



IF YOU WISH TO ADDRESS THE CITY COUNCIL,  
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## **AGENDA – CITY COUNCIL MEETING**

June 26, 2012

6:00 p.m.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Kimberly Jaquish, 2nd Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
- \*5. **Executive Session to discuss pending litigation and collective bargaining.**
- \*6. **Return to Open Session.**
7. **Citizen Comments. (3-Minute Limit)**
8. **Presentations/Proclamations.**
  - A. George Brown, Human Relations Commission Chairman, will give a status update on the Human Relations Commission.
9. **Consent Calendar.**
  - A. Approval of the minutes of the regular City Council meeting of June 12, 2012.
  - B. Approval of the request from the Hot Air Jubilee to conduct their annual event at Ella Sharp Park from 5:00 a.m., July 20<sup>th</sup> – 11:00 p.m., July 22<sup>nd</sup>. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
  - C. Approval of the request from Cascades, Inc., to conduct their annual Cascades Civil War Muster at Sparks Park on Saturday and Sunday, August 25 and 26, 2012. (Recommended approval has been received from the Police, Fire, Engineering, Public Works, and Recreation Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)
  - D. Approval of the request to waive the time constraints to receive assistance per the Rehabilitation Handbook for the Emergency Hazard project located at 439 Adams.
  - E. Approval of Traffic Control Orders (TCOs) 2111 through 2120 to enable traffic calming measures in the Allegiance Health Campus area, as authorized by City Council on June 12, 2012.
  - F. Receipt of the City of Jackson's summary of revenue and expenditures for eleven (11) months ended, May 31, 2012.
  - G. Receipt of the CDBG and HOME Financial Summaries through May 31, 2012.

- H. Receipt of Summons and Complaint filed in Jackson County Circuit Court by Robert D. Moore vs. City of Jackson, and referral to the City Attorney's office for handling.
10. **Committee Reports.**
- A. Receipt of the City Affairs/Rules & Personnel Committee Report #5.
11. **Appointments.**
12. **Public Hearings.**
- A. Public hearing on the application filed by HCL America, Inc. for a personal property tax exemption under P.A. 328, as amended.
    - 1. Resolution granting the exemption.
  - B. Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which would reorganize Article IV and subsequent sections.
    - 1. Consideration of an ordinance amending Chapter 28, City Code, by repealing those sections pertaining to planned unit residential development districts; transferring Sections from Article IV to Article III; reorganizing the remaining Sections which currently comprise Article IV into two new Articles, and renumbering the subsequent Articles in the Ordinance. (City Planning Commission and Staff recommend approval.)
    - 2. Consideration of removing the Zoning Ordinance from Municode and that the City publish and maintain the ordinance independently and to retain the Ordinance as Chapter 28 of the City Code of Ordinances. (City Planning Commission and Staff recommend approval.)
  - C. Public hearing to receive comment on the proposed amendments to Chapter 28 (Zoning), City Code, which would revise Section 28-100 – off-street parking, loading, and access design standards, and Section 28-5 – definitions.
    - 1. Consideration of an ordinance revising Section 28-100 – off-street parking, loading, and access design standards, and Sec. 28-5 – definitions, to define certain terms to accommodate the new provisions. (City Planning Commission and Staff recommend approval.)
13. **Resolutions.**
- A. Consideration of a resolution recognizing The Enterprise Group Community Ventures Corp. as a nonprofit organization operating in the community.
  - B. Consideration of a resolution ordering sidewalk replacement at four city locations, in accordance with the recommendation of the Deputy City Manager.
  - C. Consideration of a resolution requesting to enter into a contract with Michigan Department of Transportation (MDOT) for street construction on High Street from Cooper Street to Losey Avenue, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.
  - D. Consideration of a Resolution of Notification to Jackson County to release the City of Jackson's Right of First Refusal under PA 123 of 1999.
  - E. Consideration of a resolution amending the fiscal year 2011-12 budget increasing the General Fund City Assessor budget \$17,480.00 for Personal Services.
  - F. Consideration of a resolution amending the following funds in the fiscal year 2011-12 budget:
    - 1. Increase the General Fund Property Tax Maintenance budget \$4,000.00 for mowing tax reverted lots.
    - 2. Increase the General Fund Lighting budget \$5,000.00 for utility charges from Consumers Energy.

3. Increase the General Fund Weed Control budget \$10,000.00 for private lot mowing completed by contractor.

14. **Ordinances.**

- A. Consideration of an ordinance establishing compensation rates for Administrative and Supervisory Employees of the City of Jackson.
- B. Consideration of an ordinance establishing compensation rates for certain non-union employees of the City of Jackson.
- C. Consideration of an ordinance to repeal Ordinance No. 458 regarding healthcare benefits for certain employees of the City of Jackson.
- \*D. Consideration of an ordinance revising Chapter 27, Sections 27-184 through 27-189 of the Storm Water Utility, City Code, allowing for 100 percent credits and **not** exempting the City Streets from consideration as well as some other minor grammar changes.
- E. Final adoption of Ordinance No. 2012.15, 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.

15. **Other Business.**

- A. Consideration of the recommendation from the Finance/Tax Policy Committee regarding the new organizational chart for the City of Jackson.

16. **New Business.**

- A. Consideration of the request to approve the bid award to Jule Swartz & Sons Excavating, Jackson, for a total cost of \$366,659.43, for the Hibbard Street Repaving, Storm Sewer and Water Main Replacement Contract, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Purchasing Agent and the City Engineer.
- B. Consideration of the payment of two invoices from the Jackson County Drain Commissioner for Jackson Urbanized Area Phase II Implementation Assistance, in the amount of \$28,294.83, in accordance with the recommendation of the City Engineer.
- C. Consideration of a request to waive a minor irregularity in the bid and award the Annual Contract to Board Up Vacant Structures to the low bidder, The Grab-Bar Pro, LLC, for a period of one year.
- D. Consideration of a Letter of Tentative Agreement regarding specific collective bargaining issues for the International Area Fire Fighters (IAFF) No. 1306, which includes 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. (Postponed at the June 12, 2012, City Council meeting.)
- E. Consideration of the following requests from the City Manager's office to amend the Personnel Policy and Fiscal Year 2012-13 budget:
  1. Amend the Personnel Policy Section V1-2A. by adding class title City Ombudsman, Class Grade 11.
  2. Approval of the reclassification of Frank Weathers from the title of Community Relations Liaison to City Ombudsman effective July 1, 2012.
  3. Resolution amending Fiscal Year 2012-13 budget providing funds in the City Manager's Activity Budget for the part-time position of Ombudsman.

