MCL §333.26421 et. seq., known as the Michigan Medical Marihuana Act.

Primary caregiver means an individual as defined by the MMA and as authorized by and registered through the Michigan Department of Community Health or its successor agency to grow and distribute medical marihuana for up to five (5) qualifying patients.

Primary residence means the one place where a person has his or her true, fixed and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

Qualifying patient means an individual, as defined by the MMA, that has been diagnosed by a physician as having a medical condition alleviated by the use of medical marihuana, and who is registered through the Michigan Department of Community Health or its successor agency to grow and/or consume medical marihuana.

Sec. 16-511. No license required for a medical marihuana home use.

No license from the City Clerk is required to operate a medical marihuana home use. A medical marihuana home use is a use by right wherever dwellings are permitted.

Sec. 16-512. Requirements in connection with medical marihuana home uses.

For purposes of a medical marihuana home use, the following shall apply:

- (a) A person engaging in the activities of a primary caregiver in a residential district may only grow marihuana plants in his or her primary residence.
- (b) The principal use of the dwelling must be residential occupancy and must be in actual use as such.
- (c) The medical marihuana home use must be in compliance with all requirements for home occupations as provided in Sec. 28-150(10), however a medical marihuana home use does not require a conditional use permit.
- (d) If the qualifying patient or primary caregiver is not the owner of the location of the medical marihuana home use, a notarized statement from the owner of the property authorizing use of the property as a medical marihuana home use must be obtained.
- (e) A medical marihuana home use must comply with the requirements of all City building codes, including but not limited to the provisions contained in Chapters 5 and 14 of this Code.
- (f) A medical marihuana home use must comply with the Michigan Medical Marihuana Act and all other laws of the State of Michigan.
- (g) This section applies to every person engaging in the activities of a qualifying patient or primary caregiver at a medical marihuana home use regardless of whether or not his or her activities began before the enactment of this Article.

Sec. 16-513. No other medical marihuana uses authorized.

Only the medical use of marihuana as defined in the MMA is authorized in the City of Jackson and such use shall only be permitted in the City if and in the manner expressly authorized in this Article.

Sec. 16-514. Penalty.

Any person violating any provision of this Article shall, upon conviction thereof, be punished according to the provisions of Section 1-18 of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 16-515. Severability of ordinance.

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

Sec. 16-516. Inconsistent provisions repealed.

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

Sec. 16-517. Savings clause.

All rights and duties that have matured, penalties that have been incurred, proceedings that have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Sec. 16-518. Enforcement of federal law.

As a discretionary matter, the City of Jackson may not enforce federal law concerning the possession of marihuana against individuals who are exercising private rights as qualifying patients or primary caregivers validly registered with the Michigan Department of Community Health or its successor agency.

Sec. 16-519. Reserved.

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

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE



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MEMORANDUM

June 6, 2012

To: Honorable Mayor and City Council

From: Bethany Smith, Deputy City Attorney *BS*

Re: Chapter 18 Revisions pertaining to medical marihuana

MOTION: The requisite action is to approve the Ordinance and place it on the next regularly scheduled City Council Agenda for adoption.

Attached please find an Ordinance with proposed revisions to Chapter 18 of the City of Jackson Code. The revisions provide an exception to the penalties of Chapter 18 for the possession of medical marihuana by qualifying patients or primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act. The City Affairs Committee voted 2-1 at its June 5, 2012 meeting to recommend a medical marihuana home use only Ordinance to the City Council. The revisions to Chapter 18 would be a companion ordinance to adoption of an Ordinance permitting home use of medical marihuana.

If you have any questions, please contact me.

ORDINANCE NO. 2012-_____

An ordinance amending Sections 18-151 through 18-159 to Chapter 18 of the Code of Ordinances to provide for the health, welfare and safety of the citizens of the City of Jackson by providing an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to provide an exception to the possession of marihuana to qualifying patients and primary caregivers who are validly registered by the Michigan Department of Community Health or its successor agency pursuant to the Michigan Medical Marihuana Act.

Section 2. That Article VI, Division 2, Sections 18-151 through Section 18-158 of Chapter 18 of the Code of the City of Jackson be, and the same hereby are, amended to read as follows:

ARTICLE VI. OFFENSES AGAINST PUBLIC MORALS.

DIVISION 2. MARIHUANA AND DRUG PARAPHERNALIA.

Sec. 18-151. Definition.

The term "drug paraphernalia" as used in this division means any equipment, product or material of any kind or nature whatsoever which is used, intended for use or designed for use in planting, propagating, cultivating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance as defined by the Controlled Substance Act (MCL 333.1701 et seq.), as amended.

(Code 1977, § 9.202)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 18-152. Purpose.

This division is enacted to preserve the health, safety, and welfare of the people of the city by rendering unlawful the use or possession of marihuana or the manufacture, sale, use, delivery, possession or distribution, or the attempt to manufacture, sell, use, deliver, possess or distribute drug paraphernalia.

(Code 1977, § 9.201)

Sec. 18-153. Possession of drug paraphernalia.

It is unlawful for any person, business entity or corporation to illegally use or possess marihuana, or to use, or to possess with intent to use, drug paraphernalia.

(Code 1977, § 9.203(a))

Sec. 18-154. Manufacture, sale, or delivery of drug paraphernalia.

It is unlawful for any person to sell, deliver, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, drug paraphernalia.

(Code 1977, § 9.203(b))

Sec. 18-155. Advertisement of drug paraphernalia.

It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication distributed in the city any advertisement, the purpose of which, in whole or in part, is to promote the sale of any object designed or intended for use as drug paraphernalia.

(Code 1977, § 9.203(c))

Sec. 18-156. Possession/use of marihuana.

No person shall knowingly and intentionally possess or use marihuana.

(Code 1977, § 9.62(22); Ord. No. 2001.12, § 1, 4-24-01)

Sec. 18-157. Exemptions.

This division shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropractors, veterinarians, law enforcement agencies, pharmacists and embalmers in the lawful course of business or professional activity, nor to persons suffering from any medical condition which requires administering prescribed medication. This division also shall not apply to the possession of medical marihuana or drug paraphernalia used in connection with the medical use of marihuana by qualifying patients or primary caregivers, as those terms are defined in the Michigan Medical Marihuana Act, MCL 333.26421 et. seq., in the amounts of medical marihuana permitted under the Michigan Medical Marihuana Act, who have a valid medical marihuana registration issued by the Michigan Department of Community Health or its successor agency that permits the qualifying patient or primary caregiver to grow and/or consume medical marihuana.

(Code 1977, § 9.204)

Sec. 18-158. Penalty.

- (a) Any person convicted of a violation of any provision of this division shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or both. Each day a violation continues shall be considered a separate offense and may be punished accordingly.
- (b) When an individual who has not previously been convicted of an offense under this division or under any similar state or federal law pleads guilty or is found guilty of a violation hereof, the court, without entering a judgment of guilt, may defer further proceedings and place the individual upon probation subject to whatever terms and conditions it deems appropriate.
- (c) Upon violation of a term or condition of such probation, the court may enter an adjudication of guilt and sentence the individual. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of any disqualification or disability imposed by law upon conviction of a crime. There may be only one (1) discharge and dismissal under this section as to an individual. The police department records division shall retain a nonpublic record of an arrest and discharge or dismissal under this section. This record shall be furnished to a court or police agency upon request for the purpose of showing that a defendant in a criminal action involving the use of a controlled substance covered herein has previously utilized this section of the division.
- (d) If any individual is convicted of a violation of this division, the court, as part of the sentence, during the period of confinement or the period of probation, or both, may require the individual to attend a course of instruction or rehabilitation program on the medical, psychological, and social effects of the misuse of drugs. The court may order the individual to pay a fee for the instruction or program. Failure to complete the instruction or program shall be considered a violation of the terms of probation.

(Code 1977, §§ 9.62(22), 9.205)

Sec. 18-159. Reserved.

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

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE



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MEMORANDUM
June 12, 2012

To: Honorable Mayor and City Council

From: Bethany Smith, Deputy City Attorney *BS*

Re: Chapter 28 Zoning Revisions pertaining to medical marihuana home use

Date: June 6, 2012

REQUESTED ACTION: The requisite action is to approve the Ordinance and place it on the next regularly scheduled City Council Agenda for adoption.

Attached please find a Memorandum detailing the changes that will need to be made to Chapter 28 Zoning if a home use medical marihuana Ordinance is adopted. These changes will be presented to the Planning Commission June 20, 2012 for recommendation. A public hearing before the City Council has been published for the June 26, 2012 City Council meeting.

If you have any questions, please contact me.



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Phone (517) 788-4060 • Facsimile (517) 780-4781

MEMO TO: City Affairs Committee

FROM: Barry Hicks, Planning Director

DATE: June 6, 2012

**SUBJECT: Proposed Revisions to Chapter 28 – Zoning, of the City of Jackson Ordinances
Regarding Medical Marihuana Establishments**

The following revisions will be necessary to accommodate medical marihuana home use in the City of Jackson's Zoning Ordinance. The Planning Commission will be reviewing these changes at its June 20, 2012 meeting and will make a recommendation to the City Council at that time.

Sec. 28-5 Definitions

Medical marihuana home use means a dwelling where a qualifying patient grows or uses medical marihuana for personal consumption in the privacy of their primary residence, and/or where a registered primary caregiver, serving not more than five (5) qualifying patients with whom the primary caregiver is registered to provide medical marihuana to through the Michigan Department of Community Health or its successor agency, grows medical marihuana for qualifying patients in the privacy of the primary caregiver's primary residence.

Sec. 28-71 Permitted and conditional uses.

The following uses are permitted (P) within the zoning districts:

		Zoning Districts											
		R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	I-1	I-2
...													
94.1	Medical marihuana establishments												
	a. Medical marihuana home use (see additional development requirements in Sec. 16-512 of the Code of Ordinances)	P	P	P	P	P	P	P	P	P	P	P	P
...													

Julius A. Giglio

City Attorney

Bethany M. Smith

Deputy City Attorney

Gilbert W. Carlson

Assistant City Attorney

OFFICE OF THE



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CITY ATTORNEY

MEMORANDUM

June 12, 2012

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney 

RE: Extension of Medical Marihuana Moratorium

DATE: June 6, 2012

REQUESTED ACTION: The requisite action is to approve the Medical Marihuana Moratorium and place it on the next regularly scheduled City Council Agenda for adoption.

Attached is a proposed Ordinance that extends Ordinance No. 2012.1 adopted by Council January 10, 2012. Council adopted said ordinance to extend the medical marihuana moratorium that was originally adopted January 25, 2011.

City staff, together with the City Affairs/Rules and Personnel Committee, continue to meet to discuss this matter. The Committee has submitted a recommendation to Council to be considered at the June 12, 2012 Council meeting. However, we are concerned that if final action is not taken by Council, or if we do not have adequate time to adopt a final medical marihuana ordinance, the moratorium could lapse. Accordingly, I have prepared an extension to the Medical Marihuana Moratorium and respectfully request that Council adopt same at the June 12, 2012 meeting. The Moratorium provides that it will continue to be in effect for "six months ... or until such time as an appropriate medical marihuana ordinance is enacted, whichever occurs first." Accordingly, if we do take final action on a Medical Marihuana Ordinance, by operation of the Moratorium Ordinance, it will automatically lapse.

The requisite action is to approve the Medical Marihuana Moratorium and place it on the next regularly scheduled City Council Agenda for adoption.

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

JAG/dn

Enc.

cc w/enc.: Larry Shaffer, City Manager
Lynn Fessel, City Clerk
Lt. Elmer Hitt, Jackson Police Department
Bethany Smith, Deputy City Attorney
Grant Bauman, Region 2 Planning Commission

ORDINANCE 2012. __

An Ordinance declaring an additional temporary moratorium on the establishment of operations, and the issuance of permits or licenses for operations that relate to either the cultivation, dispensing, or use of medical marihuana in the City of Jackson.

WHEREAS, On January 25, 2011, the Jackson City Council adopted Ordinance 2011.04, which established a moratorium on the on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2011.04 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, On July 19, 2011, the Jackson City Council adopted Ordinance 2011.11, which extended the moratorium on the on the establishment of operations and the issuance of permits or licenses for operations that relate to the cultivation, dispensing, or use of medical marihuana;

WHEREAS, The duration of Ordinance 2011.11 was six months following the effective date or until such time as an appropriate ordinance is enacted, whichever occurs first;

WHEREAS, The Jackson City Affairs/Rules and Personnel Committee has met numerous times to discuss a proposed Medical Marihuana Ordinance including changes to the Zoning Ordinance of the City of Jackson to regulate the use and cultivation of marihuana for specific medical conditions;

WHEREAS, Although the City Affairs/Rules and Personnel Committee has made a recommendation to City Council, the City Council has determined that additional time may be needed to consider, study, and enact regulations for medical marihuana as defined in the Michigan Medical Marihuana Act, M.C.L. 333.26421 et seq.; and

WHEREAS, the City Council desires that no operations be established and no permits or licenses be authorized or issued in the City of Jackson for operations related to either the cultivation, dispensing, or use of medical marihuana; now therefore,

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Continuation of Moratorium

No operations, or applications for permits or licenses for operations, that relate to either the cultivation, dispensing, or use of medical marihuana shall be accepted, no pending applications shall be processed, and no permits or licenses shall be issued from the effective date of this ordinance and while the moratorium enacted by this ordinance or any subsequently adopted ordinances which may extend this moratorium shall remain in effect.

This limited moratorium on the operations and the issuance of operation permits or licenses related to the operations for the cultivation, dispensing, or use of medical marihuana is intended to continue, without interruption, the moratorium and all other provisions established by Ordinance No. 2011.11 and shall be applied retroactively to the extent necessary to accomplish that intent.

The moratorium established by this Ordinance shall further continue in effect for six months from the effective date hereof, or until such time as an appropriate medical marihuana ordinance is enacted, whichever occurs first.

Section 2. Effective Date

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




CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 4, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Final Adoption of Ordinance No. 2012.13

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.13
AMENDING CHAPTER 28, SECTION 28-32, CITY CODE,
TO REZONE PROPERTY LOCATED AT 1052 COOPER
STREET, 111 W. ARGYLE STREET, 1037 HAMILTON
STREET AND 1039 HAMILTON STREET FROM R-1 TO C-
2.**

Attached please find Ordinance No. 2012.13 approved by the City Council on April 24, 2012. Requested action is adoption of the Ordinance.

C: City Manager
Deputy City Manager

ORDINANCE NO. 2012-__

An Ordinance to amend Section 28.32, of Chapter 28, of the Code of Ordinances of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Sections 28-32 of Chapter 28, of the Code of Ordinances, City of Jackson, Michigan, 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 four (4) properties known legally as the following from R-1 (one-family residential) to C-2 (community commercial):

- Legal description for Parcel 8-240300000 (1052 Cooper St.)
2404, 2405 LOTS 3, 4 & 5 BLK 3 WALKER'S ADD
- Legal description for Parcel 8-240100000 (111 W. Argyle St.)
E 42 FT OF N 82.1 FT OF LOT 2 BLK 3 WALKER'S ADD
- Legal description for Parcel 8-240200000 (1037 Hamilton St.)
2406 S 40 FT OF LOTS 1 & 2 & ALL OF LOT BLK 3 WALKER'S ADD
- Legal description for Parcel 8-240000000 (1039 Hamilton St.)
N 82.1 FT OF LOTS 1 & 2 EX E 42 FT BLK 3 WALKER'S ADD

Section 2. This ordinance shall take effect thirty (30) days from date of adoption.

* * * * *

Adopted:



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
June 12, 2012

DATE: June 4, 2012
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Final Adoption of Ordinance No. 2012.14

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.14
AMENDING ARTICLE VI, CHAPTER 2 OF THE CITY
CODE TO CLARIFY ANNUITY WITHDRAWALS FOR
MEMBERS WHO HAVE PURCHASED MILITARY
SERVICE CREDIT.**

Attached please find Ordinance No. 2012.14 approved by the City Council on May 22, 2012. Requested action is adoption of the Ordinance.

C: City Manager
Deputy City Manager

ORDINANCE 2012. __

An Ordinance to amend Article VI of Chapter 2 of the City of Jackson Code of Ordinances to clarify annuity withdrawals for members who have purchased military service credit.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 2-513.2 of Article VI (“Retirement System”), Chapter 2 (“Administration”), of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

Sec. 2-513.2. Annuity withdrawal option.

- (a) Effective July 1, 2008, a member or vested former member in one (1) of the following categories may elect to withdraw his or her accumulated contributions and credited interest at the time of retirement:
- (1) A voluntary retirant who retires pursuant to section 2-509; or
 - (2) A vested former member retiring pursuant to section 2-511; or
 - (3) A retirant electing to participate in the Deferred Retirement Option Program (DROP) pursuant to section 2-509.2.

The annuity withdrawal election is not available to members who retire pursuant to section 2-519 or section 2-520 as a duty or non-duty disability retirant. The amount of annuity withdrawal shall not include any member contributions made for the purchase of military service credit under section 205-7.

- (b) An annuity withdrawal will be used to compute the actuarial reduction of the member's or vested former member's monthly retirement benefit from the retirement system. The annuity withdrawal amount may be distributed directly to the member or vested former member (subject to any taxes or penalties imposed by the Internal Revenue Service), a qualified Individual Retirement Account, a Section 457(h) account, or such other tax qualified plan as may be available at the time of election.
- (c) Participation in annuity withdrawal option by persons in benefit group MAPE is governed by the provision of the labor agreement between the city and the MAPE/Jackson Unit.

(Ord. No. 2008.6, § 1, 5-27-08; Ord. No. 2009.3, § 2, 3-10-09; Ord. No. 2011.16, § 1, 8-16-11)

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

Julius A. Giglio
City Attorney
Bethany M. Smith
Deputy City Attorney
Gilbert W. Carlson
Assistant City Attorney


OFFICE OF THE



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CITY ATTORNEY

CITY COUNCIL MEETING
June 12, 2012
NEW BUSINESS

TO: Honorable Mayor and City Council
FROM: Julius A. Giglio, City Attorney 
RE: Change Order between City of Jackson and Dore & Associates Contracting, Inc.
Contract for Asbestos Abatement and Demolition
DATE: June 6, 2012

REQUESTED ACTION: The requisite action is to approve the proposed Change Order between the City and Dore & Associates Contracting, Inc., authorize the City Attorney to make minor modifications to the document, and authorize the Mayor to execute the Change Order.

Attached please find a proposed Change Order between the City and Dore & Associates Contracting, Inc. ("Dore") in reference to the former Consumer's Energy Building located at 212 W. Michigan Avenue ("Property"). As Council is aware, Dore initiated asbestos abatement at the Property pursuant to the asbestos abatement contract, dated April 1, 2011. Subsequent to commencing asbestos abatement activities, we discovered that copper was being illegally removed from the building by Dore's Project Manager. The project was put on hold while the police investigated and other issues were addressed. The Project Manager eventually pled guilty to a felony and is no longer associated with Dore. We now wish to go forward with asbestos abatement activities at the Property. However, in discussing the resumption of activities with Dore, we were presented with a proposal that included demolition of the building.

The proposed Change Order is in the amount of \$1,343,400.00, which includes both complete asbestos abatement and demolition of the building. The new contract amount is \$2,190,000.00. \$1,600,000.00 is attributed to asbestos abatement and the balance, \$590,000.00, is for demolition activities.