- F. Consideration of the recommendation from the City Affairs/Rules and Personnel Committee to receive the composite evaluations of the appointed officials and direct that they be placed in the affected official's personnel file and that individual evaluations for each official be secured in the office of the City Clerk
- G. Consideration of the recommendation of the City Affairs/Rules and Personnel Committee to give Appointed Officials the same two (2) percent raise that non-union employees will receive.
- H. Consideration of an ordinance establishing compensation rates for certain appointed officials (Assessor) of the City of Jackson.
- I. Consideration of the recommendation of the City Affairs/Rules and Personnel Committee to approve the extension of contracts as follows: City Assessor to September 15, 2014, City Attorney to August 30, 2014, and City Clerk to June 28, 2013.
- J. Consideration of the request from the City Clerk to approve the addendum to her employment agreement.
- \*K. Consideration of the recommendation of the City Affairs/Rules and Personnel Committee to give the Appointed Officials (City Manager) the same two (2) percent raise that non-union employees will receive.

17. **City Councilmembers' Comments.**

18. **Manager's Comments.**

19. **Adjournment.**

**\*Items added, deleted or changed.**

## **JACKSON CITY COUNCIL MEETING**

### **MINUTES**

**JUNE 12, 2012**

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

The Jackson City Council met in regular session in City Hall and was called to order at 7:01 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 Dobies.

#### **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 Schlecte and seconded by Councilmember Breeding to add an item to 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.

Motion was made by Councilmember Greer and seconded by Councilmember Jaquish to adopt the agenda, as amended. 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.**

The following spoke in favor of the use of medical marihuana: Dennis Reott, Victor Hansens, Joe Cain, Jill Maufort, Brenda Lutz, Jann Krupa, Roger Maufort, Heidi Brown and Steve Spranger.

David Johnson spoke on the request to transfer Class C and SDM licenses from McThirsty's Pub & Grub to Nautique, LLC.

Mary Adams cautioned the Council about accepting federal grant money, stating we need separate police and fire departments. She also stated the City could save money by not treating the water with fluoride.

Maxine Vincent stated she would like to see something, but not a street, named after Dr. Martin Luther King, Jr. She suggested the new bridge could be named in his honor.

Janice Sweet Fairley expressed concern that the HRC is not going to be funded and stated they may not need a budget, but they are necessary in the community. She would also like to see something named in honor of Dr. King.

Arlene Robinson remarked that the NAACP – Jackson County Branch wishes to go on record that they would like to see something (street or structure) named in honor of Dr. King.

Toni B. Jones expressed her agreement with the comments made by Janice Sweet Fairley. She also asked the Council to consider medical marihuana.

### **PRESENTATIONS/PROCLAMATIONS.**

None.

### **CONSENT CALENDAR.**

Councilmember Frounfelker requested Item K be removed for separate consideration. Councilmember Schlecte requested Item D be removed for separate consideration. Motion was made by Councilmember Schlecte and seconded by Councilmember Greer to approve the following Consent Calendar, with Items K and D 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 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. *Removed for separate consideration.*
- 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. *Removed for separate consideration.*

#### **CONSENT CALENDAR ITEM 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.*

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to establish the June 26, 2012, public hearing. 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 ITEM 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.)*

Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies 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.

#### **COMMITTEE REPORTS.**

##### **A. RECEIPT OF THE CITY AFFAIRS/RULES & PERSONNEL COMMITTEE REPORT #4.**

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to receive the report as presented. 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. RECEIPT OF THE FINANCE/TAX POLICY COMMITTEE REPORT.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies 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.

#### **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.**

Motion was made by Councilmember Breeding and seconded by Councilmember Greer to approve the appointment. 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.

**PUBLIC HEARINGS.**

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

Mayor Griffin opened the public hearing. Pauline Mygrants, owner of 1705 E. High Street, requested copies of the law/ordinance that allows the City to assess commercial property. She inquired if homeowners were being assessed and, if so, at what rate. Ken Moe, owner of 1851 High Street, asked if he can legally be assessed and how was the amount of his assessment calculated. John Day, High Street property owner, inquired about the assessment method, MDOT's portion, the Major Street Fund portion and asked Council to look into this. The Mayor closed the public hearing.

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

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 Breeding, Jaquish, Greer and Dobies—5. Nays: Councilmember Schlecte--1. Absent: Councilmember Frounfelker—1.

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

Mayor Griffin opened the public hearing. James Dumbauld, 404 Edgewood, stated he is opposed to closing Homewild. The Mayor closed the public hearing.

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

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, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

**C. PUBLIC HEARING OF NECESSITY FOR STREET CONSTRUCTION ON FOREST AVENUE FROM 571 FEET WEST OF EDGEWOOD TO EDGEWOOD STREET.**

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

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

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

**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.**

Motion was made by Councilmember Schlecte 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, Schlecte, Frounfelker and Dobies—7. Nays: 0. Absent: 0.

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

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

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

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte 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.

**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.**

Motion was made by Councilmember Frounfelker and seconded by Councilmember Schlecte 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.

**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.**

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

- 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.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt the resolution, in concurrence with the recommendation of the Finance/Tax Policy Committee. 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.

**The Council recessed at 8:17 p.m. and reconvened at 8:22 p.m.**

#### **ORDINANCES.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to consider Item 12. D, prior to Items 12. A, B and C. The motion was adopted by unanimous voice vote.