It should be pointed out that additional asbestos was discovered at the Property. This "new" asbestos was either asbestos not correctly quantified in the original asbestos survey, or was not discovered at the time the original asbestos abatement contract was entered into with Dore.

Because Dore is willing to perform both asbestos abatement and demolition activities, we believe the cost being proposed for demolition activities is much less than if the City were to bid the demolition of the building upon conclusion of the asbestos abatement project.

The City's Purchasing Policy at Section 17.0 provides, in part, that Change Orders are permitted if the modification does not cause a "fundamental change" to the contract. Section 17.0 further provides that "if

the City reasonably determines that a fundamental change in a contract is necessary, the City may terminate the existing contract, put the matter out for competitive bidding...” (Emphasis added). Accordingly, it is my opinion that Council can determine that this is not a fundamental change to the contract (approximately 75% of the total contract price is associated with asbestos abatement activities) and, even if it were deemed a fundamental change, the City is not required to terminate the existing contract.

The requisite action is to approve the proposed Change Order between the City and Dore & Associates Contracting, Inc., authorize the City Attorney to make minor modifications to the Change Order, and authorize the Mayor to execute the Change Order.

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

JAG/dn

Enc.

cc w/enc.: Larry Shaffer, City Manager
Patrick Burtch, Deputy City Manager/Director of Community Development
Jon Dowling, City Engineer

CHANGE ORDER

Owner: City of Jackson (“City”)

Contractor: Dore & Associates Contracting, Inc. (“Dore”)

Project: Former Consumers Energy Building
212 W. Michigan Avenue
Jackson, MI 49201

Change Order No.: 3

Contractor: Dore & Associates Contracting, Inc. (Dore)
900 Truman Parkway
Bay City, MI 48706

Contract Date: April 1, 2011

Contract for: Asbestos Abatement

Purpose of Change Order:

This Change Order is being entered into to address asbestos containing materials (ACM) that were either not previously identified or quantities that were inaccurate in the original asbestos survey for the former Consumers Energy Building located at 212 W. Michigan Avenue, Jackson, Michigan (the “property”). In addition, the parties wish to provide for the complete demolition and removal of the entire building located at the property. The revised contract amount shall be deemed a “Not to Exceed” lump sum contract amount for abatement of ACM and demolition of the building and removal of all demolition debris together with all ACM at the property. This Change Order shall be part of the contract documents for the project. If there is a conflict between this Change Order and any other contract document, this Change Order shall govern.

The Contract is changed as follows:

1. Dore will perform removal of all existing known and/or unknown ACM at the project regardless of whether same has been previously identified in the project asbestos survey. All ACM removal in the building shall be in accordance with all Federal, State, and local laws and regulations. City shall provide test results for existing debris piles and asbestos sampling reports prepared by TTL Associates, Inc.
2. Dore shall replace the previous project manager, Mark Kollin, with a new project manager, who must be an experienced asbestos project manager familiar with the project. A copy of the new project manager’s resume or qualifications and experience must be provided to the City prior to the execution of this Change Order. The project manager shall be experienced in administration and supervision of asbestos abatement and demolition projects of similar size and complexity to this project including work practices, protective measures for building and personnel, disposal procedures, etc. This person must have completed a course at a USEPA Training Center or equivalent certificate course in asbestos abatement procedures (this training must be current), and have had a minimum of two (2) years on-the-job training in asbestos abatement procedures. This person must be accredited under the requirements of Michigan Act 440 as a Project Designer and/or a Contractor Supervisor. This person shall be designated as the Competent Person responsible for compliance with all existing applicable federal, state, and local regulations governing the work.
3. Dore shall not employ any employee for this project who has a felony conviction on his/her record. Dore shall certify to the City that all of its employees for this project satisfy this requirement. The City reserves the right to conduct a background check, including criminal background, on all Dore employees and to reject any employees who are not acceptable to the City.

4. Dore shall forego any claims as to loss of use of its equipment that has been inaccessible at the project, due in part to the criminal investigation pertaining to copper theft by Dore's previous project manager, Mark Kollin.
5. Dore shall begin working on site at the project no later than June 30, 2012, contingent upon execution of this Change Order by all parties.
6. City shall provide required air monitoring with the exception of personal air monitoring for all employees of Dore and its subcontractors.
7. Dore shall perform complete demolition of the structures located on the property and debris removal to an appropriate landfill, with the following parameters:
 - a. Basement walls to be removed one foot below existing surrounding grade.
 - b. Basement floor to be left in place and not broken.
 - c. The excavation for the building will not be back filled.
 - d. City shall install a fence around the excavation.
 - e. City shall supply the required water permit, street and sidewalk closures.
 - f. City is aware of possible risk and damage to trees located on Michigan Avenue.
8. Upon Jackson City Council approval of this Change Order and prior to execution by City, Dore shall submit for City approval its proposed means and methods for ACM abatement and demolition of the building located on the property. If the City, or its designee, does not approve Dore's proposed means and methods of ACM abatement and/or demolition, the parties must mutually agree to revised means and methods.
9. Dore shall submit general and pollution liability insurance coverage, acceptable to the City, which shall list the City, the Jackson County Brownfield Redevelopment Authority, and the City's environmental consultant as an additional insured. Such insurance shall provide that the coverage afforded shall be primary coverage that will protect the City and its agents, officers and employees from bodily injury, death, or property damage that may arise from performance of the work by Dore.
10. Dore shall increase the dollar amount of the performance, labor and material, and maintenance and guarantee bonds to be in the amount of 100% of the full contract price. The bonds shall be in a form acceptable to the City.
11. City will pursue landfill savings for construction debris. In the event a reduction in landfill tipping fees are obtained, savings shall be divided equally between Dore and City.
12. Dore shall retain salvage rights for the demolition of the building on the property.
13. All work on the project must be completed no later than September 1, 2013. Should the work under this Change Order not be finished within the time specified, it is agreed that there may be deducted by the City from the final payment to Dore a sum computed at the rate of \$500.00 per day, beginning the day following the scheduled date of completion and continuing until the date of final acceptance of the work.

It is understood that the above deduction of \$500.00 per day is not a penalty, but money due, to be treated as liquidated damages to reimburse the City for the extra costs due to the delay in the completion of work.
14. To the maximum legal extent permissible under Michigan law, Dore hereby agrees to defend, indemnify, and hold harmless the City, its agents, representatives, employees or officials, from

any and all losses, damages, claims, demands, suits, actions, payments, governmental fines/penalties, judgments including any and all expenses, legal or otherwise, and any and all liability for property damage, bodily injury, death, or any other injury or damage, of whatever nature, which arises out of or pertains to any of the work or services performed by Dore under this Contract and regardless of whether the liability of the City would be based upon allegations of passive negligence involving vicarious liability or liability imposed by operation of law or, in contrast, involves liability predicated upon allegations of active negligence involving acts, omissions of alleged negligence or wrongdoing by the City itself. Provided, however, in the event it were determined that Act 165 of the Public Acts of Michigan 1966, as amended, were applicable and would otherwise make void this provision, it is the intent of the parties that Dore would defend the City, but then, and only then, would Dore not be required to indemnify the City for the City's liability predicated upon the City's sole negligence or wrongdoing.

15. The contract retainage shall be as follows: 20% retainage for the first \$1,095,000.00 of invoices submitted by Dore; and 10% retainage for all invoices submitted thereafter.
16. Within seven (7) days of execution of this Change Order by all parties, and contingent upon Dore satisfying the requirements under Sections 8, 9, and 10 of this Change Order, the City shall process payment for \$224,645.00 (minus 20% retainage) of the \$334,645.00 invoice previously submitted by Dore. The balance of \$100,000.00 (minus 20% retainage) will be paid ten (10) days after Dore has commenced work at the project pursuant to this Change Order.
17. Final Payment of retainage shall not be rendered to Dore until the City receives and approves project closeout submittals. Such submittals shall include:
 - A) Specific warranties, workmanship bonds, maintenance agreements, final certifications and similar documents. Include certificates of insurance for products and completed operations where required
 - B) Contractor's Liability Insurance certificates (including guarantee period). Evidence of final continuing insurance coverage complying with the insurance requirements.
 - C) Final project photographs, damage or settlement survey, and similar final record information.
 - D) Correction of work: Completed punch list. Final inspection list of items to be completed or corrected, stating that each item has been completed or otherwise resolved for acceptance, with the list having been endorsed and dated by the Owner.
 - E) Waivers of mechanics liens from every entity who may lawfully be entitled to file a mechanics lien arising out of the contract and related to the work.
 - F) Documentation that all taxes, fees, and similar obligations required to facilitate and complete the project have been paid/satisfied.
 - G) Copies of all daily logs and safety inspection reports completed during the project.
 - H) Copies of all sign-in rosters and visitors logs.
 - I) Copy of USEPA-NESHAP Notification of Intent To Renovate/Demolish.
 - J) Copies of all regulatory agency inspection documentation.
 - K) Copies of all recycling receipts, bills of lading, and disposal manifests/receipts, including completed NESHAP Waste Shipment

Record for all asbestos-containing waste generated by abatement activities and transported from the project site.

- L) Copies of all incident reports.
- M) Additions to scope of work: Change Order proposals.
- N) Certificates of Visual Inspection for each asbestos abatement work area, dated and signed by the Contractor's Competent Person, certifying that he/she has visually inspected the work area (all surfaces including pipes, beams, ledges, walls, ceiling and floor, Decontamination Unit(s), sheet plastic, etc.), has found no dust, debris or residue, and all surfaces have received an application of encapsulate to "lock-down" any remaining microscopic fibers.

18. Anything contained in either the contract documents or this Change Order to the contrary, notwithstanding, it is understood between the parties that final payment, including all retainages, shall not be made to Dore until the City, or its contractor, has conducted a post ACM abatement and demolition survey to confirm that all ACMs have been properly removed from the project and that all demolition debris has been removed from the property. Any remaining ACMs or demolition debris identified by the City must be removed by Dore within ten (10) days of receipt of notice from City. Any failure to remove ACMs or demolition debris identified in such notification shall result in forfeiture of all retainage, which shall be in addition to any other remedies available to the City.

Not valid unless signed by Owner and Contractor

The original (Contract Sum, Maximum Price) was \$846,600.00

Net change by previously authorized Change Orders..... \$0.00

The (Contract Sum, Maximum Price) prior to Change Order was \$846,600.00

The (Contract Sum, Maximum Price) will be increased by this Change Order in the amount of \$1,343,400.00

The new (Contract Lump Sum, Not to Exceed Maximum Price) including this Change Order will be \$2,190,000.00
(\$1,600,000.00: Asbestos Abatement; \$590,000.00: Demolition and Removal)

The revised date of completion of this contract is September 1, 2013.

Dore & Associates Contracting, Inc. CONTRACTOR	City of Jackson OWNER
By: _____ Edward Dore	By: _____
Date:	Date:



City Manager's Office

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4035 • Facsimile (517) 768-5820

MEMO TO: Martin J. Griffin, Mayor
Members of the City Council

FROM: Laurence Shaffer, City Manager

DATE: June 12, 2012

SUBJECT: Dore Change Order – Funding

Below is a summary of the financial plan for the completion of the asbestos removal and demolition of the Consumers' Energy Building, 212 West Michigan Avenue.

Revenue

Consumers' Asbestos Removal and Demolition

Funding	Grant	Match	Total Funding
1. \$500,000	City Haz RLF	\$100,000	\$600,000
2. \$400,000	County ARRA-Haz	0	\$400,000
	Sub-Total	\$100,000	\$1,000,000
3. \$400,000	EPA Supplemental	\$80,000	\$480,000
4. \$344,949	City Petroleum RLF	\$68,992	\$413,941
5. \$528,000	LSRRF	0	\$279,008*
	Sub-Total	\$148,992	\$1,172,949
	Total	\$248,992	\$2,172,949

*The LSRRF has been reduced by \$248,992 and assigned as a match leaving \$279,008 available for project

Utilizing the funds above, in the order proposed, provides the funding needed to complete the \$2,190,000 total demolition and incidental costs associated with project which could be up to \$100,000 to include SME at a project \$50,000 and \$50,000 contingency. Projected total cost for the project is \$2,290,000. That would leave the difference of **\$117,051 of City Funds** needed to complete the project.

The only thing not accounted for above is the City's application of \$190,000 of County ARRA Petroleum funds. That would require County Brownfield Authority approval. If it is attained, it would be substituted for the \$117,051 in City Funds with the balance of the fund to reimburse the City's LSRRF.

	Expense	
1.	Dore	\$2,190,000
2.	SME Consult	\$50,000
3.	Contingency	\$50,000
	Total	\$2,290,000



Department of Community Development

Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

May 22, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: Award of Rehab Contract at 260 Griswold Street

MOTION

Approve the award of the rehabilitation contract for 260 Griswold Street to Concept Construction.

Rehab Specialists Kurt Fritz requested bids through the Purchasing Department for an owner occupied rehabilitation project at 260 Griswold Street. The Community Development Department has analyzed the bids submitted and arrived at a recommendation on bid award.

Three contractors attended the mandatory pre-bid walk through with all three contractors submitting completed bids. The resulting bid tabulations are attached for your review. The lowest acceptable bid is:

Project Address	Contractor	Amount
260 Griswold Street	E F Potter	\$26,236

The homeowner has pre-qualified to receive funding through a HOME rehab loan (\$18,151 code and \$8,085 lead). The contractor awarded this project is required to obtain a current installation floater on their general liability insurance policy. Pre- and post-rehab assessed values are not available from the City Assessor's office at this time.

cc: Shelly Allard, Purchasing Coordinator
Dennis M. Diffenderfer, Rehab Coordinator
Kim VanEvery, Loan Assistant
Michelle L. Pultz-Orthaus, Records Management Coordinator

Bid Tabulation
for
Housing Rehabilitation
at
260 Griswold

				Concept Construction 1619 Cascade Ct. Jackson, MI 49203	Harrison Builders LLC 916 Homewild Jackson, MI 49201	Global Green Service Group
Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price
1	Concrete Walk	C	300.00	345.00	400.00	520.00
2	Porch Storms	C	1,600.00	1,745.00	1,350.00	1,650.00
3	3 Vinyl Windows South	L	900.00	855.00	825.00	650.00
4	3 Vinyl Windows South - LSWP	L	150.00	300.00	455.00	600.00
5	Siding Corners	C	50.00	60.00	60.00	35.00
6	Tuckpoint Foundation	C	200.00	245.00	150.00	600.00
7	Topsoil	C	300.00	340.00	435.00	300.00
8	4 Cellar Windows	C	800.00	740.00	800.00	600.00
9	4 Cellar Windows - LSWP	L	200.00	200.00	400.00	750.00
10	2 Window Wells	L	200.00	170.00	200.00	380.00
11	6 Vinyl Windows West	L	1,800.00	1,710.00	1,650.00	1,800.00
12	6 Vinyl Windows West - LSWP	L	300.00	600.00	750.00	750.00
13	Soffit Repair	C	75.00	110.00	75.00	100.00
14	Gutterwork	C	800.00	650.00	800.00	1,200.00
15	1 Awning Window	C	300.00	315.00	400.00	200.00
16	2 Vinyl Windows North	L	600.00	570.00	550.00	600.00
17	2 Vinyl Windows North - LSWP	L	100.00	200.00	250.00	750.00
18	Garage Roof	C	1,750.00	1,775.00	2,625.00	1,500.00
19	Paint Garage	C	1,000.00	785.00	1,200.00	550.00
20	Garage Fascia	C	80.00	225.00	150.00	165.00
21	Tree Trimming	C	275.00	345.00	100.00	85.00
22	Overhead Door	C	1,000.00	1,015.00	1,100.00	875.00
23	Garage Service Door	C	500.00	325.00	450.00	300.00
24	Steel Door East	C	550.00	385.00	300.00	500.00
25	Steel Door East - LSWP	L	50.00	100.00	300.00	275.00
26	Storm Door East	C	250.00	240.00	240.00	300.00
27	3 Vinyl Windows East	L	900.00	855.00	825.00	900.00
28	3 Vinyl Windows East - LSWP	L	150.00	300.00	375.00	300.00
29	Tuckpoint Chimney	C	250.00	895.00	300.00	480.00
30	Steel Door Living Room	C	550.00	425.00	300.00	500.00
31	Steel Door Living Room - LSWP	L	50.00	100.00	300.00	200.00
32	Drywall Dining Room	L	300.00	345.00	175.00	270.00
33	Drywall Dining Room - LSWP	L	100.00	100.00	175.00	300.00
34	Bedroom Lockset	C	80.00	85.00	65.00	65.00
35	Passage Set	C	75.00	85.00	65.00	45.00
36	2 Beauty Kits	C	75.00	130.00	80.00	65.00
37	Baseboards	C	125.00	155.00	100.00	125.00
38	2 Passage Sets	C	160.00	185.00	130.00	155.00
39	Handrail Main Stairs	C	75.00	110.00	125.00	125.00
40	Rebuild Main Stairs	C	425.00	655.00	350.00	600.00
41	Barrier Railings	C	350.00	315.00	300.00	350.00
42	Paint Upper Bathroom	C	350.00	225.00	500.00	350.00
43	Underlayment Upper Bathroom	C	100.00	75.00	175.00	150.00
44	Vinyl Upper Bathroom	C	200.00	225.00	295.00	200.00
45	Bath Lockset	C	50.00	45.00	50.00	45.00
46	Bedroom Door	C	250.00	285.00	295.00	110.00
47	2 Locksets Rear Entry	C	150.00	170.00	200.00	160.00
48	Cellar Stairs	L	425	795.00	400.00	300.00
49	Cellar Stairs - LSWP	L	50.00	100.00	200.00	450.00
50	Lead Clearance	L	650.00	785.00	1,200.00	1,200.00
51	Duct Repairs	C	55.00	165.00	60.00	160.00

Bid Tabulation
for
Housing Rehabilitation
at
260 Griswold

				Concept Construction 1619 Cascade Ct. Jackson, MI 49203	Harrison Builders LLC 916 Homewild Jackson, MI 49201	Global Green Service Group
Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price
52	Plumbing to Code	C	1,240.00	1,285.00	1,100.00	1,480.00
53	Electrical to Code	C	2,870.00	2,991.00	3,111.00	1,860.00
	TOTAL		24,185.00	26,236.00	27,266.00	26,980.00
		L	6,925.00	8,085.00	9,030.00	10,475.00
		C	17,260.00	18,151.00	18,236.00	16,505.00



Department of Community Development

Building a Stronger Community

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Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

May 22, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: Award of Rehab Contract at 1102 South Jackson Street

MOTION

Approve the award of the rehabilitation contract for 1102 South Jackson Street to E F Potter.

Rehab Specialists Kurt Fritz requested bids through the Purchasing Department for an owner occupied rehabilitation project at 1102 South Jackson Street. The Community Development Department has analyzed the bids submitted and arrived at a recommendation on bid award.