- ITEM 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.**

Motion was made by Councilmember Greer 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 Jaquish, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Breeding--1. Absent: 0.

- 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 CONSUME AND GROW MEDICAL MARIHAUANA 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.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to postpone consideration of Items A, B and C until the July 17, 2012, Council meeting. The motion FAILED adoption by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish and Greer—3. Nays: Councilmembers Breeding, Schlecte, Frounfelker and Dobies—4. Absent: 0.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to refer Item A back to the City Affairs/Rules & Personnel Committee to bring back something that meets the zoning and every other requirement that we have to have.

Motion was made by Councilmember Greer to amend the motion to include Items B and C. The above motions were withdrawn.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Greer to refer Items A, B and C above to the City Affairs/Rules & Personnel Committee and refer to the City Planning Commission the zoning part of this ordinance for them to begin working on it, upon discharge from the City Affairs/Rules & Personnel Committee. 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. 2012.13 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.**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to adopt Ordinance No. 2012.13. 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.

- E. 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.**

Motion was made by Councilmember Greer and seconded by Councilmember Dobies to adopt Ordinance No. 2012.14. 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 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.)**

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to concur with the Finance/Tax Policy Committee recommendation to approve the Change Order. 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.

**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.**

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.

- 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.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies 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 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.**

Motion was made by Councilmember Schlecte and seconded by Mayor Griffin to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin

and Councilmembers Breeding, Jaquish, Greer and Schlecte—5. Nays: Councilmembers Frounfelker and Dobies—2. Absent: 0.

- 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.**

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

- E. CONSIDERATION OF THE REQUEST TO APPROVE FEE INCREASES FOR THE CITY CEMETERIES. (FINANCE/TAX COMMITTEE RECOMMENDS APPROVAL.)**

Motion was made by Councilmember Dobies and seconded by Councilmember Greer to approve the fee increases by adoption of a 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.

- F. CONSIDERATION OF THE REQUEST TO APPROVE TRAFFIC CALMING IN THE VICINITY OF THE ALLEGIANCE HEALTH CAMPUS USING BASKET WEAVE STOP SIGN PATTERN.**

Motion was made by Councilmember Dobies and seconded by Councilmember Jaquish 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.

- 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.**

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker 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.

- 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).**

Motion was made by Councilmember Schlecte and seconded by Councilmember Jaquish 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.

**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.**

Motion was made by Councilmember Greer and seconded by Councilmember Schlecte to postpone consideration of this matter until the June 26, 2012, City Council meeting. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Greer, Schlecte, Frounfelker and Dobies—6. Nays: Councilmember Jaquish—1. Absent: 0.

**J. CONSIDERATION OF ADOPTING THE CITY OF JACKSON'S COMMITMENT TO CITIZEN VALUE. (RECEIVED AT THE MAY 29, 2012, CITY COUNCIL MEETING.)**

Motion was made by Councilmember Schlecte and seconded by Councilmember Dobies to adopt the City's Commitment to Citizen Value. 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.

**ITEM ADDED WHEN THE AGENDA WAS ADOPTED.**

Motion was made by Councilmember Schlecte and seconded by Councilmember Breeding to discuss the City Manager's performance evaluation as a body. The motion FAILED adoption by the following vote. Yeas: Councilmember Schlecte—1. Nays: Mayor Griffin and Councilmembers Breeding, Jaquish, Greer, Frounfelker and Dobies—6. Absent: 0.

**CITY COUNCILMEMBERS' COMMENTS.**

None.

**MANAGER'S COMMENTS.**

None.

**EXECUTIVE SESSION TO DISCUSS PENDING LEGAL MATTERS.**

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 Dobies 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 Greer and seconded by Councilmember Dobies to adjourn. The motion was adopted by unanimous voice vote and the meeting adjourned at 9:30 p.m.

Lynn Fessel  
City Clerk



Jackson Downtown Development Authority

June 26, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: **Hot Air Jubilee**

**MOTION Approval of the request from the Hot Air Jubilee to conduct their annual event at Ella Sharp Park from 5 a.m July 20<sup>th</sup> – 11 p.m. July 22<sup>nd</sup>. This event is contingent upon full receipt of proper insurance coverage, as well as complete approval of fireworks display plan and permit by the City of Jackson Fire Department.**

**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.

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$5,200
Fire	x		\$3,870
Engineering	x		\$0
Public Works	x		\$1,100
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$10,170</b>

**Conditions and Considerations:**

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- Applicant will reimburse JPD for a minimum of \$2,500 for additional expenses realized for police and safety coverage
- Fireworks plan, permit, and certificate of liability insurance listing the City of Jackson as additional insured, shall be received and approved by required City departments

**Insurance Status:** Pending

att: Special Event Application: **Hot Air Jubilee**  
Street Closures Map

JG/jt

PAID

### CITY OF JACKSON SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 4/27/12 Time: 4pm By: JF

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: HOT AIR JUBILEE  
Organization Address: PO BOX 1838 / 225 N JACKSON ST  
Organization Agent SUE FULLER Title: OFFICE MGR & TREASURER  
DEAN ANDERSON  
Phone: (work) 7821515 Phone: (home) \_\_\_\_\_ Phone: (during the event) 740-4000

Agent's Address \_\_\_\_\_

Agent's E-Mail Address INFO@HOTAIRJUBILEE.COM

Event Name HOT AIR JUBILEE

Please give a brief description of the proposed special event:  
FAMILY EVENT TO BE HELD AT ELLA SHARP PARK  
-will include fireworks, food vendors, arts + crafts, Saturday car show, various hot air balloon launches, + amusement rides.

Event Day(s) & Date(s) July 20, 21 + 22 2012

Event Time(s) 5:00 AM - 11 PM

Set-Up Date & Time Thurs July 19 Tear-Down Date & Time Sun July 22

Event Location ELLA SHARP PARK

**ANNUAL EVENT:** Is this event expected to occur next year? (circle one) YES NO  
How many years has this event occurred? 30th year

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

**STREET CLOSURES:** Start Date/Time \_\_\_\_\_ through Date/Time: \_\_\_\_\_

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

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

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

If yes, 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? 30,000 est

**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.)  
various street closures (see attached map)  
police assistance

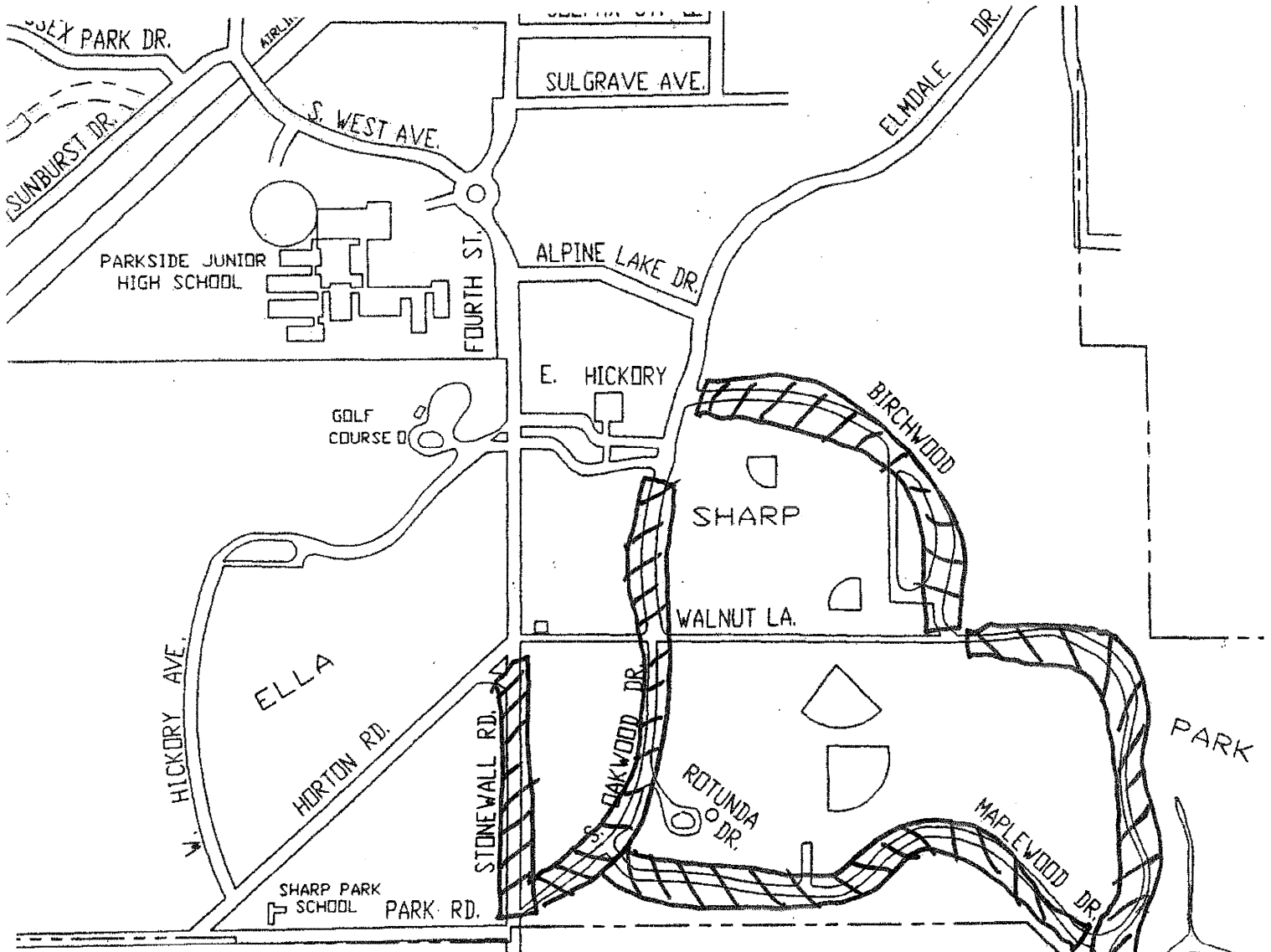
**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified 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.

2-20-12  
Date

Sue Fuller Treasurer  
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**



ROADS CLOSED AT VARYING TIMES THROUGHOUT EVENT.

LEGEND

- STREETS & ALLEYS - EXISTING
- STREETS & ALLEYS - NOT BUILT
- RAILROAD CROSSINGS
- CITY LIMITS
- PARKS
- BUILDINGS - LANDMARKS

PRE



Jackson Downtown Development Authority

June 26, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: **Cascades Civil War Muster**

**MOTION Approval of the request from Cascades, Inc. to conduct their annual Cascades Civil War Muster at Sparks Park on Saturday and Sunday, August 25<sup>th</sup> and 26<sup>th</sup>, 2012. Insurance approval has been granted by the City Attorney.**

**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.

<b>Department</b>	<b>Approval</b>	<b>Denial</b>	<b>Economic Impact</b>
Police	x		\$236
Fire	x		\$0
Engineering	x		\$0
Public Works	x		\$204
Recreation	x		\$0
DDA	x		\$0
			<hr/>
			<b>\$440</b>

**Conditions and Considerations:**

- Any markings on pavement/sidewalk will need to be done in temporary marker, ie chalk
- Applicant is responsible for removal/cleanup of trash, garbage, and debris
- No stakes may be impaled into road or parking lot surfaces

**Insurance Status:** Approved

att: Special Event Application: **Cascades Civil War Muster**  
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: 4.18.2012 Time: 3pm By: JH

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: Cascades Inc.