Six contractors attended the mandatory pre-bid walk through with five contractors submitting completed bids. The resulting bid tabulations are attached for your review. The lowest acceptable bid is:

Project Address	Contractor	Amount
1102 S Jackson St	E F Potter	\$32,865.00

The homeowner has pre-qualified to receive funding through a HOME rehab loan (\$25,150 code, \$7,715 lead, and \$5,150 homeowner funding). The contractor awarded this project is required to obtain a current installation floater on their general liability insurance policy. Pre- and post-rehab assessed values are not available from the City Assessor's office at this time.

cc: Shelly Allard, Purchasing Coordinator
Dennis M. Diffenderfer, Rehab Coordinator
Kim VanEvery, Loan Assistant
Michelle L. Pultz-Orthaus, Records Management Coordinator

Bid Tabulation
for
Housing Rehabilitation
at
1102 S. Jackson

				EF Potter 2600 N. Hendershot Rd. Parma, MI 49269	Concept Construction 1619 Cascade Ct. Jackson, MI 49203	Harrison Builders LLC 916 Homewild Jackson, MI 49201	Turn Key Home Improvement 10655 Knockaderry Dr. Grand Ledge Mi 48837	Alpha & Omega Construction Co. 340 Burt Avenue Jackson, MI 49201
Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
1	Strip & Reroof	C	5,000.00	5,600.00	6,160.00	7,300.00	6,132.00	9,999.00
2	Gutterwork	C	800.00	800.00	725.00	1,200.00	827.00	1,000.00
3	3 Vinyl Windows	L	1,050.00	450.00	855.00	600.00	942.00	675.00
4	3 Vinyl Windows - LSWP	L	150.00	450.00	300.00	600.00	180.00	225.00
5	2 Storm Doors	C	450.00	390.00	460.00	480.00	942.00	488.00
6	Soil Abatement	L	300.00	260.00	355.00	450.00	876.00	395.00
7	Rebuild Chimney	C	700.00	1,200.00	1,045.00	600.00	1,980.00	750.00
8	4 Vinyl Windows	L	1,400.00	600.00	1,140.00	800.00	1,560.00	1,100.00
9	4 Vinyl Windows - LSWP	L	200.00	600.00	500.00	800.00	300.00	275.00
10	Tree Trimming	C	275.00	300.00	425.00	400.00	1,800.00	275.00
11	Cellar Window Closure	C	300.00	50.00	325.00	200.00	180.00	700.00
12	Cellar Window Closure - LSWP	L	50.00	45.00	50.00	200.00	60.00	75.00
13	Topsoil South	C	200.00	195.00	170.00	200.00	1,380.00	188.00
14	Raze Porch	C	2,750.00	300.00	5,425.00	3,750.00	2,880.00	4,975.00
15	Raze Porch - LSWP	L	200.00	400.00	950.00	3,150.00	480.00	500.00
16	Door Closure West	C	350.00	50.00	425.00	300.00	270.00	475.00
17	Door Closure West - LSWP	L	50.00	50.00	100.00	300.00	60.00	75.00
18	Treated Steps	C	450.00	460.00	650.00	450.00	1,272.00	1,200.00
19	Fill Cistern	C	300.00	230.00	485.00	250.00	420.00	575.00
20	2 Vinyl Windows	L	700.00	300.00	570.00	400.00	624.00	498.00
21	2 Vinyl Windows - LSWP	L	100.00	300.00	200.00	400.00	120.00	177.00
22	3 Cellar Windows	L	750.00	450.00	700.00	525.00	720.00	648.00
23	3 Cellar Windows - LSWP	L	150.00	450.00	150.00	525.00	120.00	225.00
24	5 Vinyl Windows	L	1,750.00	750.00	1,425.00	1,000.00	1,560.00	1,125.00
25	5 Vinyl Windows - LSWP	L	350.00	750.00	500.00	1,000.00	300.00	185.00
26	Drywall Foyer	C	450.00	473.00	1,014.00	800.00	1,200.00	1,200.00
27	Drywall Living Room Ceiling	C	300.00	112.00	519.00	300.00	720.00	546.00
28	Drywall Kitchen	C	600.00	473.00	1,258.00	775.00	1,320.00	1,497.00
29	Paint Kitchen	C	350.00	300.00	650.00	530.00	660.00	688.00
30	Base Cabinets	C	950.00	800.00	1,450.00	1,200.00	1,740.00	986.00
31	Countertop	C	350.00	300.00	325.00	475.00	960.00	375.00
32	Wall Cabinets	C	650.00	500.00	465.00	800.00	1,020.00	598.00
33	Kitchen Underlayment	C	200.00	240.00	357.50	250.00	420.00	225.00
34	Kitchen Vinyl	C	400.00	350.00	465.00	500.00	1,020.00	595.00
35	Cellar Door	L	250.00	65.00	285.00	140.00	240.00	200.00
36	Cellar Door - LSWP	L	50.00	100.00	100.00	140.00	60.00	75.00

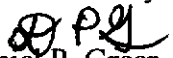
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Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
37	Encapsulate Window Trim	L	75.00	65.00	155.00	50.00	240.00	88.00
38	Handrail Main Stairs	C	150.00	230.00	195.00	150.00	540.00	145.00
39	Bathroom Lockset & Rehang	C	85.00	95.00	145.00	80.00	300.00	120.00
40	Tub End Wall	C	175.00	150.00	365.00	250.00	480.00	250.00
41	Encapsulate Bathroom	L	300.00	200.00	612.00	575.00	540.00	1,200.00
42	Bathroom Underlayment	C	175.00	180.00	165.00	200.00	420.00	225.00
43	Bathroom Vinyl Floor	C	225.00	200.00	300.00	400.00	630.00	575.00
44	Drywall Hall Ceiling	C	250.00	164.00	345.00	400.00	720.00	350.00
45	Replace Closet Door	L	250.00	65.00	285.00	140.00	180.00	200.00
46	Replace Closet Door - LSWP	L	50.00	100.00	100.00	140.00	60.00	75.00
47	2 Smoke Detectors	C	50.00	70.00	85.00	50.00	540.00	68.00
48	Lockset & Rehang	C	85.00	95.00	105.00	80.00	300.00	120.00
49	2 Door Replacements	C	500.00	130.00	570.00	140.00	540.00	450.00
50	2 Door Replacements - LSWP	L	100.00	200.00	200.00	140.00	120.00	149.00
51	Drywall Bedroom Ceiling	C	400.00	112.00	365.00	350.00	720.00	632.00
52	Encapsulate Bedroom Trim	L	175.00	165.00	95.00	200.00	180.00	196.00
53	Replace3 Bedroom Door	C	250.00	165.00	310.00	220.00	180.00	250.00
54	Drywall Bedroom Wall & Ceiling	C	450.00	285.00	360.00	300.00	720.00	1,100.00
55	Drywall Bedroom Wall & Ceiling - LSWP	L	100.00	300.00	110.00	300.00	60.00	175.00
56	Cellar Handrail	C	180.00	300.00	185.00	125.00	210.00	275.00
57	Drywall Cellar Stairway	C	350.00	130.00	365.00	250.00	600.00	288.00
58	Cellar Stair Repair	C	85.00	95.00	110.00	100.00	300.00	115.00
59	Duct Support	C	25.00	35.00	35.00	20.00	120.00	45.00
60	Lead Clearance	L	600.00	600.00	850.00	1,200.00	840.00	1,000.00
61	Plumbing to Code	C	3,845.00	4,800.00	3,290.00	3,975.00	2,400.00	3,300.00
62	Electrical to Code	C	4,500.00	4,791.00	4,791.00	4,891.00	2,760.00	5,750.00
			36,755.00	32,865.00	45,471.50	46,516.00	50,045.00	50,929.00
		L	9,150.00	7,715.00	10,587.00	13,775.00	10,422.00	9,536.00
		C	27,605.00	25,150.00	34,884.50	32,741.00	39,623.00	41,393.00



City Council

161 W. Michigan Ave. • Jackson, MI 49201
(517) 788-4028 • Facsimile (517) 768-5820

MEMO TO: Honorable Mayor and City Councilmembers
FROM:  Daniel P. Greer, 3rd Ward City Councilmember
DATE: June 5, 2012
SUBJECT: MML Annual Conference, Mackinac Island, MI
October 3-5, 2012

I hereby request that your approval of travel to the MML Annual Conference. The estimated expenses are as follows, and will cover any other expenses on my own:

Registration	\$324.00
Mileage (one-way) 261 miles @ \$.555 per mile	<u>144.86</u>
TOTAL REQUESTED	\$468.86

Your consideration of this request is appreciated.

DPG:skh

Julius A. Giglio

City Attorney

Bethany M. Smith

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

CITY COUNCIL MEETING

June 12, 2012

NEW BUSINESS

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney 

RE: Michigan Municipal League Liability and Property Pool (MML Pool)
Renewal of Insurance Liability Coverage

DATE: June 5, 2012

REQUESTED ACTION: The requisite action is to approve the renewal of insurance coverage with the MML Pool and authorize the Finance Director to pay the Invoice.

Attached please find the proposal from the Michigan Municipal League Liability and Property Pool (MML Pool) for insurance coverage for the City of Jackson for Fiscal Year 2012-13. Also attached is an invoice for the annual premium in the amount of \$399,920. Please note the premium is \$14,300.00 less than last year. Additionally, last year we received a \$70,000 dividend refund over last year's premium. I am informed by our Account Executive, James Newman, that we should expect a similar refund this year. Mr. Newman anticipates the dividend refund will be between \$65,000 and \$70,000.

As Council is aware, we have been with the MML Pool for a number of years. We have been very pleased with both the service and coverage provided by the Pool. It is my recommendation that we renew our insurance coverage with the MML Pool.

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

JAG/dn

Enc.

cc w/enc.: Larry Shaffer, City Manager



michigan municipal league

Liability & Property Pool

Proposal

for

the

City of Jackson

Presented By:

Jim Newman

Municipal Account Executive

Meadowbrook® Insurance Group, Service Provider

(517) 243-5865

June 4, 2012

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This proposal is intended to be only a summary of coverages and services. For specific details on coverage terms and conditions, please refer to the Michigan Municipal League Liability and Property Pool coverage document.

Executive Overview

The Michigan Municipal League Liability and Property Pool is administered by the Risk Management staff of the Michigan Municipal League, and serviced by Meadowbrook Insurance Group. Since 1982, the Pool has been a stable source of comprehensive municipal insurance and risk management services. It is financially secure and positioned for long-term stability.

The League administrative staff and the dedicated Pool staff at Meadowbrook Insurance Group are municipal insurance experts. Municipal risk management is our only business, and we're proud of it!

The Pool provides insurance coverage designed specifically for Michigan municipal exposures, combined with a package of loss control programs, claims administration, legal defense and membership services that you won't find anywhere else in Michigan.

This quotation is based on the limits of coverage requested by the **City of Jackson**. Higher limits may be available, subject to underwriting review by Pool Management. Please submit requests for higher limits in writing to your Account Executive. Your request will be considered by Pool Management.

The insurance and related services described more fully in this proposal are being offered to the City of Jackson for an annual premium of \$399,920. Which, when compared to last year's renewal premium of \$414,220, represents a decrease of \$14,300.

We encourage you to compare the Pool with our competition. Compare us based on price, coverage, service, financial security, experience and commitment to municipal risk management. When you do, the advantages of Pool membership become clear.

Thank you for being a Pool member. We look forward to servicing your risk management program for many years to come.

Our Mission

To be a long-term, stable, cost-effective risk management alternative for members of the Michigan Municipal League Liability and Property Pool.

Introduction

What You Can Expect Of Us

- ✓ A commitment to learn, understand and respond to your insurance needs;
- ✓ Continuous planning and innovation in product development and service delivery;
- ✓ Products that meet your needs in terms of price, coverage and service;
- ✓ Prompt, accurate, and courteous response to your questions, problems and claims; and
- ✓ Knowledgeable and professional staff serving your needs consistently and with integrity.

Your Pool Insures More Than . . .

- | | |
|--------------------------------|------------------------------------|
| ✓ 400 Public Entity Members | ✓ 197 Law Enforcement Agencies |
| ✓ 17,685 Employees | ✓ 22 Electric Utilities |
| ✓ 2,550 Elected Officials | ✓ 26 Municipal Marinas |
| ✓ 110 Fire Departments | ✓ 4,340 Miles of Streets/Roads |
| ✓ 7,200 Vehicles | ✓ \$3.1 Billion of Property Values |
| ✓ 200 Water Service Operations | ✓ 175 Sewer Operations |

These local communities are current Pool members:

City of Albion

Village of Brooklyn

Albion District Library



Coverage and Cost Summary

City of Jackson

Effective 07-01-2012 to 07-01-2013

Coverages	Limit of Liability	Aggregate Limit	Per Occurrence Deductible
Municipal General Liability (Coverage A)	\$5,000,000	N/A	\$2,500
Sewer Back-Up Sublimit	\$100,000	\$100,000	\$0
Personal Injury Liability (Coverage B)	\$5,000,000	N/A	\$2,500
Medical Payments (Coverage C)	\$10,000	N/A	N/A
Public Officials Liability (Coverage D)	\$5,000,000	N/A	\$2,500
Law Enforcement Liability (Coverages A, B, and D)	\$5,000,000	N/A	\$2,500
Employee Benefit Liability	\$1,000,000	\$1,000,000	\$2,500
Fire Legal Liability	\$100,000	N/A	N/A
Dam Liability	No Coverage	N/A	N/A
Marina Operator Liability	No Coverage	N/A	N/A
Additional Interest	\$5,000,000	N/A	\$5,000
Automobile Liability (Coverages A and B)	\$5,000,000	N/A	\$0
# Vehicles	Comp	Coll	
15	NO COV	NO COV	
177	\$1,000	\$1,000	
Agreed Amount, if applicable 7 Vehicles for a total of \$1,694,000			

Coverages A, B, and D are provided with a combined single limit of liability. The most the Pool will pay for any one occurrence is \$5,000,000 regardless of the number of coverages involved in the occurrence.

Property

Property - Blanket Basis	\$160,356,914	N/A	\$2,500
Boiler and Machinery	Included	N/A	\$2,500
Building(s)	Included	N/A	\$2,500
Cemetery Property - up to \$500 per headstone	# Plots: 42,000	N/A	\$500
Contents	Included	N/A	\$2,500
Property in the Open	Included	N/A	\$2,500
Protection & Preservation	Included	N/A	N/A
Property - Limited Replacement Cost, if applicable	\$6,287,280	N/A	\$2,500
Accounts Receivable	\$100,000	N/A	\$1,000
Cameras	\$28,270	N/A	\$1,000
Consequential Damage	\$100,000	N/A	N/A
Contractors Equipment	\$4,373,883	N/A	\$1,000
Debris Removal - the lesser of 25% of physical damage loss or	\$5,000,000	\$5,000,000	N/A
Demolition & Increased Costs of Construction Limit	\$100,000	N/A	N/A



Coverage and Cost Summary

City of Jackson

Effective 07-01-2012 to 07-01-2013

Coverages	Limit of Liability	Aggregate Limit	Per Occurrence Deductible
Earthquake	\$2,000,000	\$2,000,000	\$5,000
Electronic Data Processing Equip	\$2,267,523	N/A	\$1,000
Expediting Expense	\$100,000	N/A	N/A
Extra Expense	\$100,000	N/A	N/A
Fine Arts	\$2,000,000	N/A	\$1,000
Flood (Except for Members located in Flood Zone A, AO, AH, A1-A999, AE, or AR)	\$1,000,000	\$1,000,000	\$5,000
Golf Equipment	\$204,000	N/A	\$1,000
Loss of Income	\$100,000	N/A	N/A
Loss of Rents	\$100,000	N/A	N/A
Miscellaneous Equipment	\$57,622	N/A	\$1,000
Ornamental Trees, Shrubs, Plants or Lawn	\$5,000	\$10,000	\$1,000
Personal Effects & Property of Others	\$500	\$2,500	\$1,000
Police Equipment	\$266,102	N/A	\$1,000
Radio Equipment	\$830,585	N/A	\$1,000
Valuable Papers	\$100,000	N/A	\$1,000
Voting Equipment	\$349,669	N/A	\$1,000
Water Department Equipment	\$7,658	N/A	\$1,000
<u>Comprehensive Crime Coverage</u>			
Employee Dishonesty Blanket/Faithful Performance	\$100,000	N/A	N/A
Depositors Forgery	\$100,000	N/A	N/A
Money and Securities Inside	\$100,000	N/A	N/A
Money and Securities Outside	\$100,000	N/A	N/A
Money Orders and Counterfeit Paper	\$100,000	N/A	N/A
<u>Bonds</u>			
Bond #: A Treasurer	\$100,000	N/A	N/A
Bond #: B Clerk	\$100,000	N/A	N/A
Bond #: C Purchasing Director	\$100,000	N/A	N/A
Bond #: D DDA Director	\$100,000	N/A	N/A

Only one deductible applies to claims involving two or more property coverages.



Coverage and Cost Summary

City of Jackson

Effective 07-01-2012 to 07-01-2013

Coverages	Limit of Liability	Aggregate Limit	Per Occurrence Deductible
-----------	--------------------	-----------------	---------------------------

The Michigan Municipal League Liability and Property Pool is pleased to offer all coverages and services described in this proposal for an annual premium of \$399,920.

Benefits of Pooling with the MML

- ✓ Proven long-term availability and stability
- ✓ Broad coverage document written specifically for Michigan municipalities
- ✓ Services tailored to unique needs of Michigan municipalities
- ✓ Member assets controlled by an elected Board of municipal officials
- ✓ Equitable rating based on Pool experience in Michigan
- ✓ Aggressive defense strategy – positive impact on case law
- ✓ Professional, dedicated, and experienced local management, oversight and service
- ✓ Decisions made and problems resolved by a group of your peers
- ✓ Investment income and underwriting surplus used to benefit members
- ✓ Lower expenses through tax-exempt and non-profit status
- ✓ Special loss avoidance training sessions including:
 - ✓ Safety aspects of emergency vehicle operations
 - ✓ Accident investigation for supervisors
 - ✓ Confined spaces training

The advantages of pooling can be summarized by:

Service + Control + Value

City of Jackson Has . . .

- ✓ \$15,985,803. Annual Payroll
- ✓ \$160,356,914. of total values for real and personal property
- ✓ 47 Law enforcement officers
- ✓ 195 Vehicles
- ✓ 7 Fire Vehicles with agreed values for a total of \$1,694,000.

Increased Liability Limits

We cannot guarantee the adequacy of any limit of liability. Due to the following factors, it may be prudent to consider higher limits:

- ✓ Increased jury awards in your jurisdiction
- ✓ Increased litigation trends
- ✓ Protection of tax base against judgments in excess of your policy limits

If you are interested in increasing your liability limits, please contact your Account Executive, Jim Newman.

Highlights of Coverages Provided

Who Is Insured?

The Pool member entity, elected and appointed officials, employees and authorized volunteers, and any person officially appointed to a Board or Commission

General Liability

In addition to standard liability coverages (bodily injury, property damage, products and completed operations) the Pool provides coverages that municipalities need on an **occurrence basis with no aggregate liability limits**:

- ✓ Liability resulting from mutual aid agreements
- ✓ Premises medical payments
- ✓ Host liquor liability
- ✓ Fire legal liability for real property
- ✓ Watercraft liability, owned less than 26' and non-owned less than 50'
- ✓ Ambulance and EMT malpractice
- ✓ Special events **excluding** -
 - Fireworks
 - Liquor Liability
 - Mechanical Amusement Rides
- ✓ Athletic participation liability
- ✓ Employee benefit liability
- ✓ Cemetery operations coverage
- ✓ Pollution coverage for Hazardous Response Teams
- ✓ Marina Operators coverage available
- ✓ Up to \$10 million in liability limits available

General Liability Exclusions . . .

The following is a partial list of general liability coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Pollution (except for Hazmat operations).
- ✓ Nuclear energy / nuclear material hazards
- ✓ Aircraft Liability
- ✓ Breach of contract
- ✓ Failure of dams
- ✓ Backup of Sewers and Drains (exception -- \$100,000 Annual Aggregate Sublimit for Sewer and Drain Liability)
- ✓ Criminal activity / Intentional acts with knowledge of wrongdoing
- ✓ Medical malpractice for doctors and physicians
- ✓ Contractual Liability
- ✓ Failure to supply utilities
- ✓ Expected or intended injury
- ✓ Electromagnetic radiation

Public Officials Liability Coverage

"Wrongful Acts", including intentional acts, defined as any actual or alleged error, misstatement, act of omission, neglect or breach of duty including:

- ✓ Neglect of duty
- ✓ Zoning defense and land use litigation
- ✓ Malfeasance
- ✓ Violation of civil rights
- ✓ Discrimination
- ✓ Employment practices
- ✓ Misfeasance
- ✓ Cable TV broadcasting

Public Officials Liability Exclusions

The following is a partial list of public officials' liability coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Pollution and Nuclear Energy
- ✓ Fraud, dishonesty, intentional and criminal acts
- ✓ Failure to purchase coverage or adequate coverage
- ✓ Return of governmental grants or subsidies
- ✓ Intentional acts with knowledge of wrongdoing
- ✓ Eminent domain / takings
- ✓ Illegal profit
- ✓ Labor union actions
- ✓ ERISA violations
- ✓ Backup of Sewers and Drains

Personal Injury & Advertising / Broadcasters Liability Coverage

- ✓ Mental anguish and stress
- ✓ Libel, slander or defamation of character; violation of an individual's right of privacy
- ✓ Proactive services for non-monetary damage claims

Police Professional Liability Coverage

Police Professional Liability coverage is contained within the General Liability and Public Official Liability Coverage Parts

- ✓ Discrimination
- ✓ Violation of civil rights
- ✓ Jail operations
- ✓ False arrest, detention or imprisonment, or malicious prosecution
- ✓ Wrongful entry or eviction or other invasion of the right of private occupancy
- ✓ Assault or battery
- ✓ Improper service of suit
- ✓ Coverage assumes officers act with intent

Property Coverage

In addition to covering buildings, contents and personal property, the Pool provides:

- ✓ Blanket coverage – All member-owned property insured (unless specifically excluded)
- ✓ Coverage based on ownership rather than on a “schedule on file” avoids coverage gaps due to errors or oversight
- ✓ Property of others in custody of the Member for which the Member has an obligation to provide coverage
- ✓ Boiler & Machinery coverage, including Boiler certification inspections
- ✓ Replacement Cost or Actual Cash Value available
- ✓ Fungal Pathogens (Mold) Limited Coverage
- ✓ Demolition/increased cost of construction
- ✓ No coinsurance
- ✓ Valuable papers
- ✓ Loss of Rents
- ✓ Property in the open
- ✓ Extra expense
- ✓ Expediting expense

Property Exclusions

The following is a partial list of property coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Nuclear reaction/ contamination
- ✓ War
- ✓ Cyber Risk
- ✓ Fungal Pathogens (Mold) excess of sub-limit
- ✓ Failure to supply utilities
- ✓ Transmission Lines and Poles
- ✓ Dishonest acts
- ✓ Acts of Terrorism
- ✓ Wear and tear
- ✓ Computer failures/ viruses

Only one deductible applies to claims involving two or more property coverages.

Comprehensive Crime Coverage

- ✓ Employee Dishonesty/ Faithful Performance of Duty coverage provided on a blanket basis
- ✓ Loss Inside the Premises
- ✓ Loss Outside the Premises
- ✓ Money Orders/ Counterfeit Currency
- ✓ Depositors Forgery
- ✓ Up to \$500,000 limits available
- ✓ Peak Season, Obligee, Official Bond and Oath, Position Fidelity Bond endorsements available

Automobile Coverage Highlights

What Is Covered?

Coverage is afforded while operating land motor vehicles, trailers or semi-trailers designed for travel on public roads.

Auto Coverages Provided

- ✓ Michigan No-Fault Coverage, includes mini-tort coverage for no extra charge
- ✓ Excess protection for use of personal automobile for municipal business
- ✓ Uninsured motorist for municipally owned vehicles
- ✓ Underinsured motorists
- ✓ Non-owned and hired auto
- ✓ Comprehensive - actual cash value basis
- ✓ Collision - actual cash value basis
- ✓ Volunteer firefighter auto accident liability coverage
- ✓ Agreed value coverage for emergency vehicles is available

Pool Risk Management Services

- ✓ Review and service of all municipal insurance matters
- ✓ Public entity experts address various liability issues
- ✓ Aggressive, member-oriented defense strategy
- ✓ Former police officials address law enforcement risks
- ✓ Physical inspection by municipal loss control engineers
- ✓ Training video library available to members
- ✓ Law enforcement risk control programs (LEAF and LERC)
- ✓ Property appraisal services available

Member Education

- ✓ Land use litigation awareness programs
- ✓ Sidewalk liability reduction programs
- ✓ Sexual harassment awareness training
- ✓ Hiring and employment practices
- ✓ Confined spaces entry training
- ✓ Barricading safety training
- ✓ Blood borne pathogens
- ✓ Liability issues for fire and EMS
- ✓ Occupational health concerns
- ✓ Back injury prevention

Online Services

www.mml.org (click on the *Insurance* button) – offers Pool members an outstanding resource for municipal risk management information and self-help tools in one attractive, simple-to-navigate location. File a claim on line. Download your renewal application. Request a loss control service visit. E-mail us a question. Other services available online include:

- ✓ Publications, including Risk Management Newsletter
- ✓ Loss Control Tools, including: Tip Sheets (PERC\$) & Law Enforcement Newsletter
- ✓ MML Pool Financial Statements
- ✓ Board of Director action items
- ✓ General Policies
- ✓ Coverage Document
- ✓ Frequently Asked Questions
- ✓ Staff and Director Profiles

In order to access the *Members Only* section of the Pool website, you need a Password and User ID, which you can get by calling Jennifer Orr (MML staff) at (734) 669-6341

Membership Responsibilities

Membership in the Michigan Municipal League Liability and Property Pool provides numerous benefits. Likewise, individual members have certain responsibilities to the other members, which are detailed in the Intergovernmental Contract. The following is a summary of the membership responsibilities. Please refer to the Intergovernmental Contract, Articles 5 and 6, for more information.

- ✓ If a Member intends to leave the Pool, the Member must send a written notice to the Pool at least 60 days prior to its next renewal date.
- ✓ A Member must pay its premium when due. The Pool must give each member 20 days written notice of intent to terminate membership for nonpayment of premium. Payment of premium before the 20 days notice is effective will entitle the Member to reinstatement.
- ✓ Members must maintain membership or associate membership status in the Michigan Municipal League.
- ✓ A Member will allow attorneys employed by the Pool to represent the Member in defense of any claim made against the Member within the scope of coverage provided by the Pool. A Member will cooperate with the assigned attorneys, claims adjusters, service company or other agents of the Pool relating to the defense of claims for which the Pool is providing coverage.
- ✓ A Member will follow loss reduction and prevention measures established by the Pool.
- ✓ A Member will report to the Pool as promptly as possible all incidents that the Member reasonably believes may result in a claim against the Member.

Your Peers are Members

"...You set high standards of ethics and integrity. Our office has a substantial amount of comfort in knowing all our insurance affairs are handled by you. The amount of support material you provided is unmatched by any company we have dealt with. We feel that your company makes enormous efforts to make our jobs easier, which cut down on numerous man-hours. We are also very pleased to receive the competitive rates that are provided by the MML Liability & Property Pool. We look forward to working with you."

Anthony McKerchie
Vienna Township
Supervisor
February 20, 2008

Mike Zinn
Clio Area Library Board
President

Stacy Hardy
Insurance Coordinator/
Bookkeeper

"I enjoy the relationship I have with you and the individuals that serve us and appreciate the education in risk management that you all continue to offer. I am a better manager with the MML Liability & Property Pool as part of my team..."

Denise M. Parisian, Village Manager
Village of Dimondale
February 15, 2007

"...We have been a member of both programs (the Liability & Property Pool and the Workers' Compensation Fund) for a number of years and have always enjoyed excellent services and coverage.

Because of the poor economic conditions, we felt that it was necessary to at least look at alternative insurance products. After careful review, I found that the Pool and Fund products were superior, many times exceeding coverage provided by other traditional carriers. It would be easy to decide to be insured with a lower cost alternative. However, in the end, the cost of claims handling and uninsured coverage would far exceed any short-term savings.

...we have always received very quality services."

Kevin M. Welch, City Manager
City of Tecumseh
February 5, 2008

"On behalf of the City of Ionia, I would like to thank you and the Pool for continuing to provide the City, and all Pool members, with quality insurance and risk management services. The City continues to be a proud member and subscriber of the Pool's services and programs.

During the course of my municipal career I have had the opportunity to be exposed to a full range of the services that the Pool offers. I have also been involved in major losses and found that the Pool was prompt and fair in responding to the community's needs.

... Again, thank you for the quality services that you and the Pool provide."

Jason Eppler, City Manager
City of Ionia
February 12, 2007



michigan municipal league

MICHIGAN MUNICIPAL LEAGUE LIABILITY AND PROPERTY POOL

P.O. Box 972067, Ypsilanti, Michigan 48197-0835
(248) 358-1100, (800) 482-2726
Fax (248) 358-0534

INVOICE

City of Jackson
161 W. Michigan Ave.,
Jackson, MI 49201

Customer #: 290400
Policy Term: 07/01/2012 - 07/01/2013
Invoice Date: 05/22/2012
Invoice #: 6438201

Payment Enclosed: \$ _____

PLEASE MAKE CHECKS PAYABLE TO MICHIGAN MUNICIPAL LEAGUE LIABILITY AND PROPERTY POOL

FOR PROPER CREDIT PLEASE DETACH THIS STUB AND RETURN WITH YOUR PAYMENT FOR THE TOTAL AMOUNT DUE

MICHIGAN MUNICIPAL LEAGUE LIABILITY AND PROPERTY POOL

P.O. Box 972067, Ypsilanti, Michigan 48197-0835
(248) 358-1100, (800) 482-2726, Fax (248) 358-0534

TRANSACTION EFFECTIVE DATE	POLICY NUMBER	DESCRIPTION	AMOUNT
07/01/2012	MML001244927	Pool Renewal Premium	\$399,920
<div style="border: 1px dashed gray; padding: 10px; width: fit-content; margin: 0 auto;"> <p>Due Date is 30 days from the effective or invoice date, whichever is later.</p> </div>			
Total Amount Due			\$399,920

PREMIUM DUE ON EFFECTIVE DATE SHOWN ABOVE.
NO RECEIPT WILL BE SENT UNLESS REQUESTED.
There will be a 3% late charge on any invoices 30 days past due.

CITY COUNCIL MEETING
Tuesday, June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Kelli Hoover, Director of Parks and Recreation Department

SUBJECT: CEMETERY FEE INCREASE

REQUEST APPROVAL OF FEE INCREASES FOR CITY CEMETERIES

At their meeting of Tuesday, June 5th the Finance Committee voted to support the fee increases for both Mt. Evergreen and Woodland Cemeteries and recommend the City Council approve these increases.

Attached is a breakdown of the requested new fees.

RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED, that effective July 1, 2012, the following rate schedule will prevail for services rendered by the City in the operation of Mount Evergreen and Woodland Cemeteries in the City of Jackson, Michigan.

FULL INTERMENTS

Adult Full Interment	\$1,250
Infant Full Interment	\$ 900
Child Full Interment	\$1,000
Mausoleum	\$1,250

CREMATION INTERMENTS

Adult Cremation Interment	\$ 600
Double Cremation Interment	\$ 900
Infant Cremation Interment	\$ 350

COLUMBARIUM

Columbarium Inurnment of 1 ashes	\$1,400
Columbarium Inurnment of 2 ashes	\$1,750

LOTS

12' Lots	\$1,200
10' and under Lot	\$1,000
Child Grave	\$ 800
Infant Grave	\$ 500

FOUNDATION

Single 24 x 12 Foundation	\$ 300
Double 36 x 12 Foundation	\$ 400
Monument	\$ 50
Transfers	\$ 50
Perpetual Care Conversion per square foot	\$ 7

EXTRAS

Saturday Overtime	\$ 400
Sunday/Holiday	\$ 600
After 3:00 p.m. Weekday	\$60/hour
Unscheduled Drop Off	\$ 400
Winter Surcharge-Casket	\$ 200
Winter Surcharge-Ashes	\$ 100
Second Right Burial	\$ 500
Chapel Use	\$200/hour
Transfer Lot Ownership	\$ 300

DISINTERMENT/REINTERMENT

Adult Disinterment/Reinterment	\$1,500
Adult Disinterment	\$1,000
Child Disinterment/Reinterment	\$ 800
Child Disinterment	\$ 700
Infant Disinterment/Reinterment	\$ 700
Infant Disinterment	\$ 600
Cremation Disinterment/Reinterment	\$ 700
Cremation Disinterment	\$ 600

Special maintenance and services of any type, charge time and materials as determined by the Cemetery Superintendent.

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

* * * * *

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 12th day of June, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan on this 12th day of June, 2012.

_____ Martin J. Griffin, Mayor _____ Lynn Fessel, City Clerk

City of Jackson
Woodland and Mount Evergreen Cemeteries

Cemetery Office: 2615 Frances Street
Jackson, MI 49203
(517) 788-4040



Office Hours: Monday, Tuesday, Thursday and Friday
10:00 am-3:00 pm
Open Memorial and Labor Day Weekends

Cemetery Fees

Full Interments (casket burials, vault required)

	New Fee	Old Fee	St. Johns
Adult Full Interment: Opening & Closing, Vault Placement & Sealing w/ Chapel Service	\$1,250	(\$750)	(\$1,375)
Infant Full Interment: (up to 2') Vault Placement & Sealing with Chapel Service	\$ 900	(\$325)	(\$995)
Child Full Interment: (up to 4') Vault Placement & Sealing with Chapel Service	\$1,000	(\$450)	(\$ 0)
Mausoleum: with Chapel Service (not including overtime or materials)	\$1,250	(\$950)	(\$1,375)

The Interment charge involves the scheduling and preparation of the interment site for use. It also includes such items as opening and closing the burial site, Monday-Friday, the sodding and restoring of the grave and adjacent lots, staff supervision, a Chapel Service Monday-Friday from 8:00-4:00 pm, establishment and maintenance of permanent burial records and the use of necessary equipment and accessories.

Cremation Interments (burial of cremated remains, no vault required)

Adult Cremation Interment: with graveside service only	\$ 600	(\$425)	(\$690)
Double Cremation Interment: buried in the same grave, at same time w graveside service	\$ 900	(\$425)	(\$960)
Infant Cremation Interment: with graveside service or chapel	\$ 350	(\$425)	(\$400)

Columbarium

Columbarium Inurnment: with inurnment of 1 ashes, 1 single name plaque	\$1,400	(\$1,400)	(\$1,500)
Columbarium Inurnment: with inurnment of 2 ashes, 1 single name plaque	\$1,750	(\$750)	(\$1,875)

Cremation burials with a Graveside service or chapel service can be held Monday-Friday from 8:00am-4:00 pm.

Lots

12' lots:	\$1,200	(\$750)	
10' and under lot:	\$1,000	(\$700)	
Child Grave:	\$ 800	(\$350)	
Infant Grave:	\$ 500	(\$350)	
			(from \$960-\$1400)

Foundations

Single 24 x 12 foundation:	\$ 300	(\$125)	
Double 36 x 12 foundation:	\$ 400	(\$200)	
Monument: per cubic foot, 42" depth	\$ 50	(\$30)	
Transfers:	\$ 50	(\$30)	
Perpetual Care Conversion: per square foot	\$ 7	(\$4.75)	
			(from \$155-490)

Extras:

Saturday Overtime:	\$ 400	(\$400)	
Sunday/Holiday:	\$ 600	(\$600)	
After 3:00 pm Weekday	\$ 60/hour	(\$60)	
Unscheduled drop off:	\$ 400	(\$375)	
Winter Surcharge (December 15-April 1)-Casket	\$ 200	(\$125)	(\$250)
Winter Surcharge (December 15-April 1)-Ashes	\$ 100	(\$60)	(\$150)
2 nd Right of Burial (use of filled grave, burial costs extra)	\$ 500	(\$350)	(\$520)
Chapel use if not included in package	\$200/hour	(0)	(\$275)
Transfer lot ownership:	\$300	(\$30)	(\$400)

Disinterment/Reinterment

Adult Disinterment/Reinterment (same grave)	\$1,500	(\$750)	(\$1,600)
Adult Disinterment	\$1,000	(\$750)	(\$1,250)
Child Disinterment/Reinterment (same grave)	\$800	(\$600)	(\$0)
Child Disinterment	\$700	(\$450)	(\$0)
Infant Disinterment/Reinterment (same grave)	\$700	(\$450)	(\$1,030)
Infant Disinterment	\$600	(\$325)	(\$760)
Cremation Disinterment/Reinterment (same grave/volt)	\$700	(\$0)	(\$818)
Cremation Disinterment	\$600	(\$0)	(\$650)

*DHS Burials must pay full amount of grave and interment prior to service.

*Conversion to perpetual must be paid prior to any improvements/burials/makers



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager
Jon H. Dowling, P.E., City Engineer

SUBJECT: Allegiance Health Neighborhood Traffic Calming

MOTION: AUTHORIZE TRAFFIC CALMING IN THE VICINITY OF THE ALLEGIANCE HEALTH CAMPUS USING BASKET WEAVE STOP SIGN PATTERN.

The area around Allegiance Health has seen many changes for over 25 years with the expansion of the hospital buildings and street vacations. With the construction project on Homewild and Forest Avenues this year, the Department of Engineering looked at separating this neighborhood from the hospital area. At the City Council meeting on May 22, 2012, Councilmember Frounfelker asked about the traffic problems to the west of the hospital. Therefore, the Department is reviewing the overall area in this report.

Background

East Michigan Avenue is platted with a 99' right of way west of Page Avenue and 66' right of way east of Edgewood Street. This allowed for a 5 lane roadway west of Pave Avenue and a 4 lane roadway east of Edgewood Street. With no center left turn lane on E. Michigan Avenue at Elm Avenue, MDOT has prohibited left turns onto Elm Avenue. Because of this, traffic from E. Michigan Avenue that want to go into the northeast part of the city would use other major streets and local streets. East Avenue was a major street with traffic signals at E. Michigan Avenue and Ganson Street until it was closed in 1992 with hospital expansion. Traffic counts on East Avenue between Burr Street and Ganson Street went from 3,452 vehicles per day (VPD) in 1980 to 875 VPD in 1998. Traffic counts on Waterloo Street between E. Michigan Avenue and Pearl Street went from 1,106 VPD in 1980 to 1,750 VPD in 1986, to 4,136 in 1992. Ellery Street from E. Michigan Avenue to Homewild Avenue was closed in 2005 with hospital expansion. In 1999 the traffic count on Ellery Avenue between E. Michigan Avenue and Forest Avenue was 2,590 VPD. Traffic counts on Waterloo Street increased in 2005 to 6,197 VPD. Cooper Street was made two-way traffic in 2004.