Organization Address: P.O. Box 271 Jackson MI 49204

Organization Agent Kim Conant Title: President

Phone: (work) 782-7185 Phone: (home) 936-5400 Phone: (during the event) 262-6391

Agent's Address 3220 Tugh Rd. Horton, MI 49246

Agent's E-Mail Address KimC62@gmail.com

Event Name Cascades Civil War Muster

Please give a brief description of the proposed special event: The Muster will utilize All of Cascade Falls Park. There will be a Battle Reenactment Gettysburg, The Village of Jacksonburg, Military Band, Step Aerobics, Arts & Crafts Show & more. Location around 45,000 visitors each year.

Event Day(s) & Date(s) Sat. Aug 25 - Sun. Aug. 26, 2012

Event Time(s) 8:00 AM Aug 25 - 6:00 PM Aug 26

Set-Up Date & Time Aug. 24, 2012 8:00 AM Tear-Down Date & Time Sun. Aug 26 6:00 PM

Event Location Cascades Falls Park - Jackson MI.

ANNUAL EVENT: Is this event expected to occur next year? (circle one)  YES  NO  
How many years has this event occurred? 28

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 Aug 24, 2012 8:00 AM through Date/Time: Sun. Aug 26, 2012 7:00 PM

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

VENDORS: Food Concessions?  YES  NO on County Prop. Other Vendors?  YES  NO on County Prop.

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 *on County Prop.*  
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? 45,000

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

**REST ROOMS:** Are you planning to provide portable rest rooms at the event?  YES  NO  
If yes, how many? 30 reg & Handicap + Stationary facilities provided by the Park  
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.)  
12 No parking barricades @ Small parking lot @ Brown + Randolph *Near*  
Street Closure Barricades w/ lights @ Brown + Randolph + Brown *Beale Court*  
+ Denton - City Police assistance w/ traffic @ Brown +  
Randolph both days (Aug 25 + 26)

**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.

April 19, 2012  
Date

*Kim Conant*  
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**



# 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 26, 2012

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Request to approve waiver for CDBG Emergency Hazard project located at 439 Adams

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### MOTION

**Approval to waive the time constraints to receive assistance per the Rehabilitation Handbook for the Emergency Hazard project located at 439 Adams.**

Community Development staff has received a request for emergency assistance at 439 Adams Street under the CDBG Emergency Hazard Loan Program to replace the broken air conditioning unit in the home. The homeowner also submitted a letter from her physician documenting her medical condition requiring the use of air conditioning. As a result of the medical nature in this situation, the installation of air conditioning is an eligible expense per CDBG regulations.

The homeowner previously received CDBG Emergency Hazard assistance for installation of a furnace in 2008 in the amount of \$2,121.59. The city's Rehabilitation Handbook states properties previously receiving CDBG assistance are not eligible to receive additional CDBG assistance for five years from the date of the original loan. However, because of the homeowner's documented medical condition, staff is requesting City Council waive the time constraints for this case.

Community Development staff estimate the cost to install the air conditioning to be approximately \$2,200.00. Bids for the project will be requested if approval to waive the time constraint is received.

Cc: Heather Soat, Accounting Manager  
Kim VanEvery, Rehabilitation Loan Specialist



06/19/2012



432

06/19/2012



161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING  
June 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Patrick H. Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer  
SUBJECT: Request to Approve Traffic Control Orders 2111-2120  
Stop Sign Pattern in Allegiance Health Campus Area

**MOTION: APPROVAL OF TRAFFIC CONTROL ORDERS (TCOs) 2111 THROUGH 2120 TO ENABLE TRAFFIC CALMING MEASURES IN THE ALLEGIANCE HEALTH CAMPUS AREA, AS AUTHORIZED BY CITY COUNCIL ON JUNE 12, 2012.**

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At the June 12, 2012 City Council meeting, the Department of Engineering recommended, and the Council authorized, proposed traffic calming measures in the area around the Allegiance Health campus, with the use of stop signs in a basket weave pattern.

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 vehicles on local streets can travel more than about two blocks without stopping. With the installation of new stop signs at an intersection the existing ones will be removed so there are no four-way stop intersections.

Recommendations

TCO 2111. North and southbound traffic on Park Avenue shall be required to stop prior to entering the intersection at Trail Street. This action shall also rescind traffic control order 1333, and stop signs on Trail Street at Park Avenue shall be removed.

TCO 2112. East and westbound traffic on Burr Street shall be required to stop prior to entering the intersection at Park Avenue. Further the existing stop signs on Park Avenue at Burr Street shall be removed.

TCO 2113. East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Park Avenue. This action shall also rescind traffic control order #1954, and the stop signs on Park Avenue at Homewild shall be removed.

TCO 2114. East and westbound traffic on Pearl Street shall be required to stop prior to entering the intersection at Park Avenue. Further, the existing stop signs on Park Avenue at Pearl street shall be removed.

TCO 2115. East and westbound traffic on Detroit Street shall be required to stop prior to entering the intersection at VanDorn. This action shall also rescind traffic control order #513, and the stop signs on VanDorn Street at Detroit Street shall be removed.

TCO 2116. East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Perrine Street. This action shall also rescind traffic control order #1955, and the stop signs on Perrine Street at Homewild Avenue shall be removed.

TCO 2117. East and westbound traffic on Pearl Street shall be required to stop prior to entering the intersection at Perrine Street. Further, the stop signs on Perrine Street at Pearl Street shall be removed.

TCO 2118. North and southbound traffic on State Street shall be required to stop prior to entering the intersection at Homewild Avenue. This action shall also rescind traffic control order #579, and the stop signs on Homewild Avenue at State Street shall be removed.

TCO 2119. East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Ellery Avenue. This action shall also rescind traffic control order #1874, and the stop sign on Ellery Avenue at Homewild Avenue shall be removed.