The Department was concerned that the closure of Ellery Street in 2005 would impact Edgewood Street and Gilbert Street on either side of Loomis Park. Traffic counts taken before and after closure are shown on the table below:

	Edgewood	Gilbert
2004	976 VPD	578 VPD
2007	811 VPD	527 VPD
2009	915 VPD	604 VPD
2011	773 VPD	521 VPD

The data shows that the closing of Ellery Street did not have an impact on volumes on Edgewood and Gilbert Streets.

Traffic volume and speeds on Homewild Avenue are also a concern in the area. For east-west movement around the hospital, E. Michigan Avenue, Ganson Street and Homewild Avenue are the only roadways that connect between Cooper Street and Elm Avenue. E. Michigan Avenue has a traffic volume over 18,500 VPD, Ganson Street has a traffic volume between 10,000 VPD at the west end and 8,000 VPD at the east end, and Homewild Avenue has a traffic volume of about 800 VPD at Cooper Street and Elm Avenue with a volume of about 550 VPD between Ellery and Edgewood Streets. Prior to 1986, Homewild Avenue through Loomis Park was a 17' wide oil-agg roadway. In 1986 the roadway was reconstructed to a 32' wide asphalt street with curb and gutter.

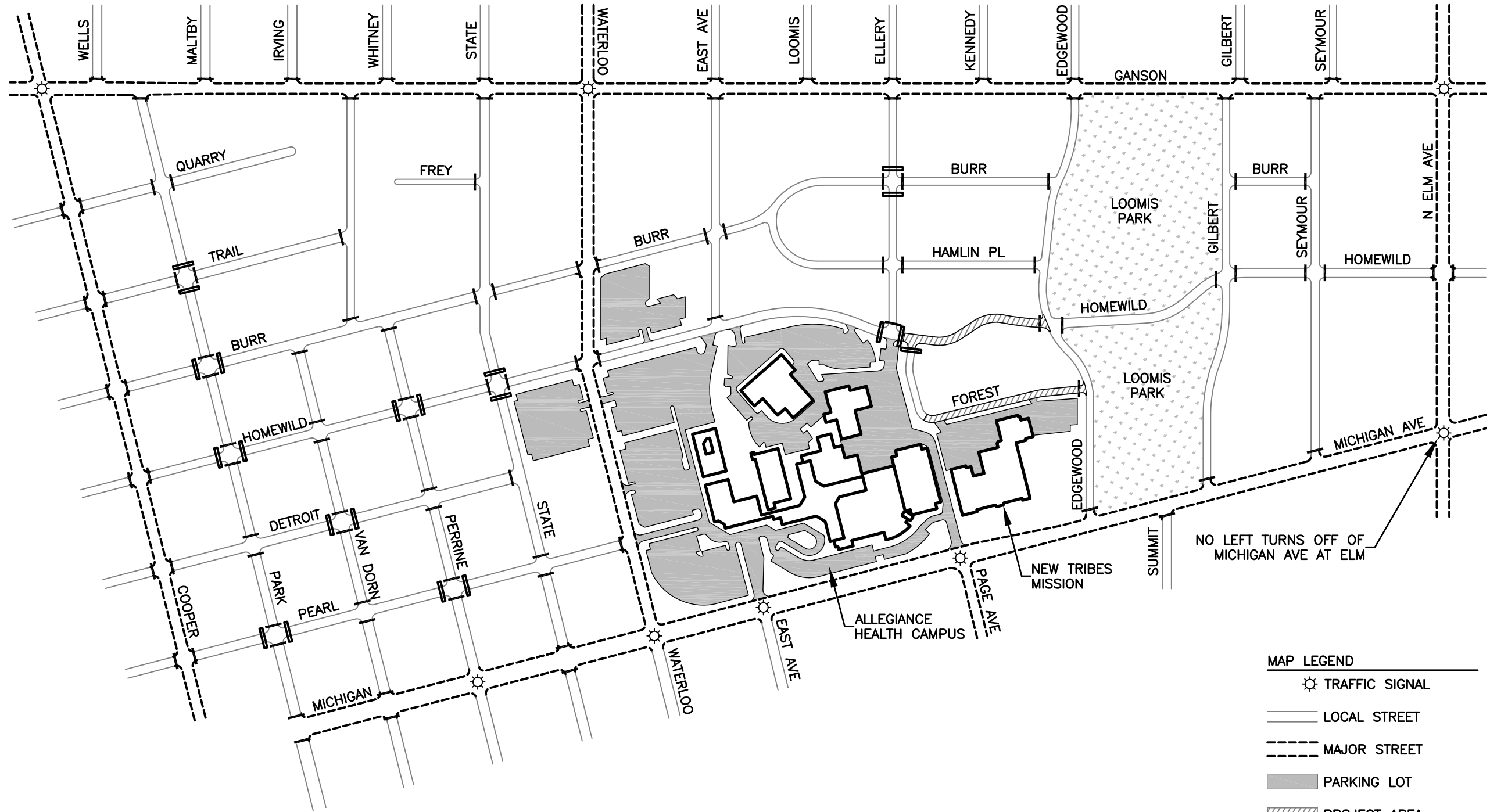
West of the hospital the east-west streets are primarily free flow between Cooper and State Streets with the north-south streets stopping each block. A method of traffic calming is the basket weave of stop signs so that in a grid street pattern no local street can go more than two blocks without stopping. This is shown on the attached map. With the installation of proposed stop signs at an intersection the existing will be removed so there are no four-way stop intersections. Based on the traffic volumes on Homewild Avenue the Department believes it is best to leave the street grid connected and use traffic calming measure to control speed.

Recommendation

The Department recommends that the proposed traffic calming measures with the use of stop signs in a basket weave pattern be authorized by City Council. Upon authorization by City Council the Department will bring Traffic Control Orders to Council to authorize the changes at the next Council meeting.

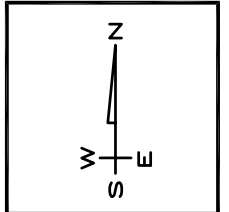
JHD/sms

LOCAL STREET STOP SIGN CONFIGURATION
IN THE VICINITY OF THE ALLEGIANCE HEALTH CAMPUS



- MAP LEGEND**
- ☼ TRAFFIC SIGNAL
 - LOCAL STREET
 - - - - MAJOR STREET
 - PARKING LOT
 - ▨ PROJECT AREA
 - EXISTING STOP SIGN
 - ⊥ RELOCATED STOP SIGN (NO FOUR WAY STOPS)

SCALE:	1" = 400'
DATE:	06/05/12
DRAWN BY:	TRW
CITY OF JACKSON DEPARTMENT OF ENGINEERING	





Department of Public Works-Utility Division

2995 Lansing Avenue - Jackson, MI 49202
Telephone: (517) 788-4075 — Facsimile: (517) 788-4641

CITY COUNCIL MEETING
June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Patrick Burtch, Deputy City Manager *PBTB*
SUBJECT: Recommendation for Rebuild of One Wastewater Treatment Plant Pump by Northern Well and Pump of Lansing, Michigan

MOTION: AUTHORIZE THE REPAIR AND REBUILD OF ONE (1) 14-INCH FAIRBANKS MORSE VERTICAL TURBINE PUMP BY NORTHERN PUMP AND WELL FOR THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$27,555.00.

The wastewater treatment plant has one (1) Fairbanks Morse 14-inch two-stage vertical turbine pump that is used to divert high flows from the treatment process to the retention basin on the wastewater treatment plant site. This specific pump has been worked on several times in the last few years, and it has failed to remain in working condition. Northern Pump and Well, Lansing, Michigan was asked to remove the pump and take it to their shop for tear down and inspection. Upon inspection, it has been determined that the pump is in need of serious repair and rebuilding. Northern Pump and Well was selected because of their recent low bid costs on well pump parts.

The cost for Northern Well and Pump to rebuild the pump has been quoted at \$27,555.00. The rebuild will include new column piping, bearings, stainless steel shafts, new pump bowls, reassembly and installation.

We have a quote for a brand new pump from Kerr Pump and Supply at a cost of \$49,995.00 that does not include installation.

It is the recommendation of the Utilities Division to award the repair and rebuild of this pump to Northern Well and Pump of Lansing, Michigan according to quoted option #1 in the amount of \$27,555.00.



7300 Millett Hwy
Lansing, MI 48917

City of Jackson
Attn: Todd Knepper, Utility Dir.
2995 Lansing Avenue
Jackson, Michigan 49202

Proposal

Date	Proposal #
5/15/2012	12-Q75

Description	Qty	Rate	Total
Thank you for the opportunity to present you with this proposal.			
Option #1 with new pump and column -----			
Pump head machine register fit	1	3,250.00	3,250.00
Replacement column pipe	1	4,550.00	4,550.00
New 2-1/2 inch oil tube	3	57.20	171.60
New 1-1/2 inch oil tube bearings	2	57.20	114.40
Stuffing box repair	1	261.00	261.00
1-1/2" x 10' SST Shaft w/coupling	1	392.00	392.00
1-1/2" x 5' SST Shaft w/coupling	1	294.00	294.00
Bolts, fittings, paint	1	350.00	350.00
Motor repair, clean, check and bearings (Estimated)	1	1,300.00	1,300.00
New pump bowl	1	12,792.00	12,792.00
Machining top shaft and oil tube to fit head	12	85.00	1,020.00
Reassemble pump	20	85.00	1,700.00
Labor- Mobilization, demobilization, set pump and test operation	8	170.00	1,360.00
TOTAL OPTION #1 - \$27,555.00			
Option #2 repairing existing pump -----			
Replacement of head flange and machining	1	3,250.00	3,250.00
New 2-1/2 inch oil tube	3	57.20	171.60
Stuffing box repair	1	261.00	261.00
1-1/2" x 10' SST Shaft w/coupling	1	392.00	392.00
1-1/2" x 5' SST Shaft w/coupling	1	294.00	294.00
New 1-1/2 oil tube bearings	4	57.20	228.80
Machine old column flange square	1	1,950.00	1,950.00
Pump bowl seals	2	58.50	117.00
Bolts, fittings, paint	1	350.00	350.00
Machine old pump bowl to square face, new bowl shaft, replace bowl bearings, machine bowl seal area	1	8,190.00	8,190.00
Motor repair, clean, check and bearings (Estimated)	1	1,300.00	1,300.00
Continued on next page.			
If you have any questions please feel free to call: 877-477-1757 or 517-242-8949	Total		



7300 Millett Hwy
Lansing, MI 48917

City of Jackson
Attn: Todd Knepper, Utility Dir.
2995 Lansing Avenue
Jackson, Michigan 49202

Proposal

Date	Proposal #
5/15/2012	12-Q75

Description	Qty	Rate	Total
(Option 2 - continued from previous page) Balance impellers with shaft Machining top shaft and oil tube to fit head Reassemble pump Labor- mobilization, demobilization, set pump and test operation			
	1	1,300.00	1,300.00
	12	85.00	1,020.00
	30	85.00	2,550.00
	8	170.00	1,360.00
It must be noted that the bowl castings on this pump are very old; the veins are deteriorating. There will be no guarantee as to the longevity of its trouble-free operation. <div style="text-align: center;">TOTAL OPTION #2 - \$22,734.40</div>			
NOTE: Note: Should conditions change and/or any additional work may be required. Beyond the original scope of this project, our standard hourly rates will apply, Northern Pump & Well will consult with you prior to the additional work being performed.			
On behalf of the City of Jackson, I authorize the NPW to proceed with: <div style="text-align: center;"> Option 1 Option 2 (Circle one) </div>			
Signature: _____ Date: _____			
Purchase Order No. (if required): _____			
* If this proposal meets your approval, please sign / date and return to fax number: 1-517-322-0135			
If you have any questions please feel free to call: 877-477-1757 or 517-242-8949			Total \$50,289.40



Department of Public Works-Utility Division

2995 Lansing Avenue - Jackson, MI 49202

Telephone: (517) 788-4075 — Facsimile: (517) 788-4641

CITY COUNCIL MEETING

June 12, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager *PB*

SUBJECT: Recommendation for First Renewal of Spent Lime Removal Contract with Prolime of Washington, Michigan for 2012-2013

MOTION: AUTHORIZE THE FIRST RENEWAL OF THE CONTRACT WITH PROLIME OF WASHINGTON, MICHIGAN FOR SPENT LIME SLUDGE REMOVAL IN THE AMOUNT OF \$11.88 PER CUBIC YARD FOR AN ANTICIPATED TOTAL PROJECT COST OF \$237,600.00, AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENTS.

The treatment of water at the City's water treatment plant includes the addition of lime in order to soften the water before it is pumped to the distribution system. The addition of the lime then produces a lime sludge that is taken back out of the process and stored in lagoons at the treatment plant site. Annually, this lime sludge must be removed in order to maintain storage capacity. At this time, there is approximately 20,000 cubic yards of material to be removed.

Spent lime removal bids were accepted on September 15, 2011 at which time six bids were received and opened, and Prolime was awarded the contract as the low bidder at the September 27, 2011 City Council meeting. This contract allows for annual renewals for up to five (5) years if both parties agree to do so.

In concurrence with the Purchasing Agent, it is recommendation of the Utility Department to renew the contract with Prolime in the amount of \$11.88 per cubic yard, for an anticipated cost of \$237,600.00. The cost of this work is included in the approved 2012-2013 Water Treatment Plant budget.

PROLIME

58610 Van Dyke
Washington, Michigan 48094
586-781-7070
586-781-7078 (Fax)
email@prolime.net

May 24, 2012

Mr. Todd Knepper
Water Superintendent
CITY OF JACKSON
161 West Michigan Ave.
Jackson, MI 49201

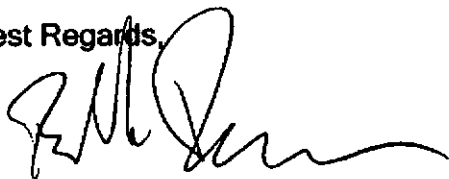
RE: Renewal of Contract for Water Treatment Spent Lime Removal

Dear Mr. Knepper:

As we are approaching completion of year one of the contract to remove Spent Lime from the Utility Department Lagoons, please be advised that Prolime Corporation is requesting renewal of the contract for the period July 1, 2012 - June 30, 2013.

It has been a pleasure working with the City of Jackson and, upon your agreement to renew the present contract; we look forward to providing the City with the best service possible. If you have any questions or require further information, please feel free to contact our office.

Best Regards,



Robert V. Rogers
CEO



Purchasing Department

161 West Michigan Avenue – Jackson, Michigan 49201
Telephone: (517) 788-4020 – Facsimile: (517) 788-4630

August 30, 2011

INVITATION TO BID

Sealed proposals for *Water Treatment Spent Lime Removal* will be received by the City of Jackson Purchasing Agent, 161 W. Michigan Avenue, 10th Floor, Jackson, Michigan, until 9:00 AM, Thursday, September 15, 2011.

This is an annual contract starting July 1, 2011 and ending June 30, 2012 to remove and dispose of spent lime for the City of Jackson Utility Department lagoons. It is a five (5) year renewable contract with the first year for one lagoon and other lagoons on contract renewals beginning July 1, 2012 and ending June 30, 2013. Renewal will be contingent upon agreement of both parties.

Bidders may obtain packets containing Instructions to Bidders, Proposal Forms, Specifications and Contract Forms at the Purchasing Department, 10th Floor, 10th Floor, 161 W. Michigan Avenue, Jackson, Michigan 49201, Telephone (517) 788-4020 or from the city's website at <http://www.cityofjackson.org/rfq>. Packets may be obtained at the above office by making a non-refundable deposit of \$0.

Prospective bidders are required to attend a MANDATORY pre-bid meeting on Thursday, September 8, 2011 at 9:00 AM, Water Treatment Plant, 740 E. Mansion St., Jackson, MI 49203. Any questions concerning contract documents or specifications will be addressed at this meeting. This will give companies contemplating submitting a bid a chance to examine the locations of the proposed service/goods and receive interpretations of the contract documents.

Bidders will be required to show a State or Federal Equal Employment Opportunity Certificate of Compliance, or demonstrate the existence with standards for equal employment opportunity established by the City of Jackson.

The City of Jackson does not discriminate on the basis of religion, race, color, national origin, age, sex, height, weight, handicapped, or marital status as to: access, availability, employment, or participation in any of its programs and activities.

City of Jackson

By

Lynn Fessel
Purchasing Agent



Jackson City Fire Department

518 North Jackson Street ♦ Jackson, Michigan 49201 ♦ Telephone: (517) 788-4150 ♦ Facsimile: (517) 788-4637

CITY COUNCIL MEETING June 12, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Matthew R. Heins *MRH*
Chief

SUBJECT: FEMA SAFER Grant

AUTHORIZATION:

- A. The Fire Department's request for a SAFER grant, administered by the Federal Emergency Management Agency (FEMA), through the Department of Homeland Security (DHS), in the amount of \$1,875,156, has been approved by DHS. The Fire Department is requesting authorization to accept this grant.**

This grant will fund nine firefighter positions for two years and does not require a match. Three firefighters would be called back from being laid-off and six will be new hires. The grant requires the grantee maintain their staffing and incur no lay-offs during the period of performance.

We are now requesting the City Council give the Fire Department the authorization to accept this grant. When the grant is ultimately awarded we will return to Council with a resolution to amend the Fire Department's 2012/2013 fiscal year budget.

Entire Application

Overview

*** Are you a member, or are you currently involved in the management of the fire department or organization applying for this grant with this application?**

Yes. I am a member/officer of this applicant

If you answered **No**, you must please complete the preparer information below. If you answered **Yes**, please skip the Preparer Information section.

Note: Fields marked with an * are required.

Preparer Information

*Preparer's Name

*Address 1

Address 2

*City

*State

*Zip

3% GRANT FEE
\$ 56,254.68

In the space below please list the **Primary Contact** your organization has selected to be the **point of contact** for this grant. This should be a Chief Officer or long time member of the organization who will see this grant through completion. The Primary Contact, as listed below, is the person for which all exchanges of information will be made relative to the application. If you are not the person to be contacted please provide the appropriate person's contact information below.

In addition to the Primary Contact information, you will be asked to provide two (2) Alternate points of contact on the next page. The Alternate contacts should also be able to answer any questions relative to this application in the event that Primary Contact is unavailable. When you are finished, click the Save and Continue button below.

Reminder: If there are changes to any of the contact information (i.e., names, phone numbers, etc.) provided after submittal of the application please update this information. Please list only phone numbers where we can get in direct contact with the point of contact.

Primary Point of Contact

*Title	DEPUTY CHIEF		
Prefix	Select		
*First Name	DAVID		
Middle Initial			
*Last Name	WOODEN		
*Primary Phone	517-788-4150	Ext.	work
*Secondary Phone	517-524-6469	Ext.	home
Optional Phone	517-250-7833	Ext.	cell
Primary Fax			
*Email	dwooden@cityofjackson.org		

Contact Information

Alternate Contact 1 Information	
* Title	POLICE CHIEF
Prefix	Mr.
* First Name	MATTHEW
Middle Initial	R
* Last Name	HEINS
* Primary Phone	517-788-4127 Ext. work
* Secondary Phone	517-206-8971 Ext. cell
Optional Phone	Ext. Select
Fax	517-788-4129
* Email	mheins@cityofjackson.org

Alternate Contact 2 Information	
* Title	LIEUTENANT
Prefix	Mr.
* First Name	ELMER
Middle Initial	
* Last Name	HITT
* Primary Phone	517-768-8733 Ext. work
* Secondary Phone	517-795-9919 Ext. cell
Optional Phone	Ext. Select
Fax	517-788-4129
* Email	ehitt@cityofjackson.org

Applicant Information

EMW-2011-FH-01011

Originally submitted on 02/24/2012 by DAVID WOODEN (Userid: jfd2003)

Contact Information:

Address: 518 N Jackson St

City: Jackson

State: Michigan

Zip: 49201

Day Phone: 5177884150

Evening Phone: 5175246469

Cell Phone: 5172507833

Email: dwooden@cityofjackson.org

Application number is EMW-2011-FH-01011

* Organization Name	City of Jackson Fire Department
* What kind of organization do you represent?	All Paid/Career
If you answered combination, above, what is the percentage of career members in your organization?	%
* Type of Jurisdiction Served	City
If other, please enter the type of Jurisdiction	
* In what county/parish is your organization physically located? If you have more than one station, in what county/parish is your main station located?	JACKSON
* <u>Employer Identification Number</u>	38-6004701
* Are you sharing an EIN with another organization?	No
If yes, please enter the name of the entity with whom you share an EIN	
* Have you registered with the Central Contractor Registry (CCR)?	Yes
* What is your organization's <u>DUNS Number</u> ?	085031656
Headquarters Physical Address	
* Physical Address 1	518 N. Jackson Street
Physical Address 2	
* City	Jackson
* State	Michigan
* Zip	49201 - 1223
	Need help for ZIP+4?
Mailing Address	
* Mailing Address 1	518 N. Jackson Street
Mailing Address 2	
* City	Jackson
* State	Michigan
* Zip	49201 - 1223
	Need help for ZIP+4?

Applicant Characteristics (Part I)

- * Are you a member of a Fire Department or authorized representative of a fire department? Yes
 - * Are you a member of a Federal Fire Department or contracted by the Federal government and solely responsible for suppression of fires on Federal property? No
 - * Please indicate the type of community your organization serves. Suburban
 - * What is the square mileage of your first-due response area? 11
 - * What percentage of your response area is protected by hydrants? 100 %
 - * Does your organization protect critical infrastructure of the state? Yes
- Percentages in three answers below must sum up to 100%:
- * How much of your jurisdiction's land use is for agriculture, wild land, open space, or undeveloped properties? 23 %
 - * What percentage of your jurisdiction's land use is for commercial, industrial, or institutional purposes? 32 %
 - * What percentage of your jurisdiction's land is used for residential purposes? 45 %
- * How many occupied structures (commercial, industrial, residential, or institutional) in your jurisdiction are more than four stories tall? Do not include structures which are not regularly occupied such as silos, towers, steeples, etc. 56
 - * What is the permanent resident population of your Primary/First-Due Response Area or jurisdiction served? 33534
 - * How many stations are in your organization? 1
 - * Please indicate if your department has a formal automatic/mutual aid agreement with another community or fire department and the type of agreement that exists. Both automatic and mutual aid
- Structural Fire Suppression
Wildland Fire Suppression
Medical First Response
Basic Life Support
- * What services does your organization provide? Hazmat Operational Level
Hazmat Technical Level
Rescue Operational Level
Rescue Technical Level

Active Firefighting Staff , use these definitions to answer the questions about "firefighter" positions.	
Active Firefighter	

Position	An individual having the legal authority and responsibility to engage in fire suppression; being employed by a fire department of a municipality, county, or fire district; being engaged in the prevention, control, and extinguishing of fires; and/or responding to emergency situations in which life, property, or the environment is at risk. This individual must be trained in fire suppression, but may also be trained in emergency medical care, hazardous materials awareness, rescue techniques, and any other related duties provided by the fire department.
Full-time Paid Firefighter Position	Full-time positions are those that are funded for at least 2,080 hours per year (i.e., 40 hours per week, 52 weeks per year.) The program office will also consider funding the sharing of a full-time position with sufficient justification. A job-share position is a full-time position that is occupied by more than one person. Positions funded via SAFER may be shared, but DHS limits the number of individuals to no more than four (4) per position.
Part-time Paid Firefighter Position	Part-time paid firefighters receive pay for being on duty at the fire station, whether or not they respond to any alarms. They may or may not receive benefits.
Volunteer Firefighter Position	Volunteer firefighters receive no financial compensation for their services other than life/health insurance, workers compensation insurance, and/or stipend per call.

SAFER intends to improve or restore local fire departments' staffing and deployment capabilities so they may more effectively respond to emergencies. With the enhanced or restored staffing, a SAFER grantee's response time will be reduced sufficiently and an appropriate number of trained personnel will be assembled at the incident scene. The following questions are designed to help us understand the changes that will occur in departments receiving grants.

Use the following definitions when completing the table below.

Total # of Operational Career Personnel — the number of authorized and funded active, full-time uniformed/operational career positions employed by your department on the date indicated. (Note: only operational positions should be included.)

Operational Officers — Of the operational career positions indicated in the "Total" field above, how many of those serve in operational officer-level (both command and company) positions?

NFPA Support — Of those *operational career positions* indicated in the first field above (Total # of Operational Career Personnel), how many are assigned to field or response apparatus positions that **directly** support NFPA 1710 (Section 5.2.4.2 — Initial Full Alarm Assignment Capability) or NFPA 1720 (Section 4.3 — Staffing and Deployment) compliance? (Note: Officers should also be included in this number if they directly support NFPA 1710 or NFPA 1720)

Note: The number of *career positions* in any of these fields should include positions which are job-shared.

For more information regarding these standards please see the program guidance or go to www.nfpa.org/saferactgrant

	Total # of Operational Career Personnel	# Operational Officers	# NFPA Support
* Staffing levels as of January 1, 2008	41	21	38
* Staffing levels as of June 30, 2011	22	12	20
* Staffing levels at the time of application	17	11	15
* If awarded this grant, how many authorized and funded active, full-time uniformed career positions will be in your department? (Whole Numbers only)	26	11	24

* If awarded the number of positions requested in this application, will this restore your department's staffing

level to the level that existed before the department lost positions to layoffs or attrition? No

* At the time of application, how many positions in your department are filled with part-time paid firefighters? Note: If you utilize part-time firefighters, please explain, in your narrative, the number of part-time firefighters, the number of NFPA support positions that these part-time firefighters occupy, and how they are scheduled to meet your staffing needs. 0

* At the time of application, how many active volunteer firefighters are in your department? 0

* If awarded this grant, how many active volunteer firefighters will be in your department? 0

* Do you currently report to the National Fire Incident Reporting System (NFIRS)? Yes

Applicant Characteristics (Part II)

	2010	2009	2008
* What is the total number of fire-related civilian fatalities in your jurisdiction over the last three years?	0	0	0
* What is the total number of fire-related civilian injuries in your jurisdiction over the last three years?	11	2	8
* What is the total number of line of duty member fatalities in your jurisdiction over the last three years?	0	0	0
* What is the total number of line of duty <u>member injuries</u> in your jurisdiction over the last three years?	9	7	6

* What is your department's operating budget(including personnel costs) for your current fiscal year and what was your budget for the last three fiscal years?

3327889
4621045
5352699
5731930

* What percentage of your annual operating budget is derived from:
Enter numbers only, percentages must sum up to 100%

Taxes?	76 %
Grants?	1 %
Donations?	0 %
Fund drives?	0 %
Fee for Service?	8 %
Other?	15 %

If you entered a value into Other field (other than 0), please explain

LICENSES, PERMITS, TRANSFERS FROM OTHER FUNDS

* How many vehicles does your organization have in each of the types or classes of vehicle listed below? You must include vehicles that are leased or on long-term loan as well as any vehicles that have been ordered or otherwise currently under contract for purchase or lease by your organization but not yet in your possession. (Enter numbers only and enter 0 if you do not have any of the vehicles below.)

Type or Class of Vehicle	Total Number	Total Number of Riding Positions
Engines (or Pumpers): (pumping capacity of 750 gpm or greater and water capacity of 300 gallons or more): Pumper, Pumper/Tanker, Rescue/Pumper, Foam Pumper, CAFS Pumper, Quint (Aerial device of less than 76 feet), Type I engine, Type II engine	5	20
Tankers: (pumping capacity of less than 750 gpm and water capacity of 1,000 gallons or more): Tanker, Tender, Foam Tanker/Tender (greater than 1,250 gallon tank capacity)	0	0
Aerial Apparatus: Aerial Ladder Truck, Telescoping, Articulating, Ladder Towers, Platform, Tiller Ladder Truck, Quint (Aerial device of 76 feet or greater)	0	0
Brush/Quick attack : (pumping capacity of less than 750 gpm and water capacity of at least 300 gallons): Brush Truck, Patrol Unit (Pick up w/ Skid Unit) Quick Attack Unit, Mini-Pumper, Type III Wildland/Urban Interface Engine, Type IV Engine, Type V Engine, Type VI Engine, Type VII Engine	0	0

Rescue Vehicles

Rescue Squad, Rescue (Light, Medium, Heavy), Technical Rescue Vehicle, Hazardous Materials Unit	2	10
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Other

EMS Chase Vehicle, Air/Light Unit, Rehab Units, Bomb Unit, Technical Support (Command, Operational Support/Supply), Hose Tender, Salvage Truck, ARFF (Aircraft Rescue Firefighting), Command/Mobile Communications Vehicle, Other Vehicle	4	16
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Department Call Volume

* How many responses per year by category?

Do not include responses/calls where your department was dispatched to provide mutual/automatic aid. (Enter whole numbers only. If you have no calls for any of the categories, enter 0.)	2010	2009	2008
Structural Fires	74	71	81
Vehicle Fires	18	25	30
Vegetation Fires	23	29	6
EMS	3279	2801	3111
Rescue	233	306	168
Hazardous Condition/Materials Calls	133	121	53
Service Calls	145	103	801
Good Intent Calls	300	400	75
False Alarms	291	368	100
Other Calls and Incidents	116	113	134
Totals	4612	4337	4559

* In an average year, how many times does your organization receive mutual/automatic aid? 126

* In an average year, how many times does your organization provide mutual/automatic aid? (Do not include first-due responses claimed above.) 109

Request Details

The activity for your organization is listed in the table below.

Category	Number of Entries	Total Cost
Hiring or Rehiring Firefighters	2	1875156

Hiring or Rehiring Firefighters

* 1. Grants awarded under the hiring category require the grantees to maintain their staffing and incur no lay-offs during the four-year period of performance. In addition, all grants awarded under the **new hire** category are required to retain the SAFER-funded firefighters for one full year after the end of the period of performance. Have you, as the applicant, discussed this application and its long-term obligations with your governing body and is your governing body willing to accept this long term commitment? Yes

* 2. Select which line-item below best describes your organization and the NFPA standard you are attempting to meet.

NFPA Requirements						
Check One	NFPA Standard (see the Program Guidance for more detail regarding these standards)	Department Characteristics	Demographic	Assembly Staffing	Response Time	Frequency of Time
	1710	Career	With Aerial	15	8 min	90%
X	1710	Career	Without Aerial	14	8 min	90%
	1720 – Urban	Urban Combo/Vol	> 1,000 pop/square mile	15	9 min	90%
	1720 – Suburban	Suburban Combo/Vol	500 - 1,000 pop/square mile	10	10 min	80%
	1720 – Rural	Rural Combo/Vol	< 500 pop/square mile	6	14 min	80%
	1720 – Remote	Remote Combo/Vol	Travel > 8 mi	4	n/a	90%

* 3a. In your best estimate, with your current staffing levels, how often did your organization meet the assembly requirements detailed in the table above for structure fires claimed in this application? Never or 0% [Help](#)

* 3b. With the additional or restored staffing requested in this application, what percentage of time do you anticipate that your organization will meet the NFPA requirements detailed in the table above? Most of the time or 80-99% [Help](#)

* 4a. Given your current staffing levels and the number of structure fires indicated in the "Call Volume" box of your application, what is the average actual staffing level on your first arriving engine company or vehicle capable of initiating suppression activities? (Up to one decimal e.g., 2.5) 2.2

* 4b. With the additional or restored staffing requested in this application and given the number of structure fires indicated in the "Call Volume" box of your application, what would be the average

actual staffing level on your first arriving engine company or vehicle 3.0 capable of initiating suppression activities? (Up to one decimal e.g., 2.5)

* 5. Is your request for hiring firefighters based on a risk analysis and/or a staffing needs analysis?

Yes

We have performed a comprehensive risk analysis and staffing needs by continuous monitoring of our response times, assembly manpower, the increased need for mutual aid, total dollar losses, and other outcomes of all fire responses.

If Yes, describe how the analysis was conducted.

* 6. If awarded a grant for hiring additional firefighters, will you provide them with an entry-level physical in accordance with NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments, 2003 Edition, Chapter 6?

Yes, NFPA 1582 compliant

* 7. Do you currently provide **annual** medical/physical exams in accordance with NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments 2003 Edition, Chapter 6?

Yes, NFPA 1582 compliant

* 8. Will the personnel hired meet the minimum local or State EMS training and certification requirements, as designated by your agency?

Yes

* 9a. Do you assure that your organization will, to the extent practicable, seek, recruit, and hire members of racial and ethnic minority groups and women to increase their ranks within your department?

Yes

Over the course of the last few years, our department has taken increased measures to diversify our department with these two groups. We have had discussions with the Director of Personnel and Labor Relations and the Police Chief on steps we could take to improve the diversity of our department. We have also visited the local school district's Career Center to talk to the students and see why there is a low participation level of women and minorities in the program. The next planned step is to meet with community stakeholders to seek input into improving the recruitment process. These actions proved quite successful resulting in 3 women that made the top 15 in our most recent hiring list and will be highly considered upon a successful grant application of this project.

* 9b. If so, explain what efforts your organization has instituted and how successful those efforts have been.

If not, explain what policies and procedures you will implement to assure that, to the extent possible, you will seek, recruit, and hire minorities and women.

If additional space is needed for your response, please include it in the Narrative section of your application.

* 10a. Does your organization currently have a policy ensuring that firefighters in positions filled under the SAFER grants are not discriminated against for, or prohibited from, engaging in volunteer firefighting activities in another jurisdiction during off-duty hours.

Yes

We already have current members who volunteer within their rural communities. We realize that well trained firefighters are hard to find and realize the benefits that they can offer while off-duty from their career position. In many circumstances, the departments these firefighters are volunteering for are our mutual aid partners.

* 10b. If so, explain what efforts your organization has instituted and how successful those efforts have been.

If not, explain what policies and procedures you will implement to assure that, to the extent possible, this requirement will be met.

If additional space is needed for your response, please include it in

the Narrative section of your application.

These relationships further strengthen our mutual interoperability and have become a win-win scenario for all departments involved.

Budget Item

* What is the type of position being filled with this Hiring activity line item?

Note: Only one type of position can be requested per line item. If you are seeking funding for more than one type of position or vacancy, you MUST enter each one separately by clicking on the "Add Budget Item" link. You can however have multiple line items for each position type and this should be used when the salary and benefits are different for each position/activity being requested.

Hiring firefighters into positions that have been lost due to **attrition** (retirement, voluntary separation, termination) as of the time of application

If you selected the rehiring OR the retention employment option above, Please answer the following question: Have you issued Layoff notice?

* How many full-time firefighter positions, including job-shares, are you requesting?

Note: Applicants requesting positions under the **rehiring of firefighters activity** can request up to the number of positions that have been laid-off, received official notification of layoff action, or vacated due to attrition as described in the program guidance.

6

"Full-time" is considered 2,080 hours or more worked per year and entitles the employee to receive benefits earned by the other full-time employees in the organization. "Job-share" is the term used to describe the hiring of more than one person to fill one full-time position. Part-time positions are less than 2,080 hours per year. Often part-time employees do not earn benefits or do not earn them at the same rate or level as full-time employees.

If you are requesting assistance to fund a position that would be "shared" by more than one individual, i.e., for job-share, please indicate how many individuals would fill that position and provide an explanation as to why the position is shared.

* What are the anticipated **four year** costs per requested Firefighter?

Base Salary: \$ 46944
Benefits Cost: \$ 46876

Year 2 Salary: \$ 54140
Year 2 Benefits: \$ 53103

Year 3 Salary: \$ 0
Year 3 Benefits: \$ 0

Year 4 Salary: \$ 0
Year 4 Benefits: \$ 0

Budget Item

* What is the type of position being filled with this Hiring activity line item?

Note: Only one type of position can be requested per line item. If you are seeking funding for more than one type of position or vacancy, you **MUST** enter each one separately by clicking on the "Add Budget Item" link. You can however have multiple line items for each position type and this should be used when the salary and benefits are different for each position/activity being requested.

Rehiring **laid-off** firefighters who have already been separated from employment

Yes

◆ File Name: SKRYPEC LAYOFF NOTICE.pdf
Description: POST 9/11 VETERAN

◆ File Name: SMITH LAYOFF NOTICE.pdf
Description:

◆ File Name: JOHNSON LAYOFF NOTICE.pdf
Description:

◆ File Name: HUNTLEY LAYOFF NOTICE.pdf
Description:

◆ File Name: GONZALES LAYOFF NOTICE.pdf
Description:

If you selected the rehiring OR the retention employment option above, Please answer the following question: Have you issued Layoff notice?

* How many full-time firefighter positions, including job-shares, are you requesting?

Note: Applicants requesting positions under the **rehiring of firefighters activity** can request up to the number of positions that have been laid-off, received official notification of layoff action, or vacated due to attrition as described in the program guidance.

3

"Full-time" is considered 2,080 hours or more worked per year and entitles the employee to receive benefits earned by the other full-time employees in the organization. "Job-share" is the term used to describe the hiring of more than one person to fill one full-time position. Part-time positions are less than 2,080 hours per year. Often part-time employees do not earn benefits or do not earn them at the same rate or level as full-time employees.

If you are requesting assistance to fund a position that would be "shared" by more than one individual, i.e., for job-share, please indicate how many individuals would fill that position and provide

an explanation as to why the position is shared

* What are the anticipated four year costs per requested Firefighter?

Base Salary: \$ 56383
Benefits Cost: \$ 51188

Year 2 Salary: \$ 60298
Year 2 Benefits: \$ 55057

Year 3 Salary: \$ 0
Year 3 Benefits: \$ 0

Year 4 Salary: \$ 0
Year 4 Benefits: \$ 0

Budget

Hiring or Rehiring of Firefighters:

There is a four-year period of performance for grants awarded under both the hiring of new firefighters and the rehiring of laid-off firefighters activities. There is an additional requirement that all grants awarded under the hiring category are required to retain the SAFER-funded firefighters for one full year after the end of the period of performance with 100 percent local funding.

Should the actual salary and benefits costs requested for reimbursement exceed awarded Federal funds, the grantee would be obligated to pay 100 percent of those costs.