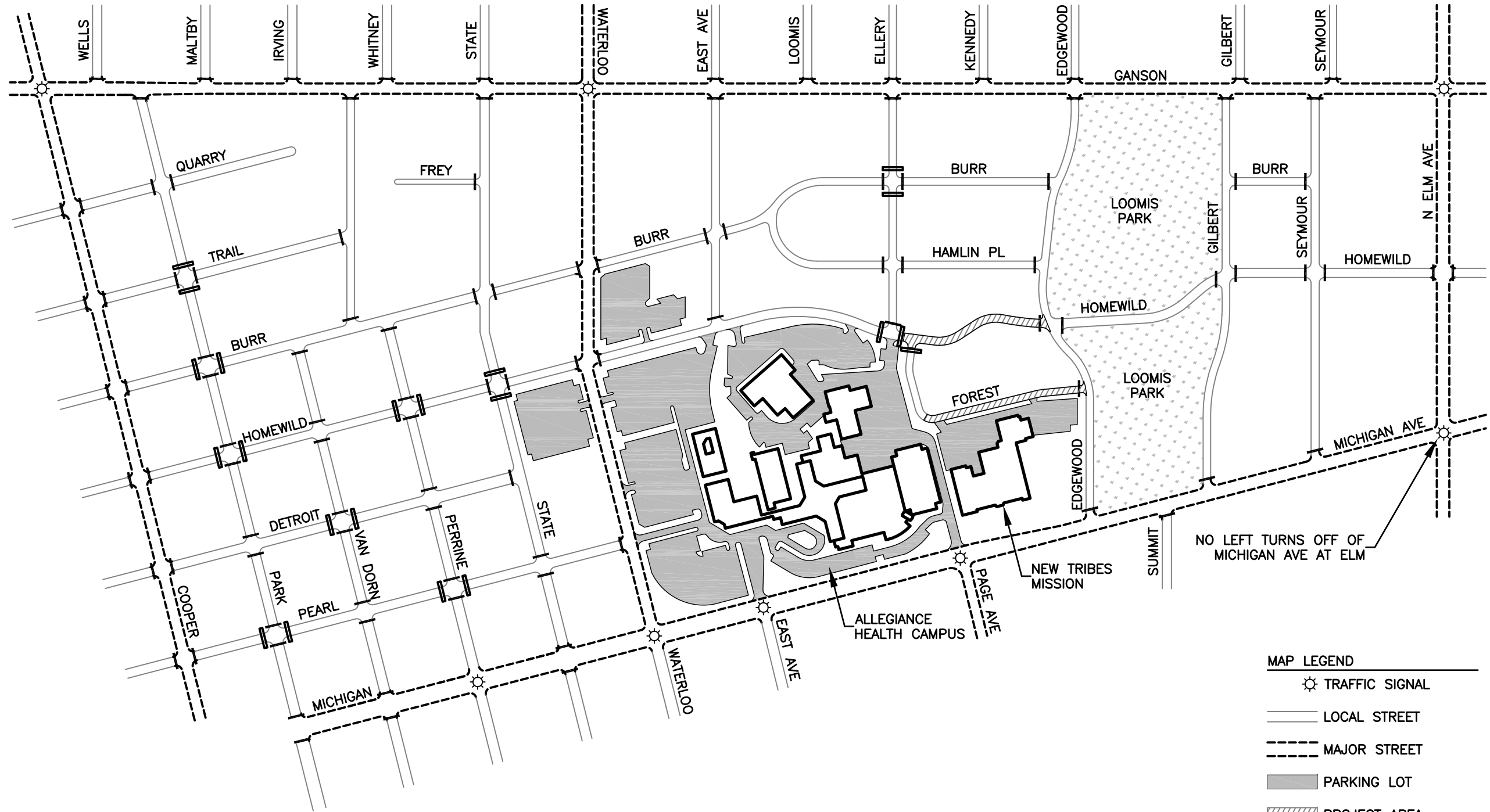
TCO 2120. North and southbound traffic on Ellery Avenue shall be required to stop prior to entering the intersection at Burr Street. Further, the stop signs on Burr Street at Ellery Avenue shall be removed.

I request that Traffic Control Orders 2111-2120 be approved by the City Council. If you have any questions, please do not hesitate to contact me.

JHD:sms

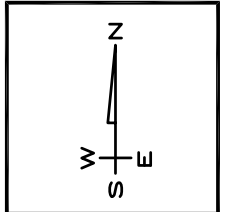
c: Laurence R. Shaffer, City Manager  
Bob Dietz, Parking Manager/Engineering Assistant  
Matt Heins, Chief of Police

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	



**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2111**

**LOCATION:** Trail Street and Park Avenue

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

North and southbound traffic on Park Avenue shall be required to stop prior to entering the intersection at Trail Street. This action shall also rescind traffic control order 1333, and stop signs on Trail Street at Park Avenue shall be removed.

**APPROVED**

**REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2112**

**LOCATION:** Burr Street and Park Avenue

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review the stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Burr Street shall be required to stop prior to entering the intersection at Park Avenue. Further the existing stop signs on Park Avenue at Burr Street shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

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

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2113**

**LOCATION:** Homewild and Park Avenues

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Park Avenue. This action shall also rescind traffic control order #1954, and the stop signs on Park Avenue at Homewild shall be removed.

**APPROVED**

**REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2114**

**LOCATION:** Park Avenue and Pearl Street

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Pearl Street shall be required to stop prior to entering the intersection at Park Avenue. Further, the existing stop signs on Park Avenue at Pearl street shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2115**

**LOCATION:** Detroit Street and VanDorn

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Detroit Street shall be required to stop prior to entering the intersection at VanDorn. This action shall also rescind traffic control order #513, and the stop signs on VanDorn Street at Detroit Street shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

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

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2116**

**LOCATION:** Homewild Avenue and Perrine Street

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Perrine Street. This action shall also rescind traffic control order #1955, and the stop signs on Perrine Street at Homewild Avenue shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

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

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2117**

**LOCATION:** Pearl and Perrine Streets

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review the stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Pearl Street shall be required to stop prior to entering the intersection at Perrine Street. Further, the stop signs on Perrine Street at Pearl Street shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2118**

**LOCATION:** Homewild Avenue and State Street

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

North and southbound traffic on State Street shall be required to stop prior to entering the intersection at Homewild Avenue. This action shall also rescind traffic control order #579, and the stop signs on Homewild Avenue at State Street shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2119**

**LOCATION:** Ellery and Homewild Avenues

**DATE:** June 14, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

East and westbound traffic on Homewild Avenue shall be required to stop prior to entering the intersection at Ellery Avenue. This action shall also rescind traffic control order #1874, and the stop sign on Ellery Avenue at Homewild Avenue shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

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

**ASSIGNMENT COMPLETED**

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

**WORK INSPECTED**

**REMARKS:**

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

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

**CITY OF JACKSON, MICHIGAN**  
**TRAFFIC ENGINEERING DIVISION**  
**Traffic Control Order 2120**

**LOCATION:** Burr Street and Ellery Avenue

**DATE:** June 19, 2012

**ASSIGNED TO:**

**TCO DESCRIPTION**

Review stop sign pattern in the area around Allegiance Hospital.