Budget Matrix

	First 12-Month Period	Second 12-Month Period	Third 12-Month Period	Fourth 12-Month Period	Total
<u>Personnel</u>	450,813	505,734	0	0	956,547
<u>Benefits</u>	434,820	483,789	0	0	918,609
Total:	885,633	989,523	0	0	1,875,156
Total Federal Share	885,633	989,523	0	0	1,875,156

Narrative Statement for Hiring or Rehiring of Firefighters

* **Element #1** - Project Description (30%): This statement should describe why the applicant needs the grant funds, i.e., how the requested firefighters will be used within the department and a description of the specific benefit these firefighters will provide for the fire department and community. If the applicant is requesting funding under the rehiring of firefighters activity, the narrative should provide details as to when and why the vacancies occurred and how the vacancies have affected the service to the community. Applications must also discuss how the grant would enhance the department's ability to protect critical infrastructure.

The City of Jackson FD is requesting to rehire 5 laid-off firefighters and 4 firefighters lost to attrition. Our department has had a reduction in our budget by 2.4 million dollars within the last 4 years. This resulted in functional layoffs and attritions of nearly 59% of our firefighting staff reducing our total firefighters from 41 down to 17 and the closing of 2 of our 3 stations.

Our request for funding will be used to increase our daily staffing level by adding 2-3 firefighters per shift. This will allow us to run a Rescue vehicle to respond for medicals and perform fire inspections and add a third firefighter to our frontline Engine instead of only 2.

The vacancies were initiated in 2008 with a continuous yearly downgrade of our staffing levels. They occurred as a result of a declining global economy that has had a profound effect on our local economy. Our department was faced with financial deficits that forced us to make drastic reductions in order to remain in service. We are operating at a minimal staffing level for a career fire department disallowing our department to meet the NFPA 1710 requirement.

Our staffing shortfalls have affected our service to our community by forcing our department to close 2 of our stations creating drastic increases in our response times by at least double and sometimes even triple, critically delaying our initial attacks. It has also reduced the number of personnel to respond properly to emergencies and hindered our fire inspection and fire prevention programs.

Our formal comprehensive fire inspection program has been eliminated resulting in no plan review for new construction and no fire safety reviews for the change in occupancy. The additional personnel will improve our fire inspection capabilities. This enhancement will heighten the level of safety provided by a more effective firefighting force. Our department will be able to increase the number of inspections performed each year. Fire inspections and prevention is the first line of defense in protecting our community by reducing risks before they become a hazard. The fire prevention efforts will be fortified by the increased staffing levels that are commonly shared by all personnel of our department. The new firefighters will be actively involved in public education programs, tours of the station, and school fire prevention activities.

This grant will give our department increased staffing levels needed to provide adequate protection of our critical infrastructures including our 7-story Allegiance Health Hospital, Consumers Headquarters, and numerous other state and federal buildings. By having 3 firefighters in our frontline Engine and more firefighters arriving for the initial response, our department will realize quicker set ups for the initial attack, which includes laying handlines, fire hydrant connections, and performing scene size up. This will result in more effective interior attacks leading to fewer losses and reduce the risk on our firefighters and community.

The additional firefighters will dramatically improve our compliance to the current NFPA 1710 requirement of assembly staffing for structures fires. The department will reap the benefits of a safer work environment resulting in less line of duty injuries, more effective firefighting teams, and allow our department to meet the minimum requirement for MiOSHA's two-in two-out rule without the need to wait for additional mutual aid resources. Studies have shown the progressive increase in the effectiveness and safety of engine companies as the staffing level moves up from two to three firefighters. The first year of reducing our staffing levels doubled our line of duty firefighter and civilian injuries. Over the last four years, our numbers of injuries are showing a steady increase as our staffing levels continued to decline. We are hoping to turn this trend around by increasing our staffing level with this hiring project.

***Element #2 - Impact on Daily Operations (30%):** This statement should explain how the community and current firefighters are at risk without the requested firefighters, and to what extent that risk will be reduced if the applicant is awarded. What impact will the newly funded positions have on NFPA and/or OSHA compliance?

The Jackson Fire Department is a career, all hazard, 100% NIMS compliant fire department providing full fire suppression and basic life support medical first response for nearly 34,000 residents covering 11 square miles. We also provide Hazardous Materials Technical response, Public Education, and Confined Space rescue for the entire county of Jackson. Our city consists of densely populated urban areas, heavily industrialized neighborhoods, large shopping complexes, a central core of high-rise offices and apartments, and a railroad transportation hub. The residential neighborhoods consist of densely located multi-family dwellings, which were primarily constructed before 1940. There are also several large low income housing complexes, over 50 adult foster care homes, and several large senior citizen housing complexes. We provide fire protection to well over 50 structures exceeding more than three stories tall including: 4 story Baker College, 12 story Consumers Energy Headquarters, 14 story City Hall and County Building, 7 story Allegiance Health Hospital, and the majority of the downtown district.

After a bordering township fire department suffered a line of duty death, the Jackson Fire Department joined an automatic aid and mutual aid agreements with all of the other departments in our county, with the goal of providing safer and improved fire suppression services. The increase in the number of line of duty injuries was up to 9 last year for a 17 member department. Many of these include knee and back injuries which in turn has led to more overtime, stress and work time lost. We owe it to our firefighters to put a halt to this trend.

Our community and current firefighters are at risk without these desperately needed positions; including elimination of our formal fire inspection and plan review program, increased response times, reduced initial response manpower, reduction or elimination of specialized, and the near elimination of our public education program. Without code enforcement, we are increasing the potential risk of large loss of life for the citizens and visitors of our community. Because of the lack of a fire inspection program many of our cities large public buildings have had an increase in basic fire safety issues that has effected emergency response, such as over grown shrubs blocking FDC connections, PIV's missing wrench's and being unsecured, general vandalism to fire suppression equipment, the lack of working or out of date sprinkler systems and nonworking means of emergency egress. These are just to name a few that have been caught in the last few months by doing a quick walkthrough. This project will allow us to reinstall our formal inspection program which will be crucial to provide simple code enforcement to prevent a tragedy from occurring.

With increased personnel, we will be able to reopen one of our closed stations reducing our response times by 4 to 6 minutes. We will also be able to provide adequate manpower for our Hazmat team instead of fully relying on shared support from our mutual and automatic aid partners. Other specialized services such as water rescue and urban search and rescue will be added back onto the services our department will be able to provide.

The impact of the awarded positions will allow our department to meet the NFPA 1710 guideline for initial fire alarm assignment capability approximately 80-99% of the time instead of our current 0% of the time. The number of personnel responsible for the initial attack team will be increased resulting in the compliance of MiOSHA's two-in two-out rule with the establishment of a full RIT Team. Some of the laid off firefighters have served this community in more than the fire capacity we currently need. The award will allow us to honor our post 9-11 military veterans who have defended this nation, by giving us the capability of rehiring and returning them to active duty to aid the citizens of the City of Jackson.

***Element #3 - Financial Need (30%):** This statement should explain the applicant's organizational budget and its inability to address the need without federal assistance, including other actions the applicant has taken to meet their staffing needs.

Our department is currently operating at a minimal staffing level and cannot function as a career department with any fewer personnel. Without funding from this grant project, there would be no other option to fund this request without other city department taking additional significant budget reductions which they cannot afford and have already have taken. The city police department is already taking their share in layoffs similar to our department.

City Budget
Legislative \$101,433
General Government \$4,012,940

Police \$7,288,768
 Fire \$3,327,889
 Public Safety \$1,777,664
 Pub Works \$826,486
 Recreation/Culture \$1,394,044
 Health/Welfare \$57,691
 Contributions \$21,500
 Total \$18,813,135

Fire Department Budget
 Personal Services: \$2,950,004
 Wages \$1,498,115
 FICA \$19,424
 Health Ins \$301,305
 Pension \$1,085,481
 Unemployment \$6,588
 Work Comp \$25,245
 Other \$13,846

Materials & Supplies: \$63,880
 Office \$4,635
 Chemicals \$2,400
 Uniform \$6,875
 Program Supplies \$7,000
 Protective Clothing \$10,000
 Gas \$19,920
 Misc \$1,050
 Emergency Medical Supply \$6,000
 Tests & Supplies \$3,000
 Custodial Supplies \$3,000

Contractual: \$301,005
 Professional Services \$6,135
 Cont. Services-Motor Pool \$65,000
 Phone \$12,920
 Insurance \$42,419
 Subsistence Pay \$8,950
 Physical Agility Testing \$15,000
 Residency Allowance \$250
 Utilities \$48,000
 Building Maint \$36,140
 Equip Repairs/Maint \$7,550
 Office Maint \$4,800
 Software \$1,255
 Vehicle Maint \$8,000
 Membership \$480
 Education/Training \$27,100
 Contribution JED \$17,006

Capital Outlay: \$13,000
 Fire Equip \$6,000
 HazMat Equip \$3,000
 Fire Equip \$0
 Machinery & Equip \$0
 Office Equip \$0
 Vehicles \$0
 Radio Equip \$4,000

TOTAL: \$3,327,889

Our department is unable to address our staffing needs without federal assistance due to the decline in the automotive industry which has decimated the economy of both the State of Michigan and the City of Jackson. In Jackson the effect is compounded. Not only are we being hit with an unemployment rate that has doubled in the last year to over 15%, but also our property values and property tax revenues have fallen. At the same time, the State has reduced vital revenue sharing. Just last year, the City lost \$2.3 million of revenue sharing.

The City depends on an income tax to provide a third of its annual budget. Double-digit unemployment is devastating this stream of income, which is necessary for our survival. Forbes magazine recently named Jackson the "worst small city for jobs."

In the 2010 Census, there were 15,457 total housing units in the City of which 2,163 or 14% were vacant. That number does not reflect the significant increase of vacancies anticipated as a result of the 520 foreclosures in 2010. The vacant houses represent not only the loss of population but contribute significantly to the decline in value of adjacent properties, and create an opportunity for vandalism, arson and other crime in otherwise once stable neighborhoods.

Jackson has an above national average crime index, above state and national average unemployment, and high foreclosure rates. We are nearly double the state average (19.6%) of residents with income below poverty level. Our home values are less than 75% of the state average, and median household income is only \$31,408 or 65% of the state average. As bleak as this picture sounds, it will only worsen as more current figures become available. Jackson also has higher than state and national averages of at-risk population groups for fire and injuries: children, handicap, and senior citizens. After the completion of our risk assessment, we attempted to gain funding for this project through the normal budget process but due to our current financial situation it was eliminated from our proposed budget, along with elimination of 16 positions at the Fire Department through retirement and layoffs and 10 layoffs in other city departments. As a result, we were forced to close our two outlying stations.

Element #4 - Cost/Benefit (10%): This statement should explain, as clearly as possible, what benefits your department and/or your community will realize if the project described is funded (i.e. anticipated savings and/or efficiencies).

This project will increase our fire personnel's safety and reduce firefighter fatigue and we should see an overall decrease in our line of duty injuries instead of a continuous increase. It is our goal to provide and increase our firefighter's safety to prevent line of duty injuries and death. Due to the intense workload of the limited number of personnel on scene, we feel the added staff will allow us to have a 50% to 75% reduction in line of duty injuries caused by overexertion of firefighters. Last year our department answered 4612 calls with only a two man Engine Company and a Quint staffed with two sometimes three firefighters. That averages out to be 12 calls per day.

The services provided by our fire department will be increased without the need to ask our taxpayers to fund it by re-instating the services we lost over the last four years. The fire inspection and plan review service will have long term impact on the community increasing the safety of many lives through code enforcement. The result of this service being taken away from our community will have a profound affect for years to come if this is not resolved. Through code enforcement, we will be able to correct fire hazards that can greatly reduce the potential of large loss of life and/or injuries. Last January, a classroom door at our local middle school was found missing a knob. The classroom was still being utilized and if the door accidentally got shut all the way, the teacher was using a poker card to open the door. These particular violations need to be corrected to protect our community.

With the additional staff, our department will be able to run a Rescue vehicle for most inspections and medical responses. This vehicle will handle over 50% of the medical call volume and will save wear and tear adding life to our expensive Engines and Quint which are currently used to respond. Our department will be able to see a financial cost savings to our future budgets.

If awarded this project request, our community will see immediate benefits through reduced response times as well as providing the public with safer places to work, shop and play. This award will also allow the department to provide more medical trained personnel to support our Emergency Medical Service provider. Our EMS service has relied on our BLS response for over 3200 call last year. It is our department's responsibility to provide the initial lifesaving patient care while waiting for the ALS transporting unit to arrive.

Our mutual and automatic aid partners will also benefit from this project. We offer our services on average 106

times per year to support our neighboring communities in their fire suppression and Hazmat needs. The benefits of this project will have profound effects on multiple departments.

Element #5 - Performance (Additional Consideration): Applicants should explain whether they have a proven track record for timely project completion and satisfactory performance in other AFG, FP&S, and SAFER awards.

The City of Jackson was facing a serious budget shortfall. The State of Michigan was holding all but statutory revenue sharing and that alone was shorting the City 2.3 Million dollars. The City was being forced to reorganize the entire City work force, including Police and Fire. As we entered into budget preparations it became quite apparent that the Police and Fire

Departments were going to have reductions in their workforce. Consequently, there were Reductions in both. The Fire Department was forced to cut 56% of its workforce, from 2008 to 2011. In Fiscal year 2011 to 2012, we took a budgetary reduction of 28.9%. Knowing that we would not be able to maintain the staffing that was awarded in the 2009 SAFER grant throughout the period of performance, it was decided to not accept it. The City Manager at the time would not allow the Fire Chief to accept or refuse the grant.

Our department was awarded an AFG grant in 2009 for fire equipment. We have successfully completed that grant in a timely matter well within our period of performance. For some reason, the closeout reporting is still not available for us to close it out. Once made available, we will closeout all the reports in relationship to that grant in a timely manner.

Assurances and Certifications

FEMA Form SF 424B

You must read and sign these assurances. These documents contain the Federal requirements attached to all Federal grants including the right of the Federal government to review the grant activity. You should read over the documents to become aware of the requirements. The Assurances and Certifications must be read, signed, and submitted as a part of the application.

Note: Fields marked with an * are required.

O.M.B Control Number 4040-0007

Assurances Non-Construction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have any questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or

- financing of housing: (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
 8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
 9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
 10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
 11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
 12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
 14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
 15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
 16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
 18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signed by DAVID WOODEN on 02/22/2012

Form 20-16C

You must read and sign these assurances.

Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters and Drug-Free Workplace Requirements.

Note: Fields marked with an * are required.

O.M.B Control Number 1660-0025

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying" and 44 CFR Part 17, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Homeland Security (DHS) determines to award the covered transaction, grant, or cooperative agreement.

1. Lobbying

A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons (entering) into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal amendment or modification of any Federal grant or cooperative agreement.

(b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements and sub contract(s)) and that all sub recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

A. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A, the applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.

(b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default, and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees other than individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.620:

(A) The applicant certifies that it will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and
- (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

(e) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable awarding office.

(f) Taking one of the following actions, against such an employee, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

Street	City	State	Zip	Action
--------	------	-------	-----	--------

If your place of performance is different from the physical address provided by you in the Applicant Information, press *Add Place of Performance* button above to ensure that the correct place of performance has been specified. You can add multiple addresses by repeating this process multiple times.

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for DHS funding. States and State agencies may elect to use a Statewide certification.

Signed by DAVID WOODEN on 02/22/2012

FEMA Standard Form LLL

Only complete if applying for a grant for more than \$100,000 and have lobbying activities. See Form 20-16C for lobbying activities definition.

This form is not applicable

Submit Application

Application 100% complete, Submitted

Please click on any of the following links to visit a particular section of your application. Once all areas of your application are complete, you may submit your application.

Application Area	Status
Overview	Complete
Contact Information	Complete
Applicant Information	Complete
Applicant Characteristics (I)	Complete
Applicant Characteristics (II)	Complete
Department Call Volume	Complete
Request Details	Complete
Budget	Complete
Narrative Statement	Complete
Assurances and Certifications	Complete

PLEASE READ THE FOLLOWING STATEMENTS BEFORE YOU SUBMIT.

- **YOU WILL NOT BE ALLOWED TO EDIT THIS APPLICATION ONCE IT HAS BEEN SUBMITTED.** If you are not yet ready to submit this application, save it, and log out until you feel that you have no more changes.
- When you submit this application, you, as an authorized representative of the organization applying for this grant, are certifying that the following statements are true:

To the best of my knowledge and belief, all data submitted in this application are true and correct.

This application has been duly authorized by the governing body of the applicant.
The applicant will comply with the Assurances and Certifications if assistance is awarded.

To sign your application, check the box below and enter your password in the space provided. To submit your application, click the Submit Application button below to officially submit your application to FEMA.

Note: the primary contact will be responsible for signing and submitting the application. Fields marked with an * are required.

I, DAVID WOODEN, am hereby providing my signature for this application as of 01-Feb-2012.



***City of Jackson's
Commitment to Citizen Value***



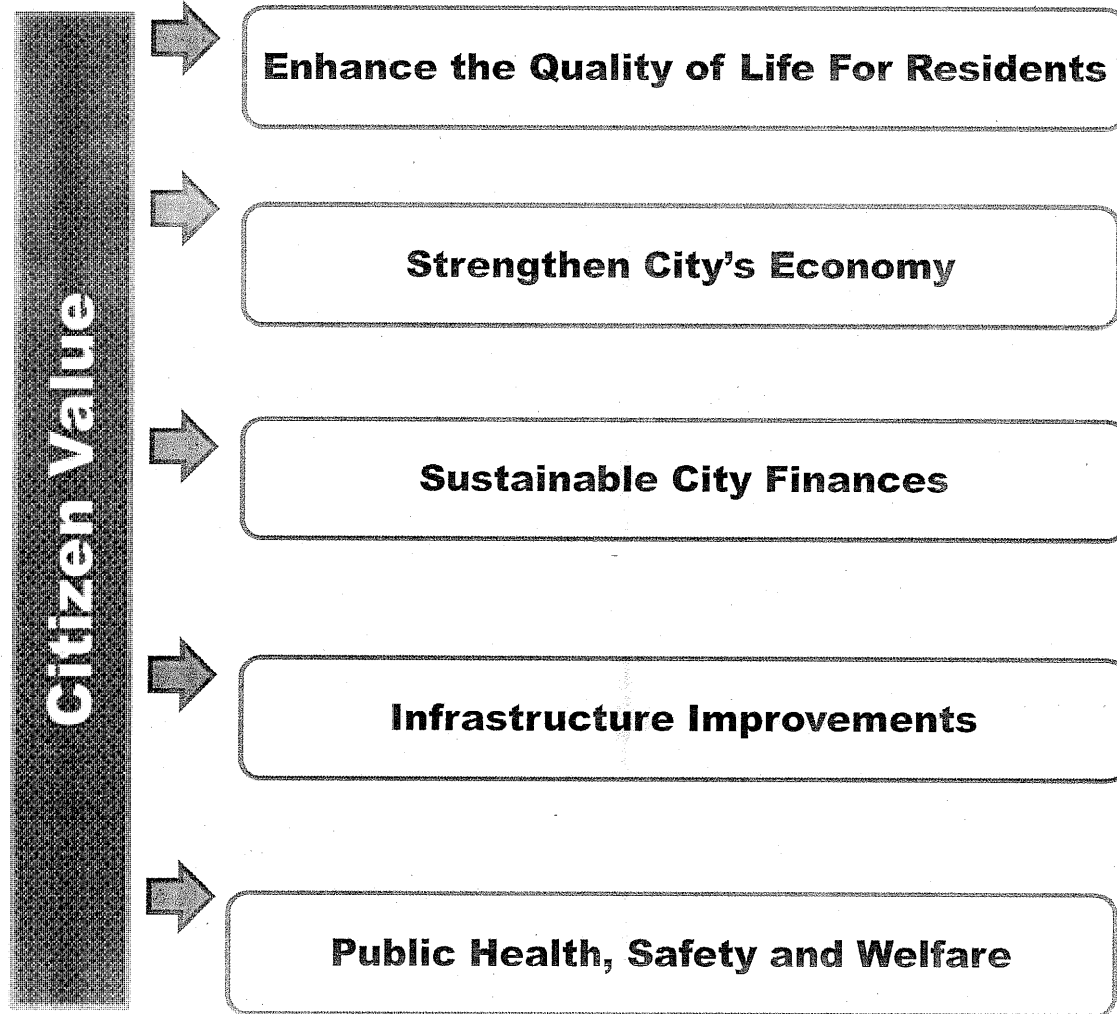
City of Jackson's Commitment to Citizen Value



- Based on simple core fundamentals for government operations, the following values should be OUR guide in determining what is a priority when determining decisions for OUR citizens:
 - Sustainable City finances
 - Infrastructure improvements
 - Strengthen City's economy
 - Enhance the quality of life for City residents
 - Public health safety and welfare



City of Jackson's Commitment to Citizen Value





DEPARTMENT OF PUBLIC WORKS

521 Water Street

Jackson, Michigan 49203

517.788.4170 ♦ Fax 517.788.4639

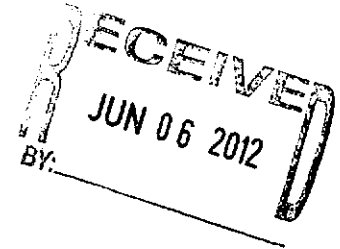
MEMORANDUM

DATE: June 6, 2012

TO: Laurence R. Shaffer, City Manager

FROM: Patrick H. Burtch, Deputy City Manager *PHB*
Jon H. Dowling, P.E., City Engineer *JHD*

SUBJECT: Carl Breeding-Water Bill Questions from Council Meeting



Mr. Breeding questioned at the City Council Meeting why two water bills each with 400 units of water usage (see bills – Figure 1) had different totals. He also wanted to know why the rates were not on the bills.