BY JON H. DOWLING, P.E.

**RECOMMENDATION**

North and southbound traffic on Ellery Avenue shall be required to stop prior to entering the intersection at Burr Street. Further, the stop signs on Burr Street at Ellery Avenue shall be removed.

**APPROVED**  **REJECTED**

**DATE:**

BY CITY COUNCIL

**WORK ASSIGNMENT:** To Sign Shop

**DATE:**

**TO:**

BY JON H. DOWLING, P.E.

**MATERIAL USED**

Posts

Stop

Time Limit

No Parking

Loading Zone

One Way

Yield

Paint

Other

**ASSIGNMENT COMPLETED**

**DATE:**

**BY: Sign Shop**

**WORK INSPECTED**

**REMARKS:**

**DATE:**

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

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



# City of Jackson, Michigan Financial Statements

As of and For the 11 Months Ended May 31, 2012  
(Unaudited)

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**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

Function Department	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Legislative :</u></b>						
101-101 City Council	78,582	80,982	5,410	72,525	89.56%	8,457
<b><u>Judicial:</u></b>						
101-137 Administrative Hearings Bureau	22,851	22,851	1,167	19,465	85.18%	3,386
	<b>22,851</b>	<b>22,851</b>	<b>1,167</b>	<b>19,465</b>	<b>85.18%</b>	<b>3,386</b>
<b><u>General Government :</u></b>						
101-172 City Manager	248,315	241,703	17,853	207,216	85.73%	34,487
101-192 City Clerk-Elections	151,568	163,045	6,042	143,636	88.10%	19,409
101-201 Finance	428,698	426,640	32,082	376,276	88.20%	50,364
101-209 City Assessor	295,358	297,218	22,930	267,600	90.03%	29,618
101-210 City Attorney	393,824	394,049	30,178	334,615	84.92%	59,434
101-215 City Clerk	198,545	193,113	15,255	171,666	88.89%	21,447
101-226 Personnel	166,545	184,791	9,238	152,149	82.34%	32,642
101-233 Purchasing	89,294	90,650	10,209	79,239	87.41%	11,411
101-253 City Treasurer	279,341	274,211	20,681	245,874	89.67%	28,337
101-254 City Income Tax	211,038	204,757	14,207	160,902	78.58%	43,855
101-258 Management Information Services	330,867	329,370	17,293	300,796	91.32%	28,574
101-265 City Hall & Grounds	338,657	336,263	16,862	286,223	85.12%	50,040
101-276 Cemeteries	186,363	216,363	19,851	206,263	95.33%	10,100
101-299 Unallocated	694,527	769,022	129,351	632,552	82.25%	136,470
	<b>4,012,940</b>	<b>4,121,195</b>	<b>362,032</b>	<b>3,565,007</b>	<b>86.50%</b>	<b>556,188</b>
<b><u>Police Department :</u></b>						
101-301 Police	7,268,805	7,325,616	582,704	6,537,618	89.24%	787,998
101-308 STEP Grants	0	24,899	0	13,132	52.74%	11,767
101-311 JCCAE Grant	0	7,963	1,185	6,148	77.21%	1,815
101-312 OHSP Grant	0	9,000	0	4,863	54.03%	4,137
101-313 Consortium Training	11,485	46,337	1,915	14,336	30.94%	32,001
101-314 In-Service Training	8,478	16,984	0	6,961	40.99%	10,023
101-315 MCOLES Traininig	0	33,283	17,185	17,185	51.63%	16,098
	<b>7,288,768</b>	<b>7,464,082</b>	<b>602,989</b>	<b>6,600,243</b>	<b>88.43%</b>	<b>863,839</b>
<b><u>Fire Department :</u></b>						
101-340 Fire Suppression	3,327,889	3,437,053	222,795	2,814,813	81.90%	622,240
	<b>3,327,889</b>	<b>3,437,053</b>	<b>222,795</b>	<b>2,814,813</b>	<b>81.90%</b>	<b>622,240</b>
<b><u>Other Public Safety :</u></b>						
101-350 Public Safety - Unallocated	1,684,850	1,795,850	105,275	1,582,674	88.13%	213,176
101-401 Planning	28,213	60,375	2,748	54,083	89.58%	6,292
101-426 Office of Emergency Measures	64,601	64,601	4,587	42,778	66.22%	21,823
	<b>1,777,664</b>	<b>1,920,826</b>	<b>112,610</b>	<b>1,679,535</b>	<b>87.44%</b>	<b>241,291</b>

( Continued - )