In checking our records we found that the first bill was from Mr. Breeding's house in the 1100 block of S. Milwaukee for a total of \$51.24. The first meter was read on 2/1/12 which was 93 days from the previous reading on 11/1/11. The other bill was from a house in the 1300 block of S. Milwaukee for a total of \$49.49. The second meter was read on 2/9/12 which was 85 days from the previous reading on 11/17/11. The variations in the number of days between readings are due to when the water shut off week occurs along with how vacation and sick time effect the schedules.

In calculating the residential utility bill the water and sewer line items are made up of three components along with the flat fee for stormwater. These components are the billing charge, the readiness charge and the commodity charge.

- The billing charge is a flat fee per bill to cover the fixed charges in the operations of the Water & Sewer utilities.
- The readiness charge is a daily charge to cover the infrastructure to treat the water and sewage and the piping to distribute the water and to collect the sewage from each property. This rate varies based on the size of the water meter on the property.
- The commodity charge is a consumption charge on the amount of water used to cover the variable costs of chemicals, electricity, etc. to treat the water. The meter on the property reads to the cubic foot but the electronic Rockwell unit on the outside of the property records in 100 cubic feet increments. The reading on the Rockwell unit is obtained electronically by the meter readers with a handheld reader which records the property location, the meter reading, the date and time of the reading. The utility bill displays the previous read date, current read date and the usage days being billed.

The rates for each of these three components for both water and sewer are as follows:

Billing Charge: Flat fee per bill

	Water Rate	Sewer Rate
	\$3.27	\$4.79

Readiness Charge: Daily charge based on meter size

Meter Size	Water Rate	Sewer Rate
	\$/day	\$/day
5/8	\$0.17667	\$0.04200
3/4	\$0.26500	\$0.06300
1	\$0.40833	\$0.10500
1-1/2	\$0.88333	\$0.21000
2	\$1.41333	\$0.33600
3	\$2.65000	\$0.63000
3T	\$3.09167	\$0.73500
4	\$4.41667	\$1.05000
4T	\$5.30000	\$1.26000
6	\$8.83333	\$2.10000
6T	\$11.04167	\$2.62500
8	\$14.13333	\$3.36000
10T	\$25.61667	\$6.09000

Commodity Charge: consumption charge based on amount of water used in 100 cubic feet increments

	Water Rate	Sewer Rate
Residential	\$2.34/100cft	\$1.37/100cft

The calculations for Mr. Breeding's utility bill are as follows:

SW = sewer

Billing charge	= \$ 4.79
Readiness charge (5/8" meter) 93 days*\$0.04200/day	= \$ 3.91
Commodity charge 400 cft*\$1.37/100cft	= \$ 5.48
	<u>\$14.18</u>

WA= water

Billing charge	= \$ 3.27
Readiness charge (5/8" meter) 93 days*\$0.17667/day	= \$16.43
Commodity charge 400 cft*\$2.34/100cft	= \$ 9.36
	<u>\$29.06</u>

SF= Stormwater

\$ 8.00

TOTAL AMOUNT DUE = \$51.24

The only difference in the two bills is the readiness charge of 85 days versus 93 days or the amount of \$1.75. The customer name and address along with the usage days was blanked out in the copies that we received at the council meeting so that the variable difference of the two bills was not shown.

Several years ago it was decided to mail the utility bills out on post cards with 4 bills on an 8 1/2" x 11" page (see Figures 2 & 3) rather than print one bill per page and stuff them into an envelope. This reduced costs of paper for printing, not requiring envelopes and less expense for postage, post cards versus envelopes. By making the decision to use post cards to save costs, we do not have the room to print the rates on the bills.

An example of the post card with rates is shown in Figure 4 and shows that the amount of information does not fit on one post card. Lucy Schultz, Accounting Manager, then contacted our software supplier, BS&A to inquire about rates on a larger format. BS&A provided samples of what they are doing for City of Troy (figure 5) and City of Auburn Hills (Figure 6).

The City mails out approximately 120,000 utility bills per year. Some estimated costs to go to an 8-1/2 x 11 bill are as follows:

Two folds, insert and seal in envelope	\$0.04/bill * 120,000 bills =	\$ 4,800
Envelopes	\$0.035/bill * 120,000 bills =	\$ 4,200
Postage		
Current postcard rate =	\$0.28/bill @120,000 bills =	\$33,600
Current Envelope rate =	\$0.424/bill @120,000 bills =	\$50,880
Difference in postage rates =		<u>\$17,280</u>
Subtotal		\$26,280

This estimated cost does not have the cost of switching from having the postcard forms printed on the card stock paper to printing the letter size forms on plain paper. Postcard paper at 65lb weight is approximately 8 times the cost of plain copy paper at 20lb weight, but we need 4 times the paper and printing than the post card sheets and we may go with a slightly heavier paper than 20lb so the paper cost may not change from what we are currently paying. The cost of folding and inserting the bills is based on sending them out to Ray Printing, we could perform this work in house with the purchase of a larger mini-mailer \$12,685.

JHD:skp

c: Lucy Schultz, Accounting Manager

JACKSON WATER COLLECTION

RETURN THIS PORTION WITH PAYMENT

161 W. Michigan Ave.
Jackson, MI 49201
517-788-4082

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
JACKSON, MI 49201
PERMIT NO 418

TEMP RETURN SERVICE REQUESTED

DUE DATE 03/20/12

AMOUNT DUE

\$51.24

AFTER 03/20/12

PAY THIS LATE AMT.

\$55.57

CODE	CURRENT READ	TYPE	PREVIOUS READ	TYPE	USAGE	AMOUNT
PB						\$0.00
SW					400	\$14.18
WA	16400	A	16000	A	400	\$29.06
SF						\$8.00

DUE DATE 03/20/2012

TOTAL AMOUNT DUE

\$51.24

JACKSON WATER COLLECTION

RETURN THIS PORTION WITH PAYMENT

161 W. Michigan Ave.
Jackson, MI 49201
517-788-4082

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
JACKSON, MI 49201
PERMIT NO 418

TEMP RETURN SERVICE REQUESTED

DUE DATE 03/20/12

AMOUNT DUE

\$49.49

AFTER 03/20/12

PAY THIS LATE AMT.

\$53.64

CODE	CURRENT READ	TYPE	PREVIOUS READ	TYPE	USAGE	AMOUNT
PB						\$0.00
SW					400	\$13.84
WA	26300	A	25900	A	400	\$27.65
SF						\$8.00

FIGURE 1

DUE DATE 03/20/2012

TOTAL

\$49.49

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PA
JACKSON, MI 49201
PERMIT NO. 411

JACKSON WATER COLLECTION
161 W. Michigan Ave.
Jackson, MI 49201
517-788-4082

TEMP RETURN SERVICE REQUEST

AMOUNT DUE
PAY THIS LATE AMT

DUE DATE AFTER
CODE PREVIOUS READ TYPE USAGE AMOUNT

CUSTOMER NAME & ADDRESS
LOCATION ID
PROPERTY ADDRESS
LOCATION ID
PREV. READ DATE CURRENT READ DATE USAGE DAYS
LAST PAYMENT DATE LAST PAYMT. AMOUNT
AFTER PAY THIS LATE AMT
DUE DATE MAIL TO:

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
JACKSON, MI 49201
PERMIT NO. 418

JACKSON WATER COLLECTION
161 W. Michigan Ave.
Jackson, MI 49201
517-788-4082

TEMP RETURN SERVICE REQUESTED

AMOUNT DUE
PAY THIS LATE AMT

DUE DATE AFTER
CODE PREVIOUS READ TYPE USAGE AMOUNT

CUSTOMER NAME & ADDRESS
LOCATION ID
PROPERTY ADDRESS
LOCATION ID
PREV. READ DATE CURRENT READ DATE USAGE DAYS
LAST PAYMENT DATE LAST PAYMT. AMOUNT
AFTER PAY THIS LATE AMT
DUE DATE MAIL TO:

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Jackson, MI 49201
517-788-4082

TEMP RETURN SERVICE REQUEST

AMOUNT DUE
PAY THIS LATE AMT

DUE DATE AFTER
CODE PREVIOUS READ TYPE USAGE AMOUNT

CUSTOMER NAME & ADDRESS
LOCATION ID
PROPERTY ADDRESS
LOCATION ID
PREV. READ DATE CURRENT READ DATE USAGE DAYS
LAST PAYMENT DATE LAST PAYMT. AMOUNT
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DUE DATE MAIL TO:

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PERMIT NO. 418

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517-788-4082

TEMP RETURN SERVICE REQUESTED

AMOUNT DUE
PAY THIS LATE AMT

DUE DATE AFTER
CODE PREVIOUS READ TYPE USAGE AMOUNT

CUSTOMER NAME & ADDRESS
LOCATION ID
PROPERTY ADDRESS
LOCATION ID
PREV. READ DATE CURRENT READ DATE USAGE DAYS
LAST PAYMENT DATE LAST PAYMT. AMOUNT
AFTER PAY THIS LATE AMT
DUE DATE MAIL TO:

FIGURE 2

REMIT PAYMENT TO

JACKSON WATER COLLECTION
161 W. MICHIGAN AVE.
JACKSON, MI 49201
517-788-4082
www.cityofjackson.org

FAILURE TO RECEIVE A BILL DOES NOT ALTER DUE DATE OR WAIVE PENALTY
ALLOW 7 DAYS FOR DELIVERY
A 10% PENALTY WILL BE ADDED TO CURRENT BILL AFTER DUE DATE

If due date falls on a weekend or holiday, payments accepted on next business day.

City of Jackson - Water Collection
161 W. MICHIGAN AVE
JACKSON, MI 49201

City of Jackson - Water Billing
521 Water Street
Jackson, MI 49203

OFFICE HOURS
8:00 A.M. - 5:00 P.M.
MONDAY THRU FRIDAY

For Electronic Payments, please visit our website at www.cityofjackson.org for Water / Sewer payments

EXPLANATION OF CODES

BILLING CODES
PB = Previous Balance A = Actual
TO = Turn Off Fee E = Estimate
WA = Water SC = Service Call
SW = Sewer MC = Meter Charge
SF = Storm Water Fee

PLEASE NOTIFY THE WATER BILLING DEPARTMENT AT 517-788-4082 OR waterbilling@cityofjackson.org WHEN

- You are selling or renting your property, and need to schedule an appointment for a final reading of your water meter.
- Sign up to receive your bill by email.

For Water / Sewer Emergencies and Maintenance Questions, Call 517-788-4090
Billing Inquiries, Call 517-788-4082

REMIT PAYMENT TO

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521 Water Street
Jackson, MI 49203

OFFICE HOURS
8:00 A.M. - 5:00 P.M.
MONDAY THRU FRIDAY

For Electronic Payments, please visit our website at www.cityofjackson.org for Water / Sewer payments

EXPLANATION OF CODES

BILLING CODES
PB = Previous Balance A = Actual
TO = Turn Off Fee E = Estimate
WA = Water SC = Service Call
SW = Sewer MC = Meter Charge
SF = Storm Water Fee

PLEASE NOTIFY THE WATER BILLING DEPARTMENT AT 517-788-4082 OR waterbilling@cityofjackson.org WHEN

- You are selling or renting your property, and need to schedule an appointment for a final reading of your water meter.
- Sign up to receive your bill by email.

For Water / Sewer Emergencies and Maintenance Questions, Call 517-788-4090
Billing Inquiries, Call 517-788-4082

CITY OF TROY QUARTERLY WATER/SEWER BILL



City of Troy
 Department of Public Works
 4693 Rochester Rd.
 Troy, MI 48085

Contact Information
 Billing Questions: (248) 524-3370
 Fax: (248) 524-3520
 Hours: 8 am to 4:30 pm

After Hours Emergency
 Troy Police: (248) 524-3477

Website: WWW.TROYMI.GOV

SCHULTZ, A

SERVICE INFORMATION

Account Number: WISN-000115-0000-01
 Service Address: WISNER
 Service Period: 01/05/2012 to 05/23/2012
 Previous Read: 170900
 Current Read: 171900
 Consumption:

ASK ABOUT AUTOMATIC BILL PAYMENT (248) 524-3333

Payments must be received by due date to avoid penalties
 If sending payments by mail allow 5-7 business days

CITY MESSAGES

Did you know: Trash cans must be 10 to 35 gallon size. The only exception is the 90-gallon Polycart available for purchase from Tringali Sanitation (248.585.9120). Call 248.524.3392 for a Refuse Collection Rules and Regulations brochure.

Troy Community Center, Library, Historic Village and Nature Center have many special events, programs and classes for you and your family. Check out the Troy Today online at www.troymi.gov/troytoday

The City of Troy website www.troymi.gov is your source for information related to calendar of events, programs, meetings, activities, budget, frequently asked questions, phone numbers and resource information on the City. Check it out.

DETAILED WATER INFORMATION

WATER RTS	\$45.00
SEWER DAILY FEE	\$2.00
SEWER RTS	\$25.00
WATER DAILY FEE	\$2.25
SEWER USAGE	\$24.37
WATER USAGE	\$51.40
	\$8.00

DUE DATE	05/23/2012
CURRENT AMOUNT DUE	\$158.02
PREVIOUS BALANCE	\$0.00
MESSAGE	\$158.02

10% LATE CHARGE ADDED IF NOT PAID IN FULL BY THE DUE DATE

Please mail this stub with your payment or when paying in person, bring entire notice to Treasurers at 500 W Big Beaver
 MAKE CHECK PAYABLE TO: City of Troy

*W1-1125790000

Note: Payment Must Be Received By the 15th to Avoid Penalty.

CITY OF TROY WATER DEPARTMENT
 PO BOX 638008
 CINCINNATI, OH 45263-8008

ADDRESS	115 N WISNER
ACCOUNT NUMBER	WISN-000115-0000-01
DUE DATE	05/23/2012
AMT AFTER DUE DATE	\$158.02
MESSAGE	\$158.02

Enroll in our Automatic Debit Program (248) 524-3333



Department of Public Services
 UTILITY BILLING
 1500 BROWN ROAD
 AUBURN HILLS, MI 48326-2753
 248-370-9340

Account Number	WISN-000115-0000-01
Due Date	05/23/2012
Amount Due AFTER Due Date	\$158.02
PLEASE PAY THIS AMOUNT	\$158.02
Amount Enclosed	



TEMP - RETURN SERVICE REQUESTED

SCHULTZ, . .

Make Checks Payable and Remit To:

CITY OF AUBURN HILLS
 TREASURER'S OFFICE
 1827 N. SQUIRREL RD.
 AUBURN HILLS, MI 48326-2753

PLEASE RETURN THIS STUB WITH PAYMENT



CITY OF AUBURN HILLS
 UTILITY BILL
 1500 BROWN ROAD
 AUBURN HILLS, MI 48326-2753

Contact Information:

Billing Questions: 248-370-9340
 Fax:
 Email: utilitybilling@auburnhills.org
 After Hours Emergency
 Auburn Hills Police: 248-370-9444
 Website: www.auburnhills.org

NAME: SCHULTZ, A	BILL DATE: 05/23/2012
LOCATION: 271 WISNER	DUE DATE: 05/23/2012
ACCOUNT: WISN-000115-0000-01	BILLING PERIOD: 01/05/2012 TO: 05/23/2012

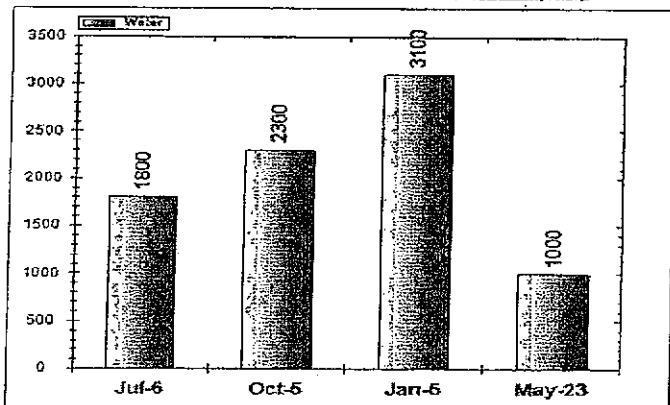
DATE READ	DESCRIPTION	PREVIOUS READ	CURRENT READ	USAGE (CF)	CHARGE
	4 - WATER RTS				\$45.00
	4 - SEWER DAILY FEE				\$2.00
	4 - SEWER RTS				\$25.00
	4 - WATER DAILY FEE				\$2.25
5/23/2012	4-SEWER			1000	\$24.37
	4-WATER	170900 A	171900 A	1000	\$51.40
	STORMWATER RES				\$8.00

PARCEL #	PAST DUE	PENALTY	THIS BILLING	TOTAL DUE
2-015800000	\$0.00	\$0.00	\$158.02	\$158.02

LAST PAYMENT RECEIVED: 02/14/2012 \$151.41

NOTE: Payment must be received by Due Date to avoid 10% penalty

WATER CONSUMPTION HISTORY (CF)



MESSAGE

FIGURE 6