**City of Jackson, Michigan**  
**General Fund Expenditure Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

- Continued -

Function Department	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><i>Public Works :</i></b>						
101-441 Tax Property Maintenance	8,000	8,897	3,658	6,978	78.43%	1,919
101-442 Civic Affairs	43,765	49,790	2,825	34,879	70.05%	14,911
101-447 Grounds Maintenance	42,600	50,320	1,611	35,178	69.91%	15,142
101-448 Sidewalk Construction	52,000	77,940	413	40,773	52.31%	37,167
101-450 Street Lighting	454,458	496,754	42,658	420,220	84.59%	76,534
101-455 Weed Control	39,300	42,008	5,330	31,514	75.02%	10,494
101-690 Forestry	186,363	368,379	18,007	230,748	62.64%	137,631
	<b>826,486</b>	<b>1,094,088</b>	<b>74,502</b>	<b>800,290</b>	<b>73.15%</b>	<b>293,798</b>
<b><i>Recreation &amp; Culture :</i></b>						
101-692 Parks, Recreation & Grounds Admin	616,109	600,070	37,066	559,386	93.22%	40,684
101-697 Parks & Facilities Maintenance	539,350	518,545	44,697	411,559	79.37%	106,986
101-698 Lt. Nixon Memorial Pool	131,735	131,735	7,515	118,358	89.85%	13,377
101-699 Sharp Park Swimming Pool	94,877	94,877	1,653	68,573	72.28%	26,304
101-803 Historical District	11,973	7,870	564	6,669	84.74%	1,201
	<b>1,394,044</b>	<b>1,353,097</b>	<b>91,495</b>	<b>1,164,545</b>	<b>86.07%</b>	<b>188,552</b>
<b><i>Health &amp; Welfare :</i></b>						
101-896 Human Relations	<b>57,691</b>	<b>57,691</b>	<b>3,369</b>	<b>60,474</b>	<b>104.82%</b>	<b>(2,783)</b>
<b><i>Contributions to Other Funds:</i></b>						
101-999 Contributions to Other Funds:	<b>21,500</b>	<b>403,310</b>	<b>0</b>	<b>225,000</b>	<b>55.79%</b>	<b>178,310</b>
<b>Total General Fund Expenditures</b>	<b>18,808,415</b>	<b>19,955,175</b>	<b>1,476,369</b>	<b>17,001,897</b>	<b>85.20%</b>	<b>2,953,278</b>

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

Fund Type/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<b><u>Special Revenue Funds :</u></b>						
202 Major Street	4,103,574	8,008,595	176,431	2,859,923	35.71%	7,832,164
203 Local Street	2,025,823	1,687,566	47,525	1,214,514	71.97%	1,640,041
208 Ella W. Sharp Park Operating	675,998	666,693	64,204	565,785	84.86%	602,489
210 Land Acquisition Fund	50,000	40,000	184	22,024	55.06%	39,816
211 Housing Initiative Fund	15,000	8,676	0	1,813	20.90%	8,676
245 Public Improvement	1,145,597	1,275,542	1,813	174,550	13.68%	1,273,729
249 Building Department	558,342	536,412	33,566	465,896	86.85%	70,516
251 Housing Code Enforcement	0	0	4	4	N/A	(4)
252 Building Demolitions Fund	0	225,000	8,166	11,247	5.00%	213,753
257 Budget Stabilization	16,000	9,000	0	0	0.00%	9,000
265 Drug Law Enforcement	45,517	48,519	7,168	33,720	69.50%	14,799
268 BYRNE/JAG Grants	167,386	222,696	7,620	105,079	47.18%	117,617
269 COPS Hiring Recovery Prog. Grant	196,246	212,010	0	150,714	71.09%	61,296
270 LAWNET Grant	35,475	8,488	631	5,952	70.12%	2,536
289 Neighborhood Stabilization Grant	265,000	223,306	10,340	107,130	47.97%	116,176
295 2008 Brownfield Assessment Grant	25,000	72,725	0	12,133	16.68%	60,592
296 Recreation Activity	245,706	245,706	20,692	180,983	73.66%	64,723
297 JPS Recreation Millage Program	239,000	228,000	20,891	188,147	82.52%	39,853
298 2008 Brownfield Revolving Loan	96,200	96,200	0	9,636	10.02%	86,564
<b><u>Debt Service Funds :</u></b>						
324 2003 MTF Bond D/S	283,235	283,235	0	283,010	99.92%	225
365 City Hall D/S	653,071	657,071	595	655,170	99.71%	1,901
368 Building Authority D/S	133,360	133,360	0	132,910	99.66%	450
395 2001 DDA TIF D/S	550	550	275	275	50.00%	275
396 2011 DDA TIF Refinancing D/S	5,624,828	5,492,735	123,563	5,491,774	99.98%	961
397 2012 BRA TIF Refunding D/S	0	9,121,300	0	9,121,288	N/A	12
398 2002 BRA TIF D/S	637,703	418,347	194,620	418,346	100.00%	1
399 2007 BRA TIF Refunding D/S	446,529	446,529	238,427	446,529	100.00%	0
<b><u>Capital Projects Funds :</u></b>						
401 Capital Projects Fund	635,000	571,462	6,392	205,133	35.90%	366,329
402 Water Equipment and Replacement	1,698,995	1,833,144	270,787	1,189,599	64.89%	643,545
404 Sanitary Sewer Maintenance Fund	517,165	516,800	31,663	312,130	60.40%	204,670
405 Sanitary Sewer Replacement	745,500	597,481	61,189	438,089	73.32%	159,392
406 Wastewater Equip. Replacement	1,095,000	1,020,500	105	1,063,345	104.20%	(42,845)
494 Brownfield Redevelopment Auth.	1,342,648	2,377,050	519,379	2,364,003	99.45%	13,047
496 DDA Project	539,069	319,091	148,337	259,087	81.20%	60,004
<b><u>Enterprise Funds :</u></b>						
583 Sharp Park Golf Practice Center	66,151	60,928	4,138	31,501	51.70%	29,427
585 Auto Parking System	28,563	30,560	1,820	18,800	61.52%	11,760
586 Parking Assessment	150,043	134,406	10,844	87,950	65.44%	46,456
589 Stormwater Utility	792,148	985,564	63,976	641,244	65.06%	344,320
590 Sewer	6,942,700	6,831,506	384,961	4,388,240	64.24%	2,443,266
591 Water	7,491,560	7,989,034	718,888	5,397,257	67.56%	2,591,777
599 Parking Deck Fund	719,251	465,995	16,565	192,752	41.36%	273,243

( Continued - )

**City of Jackson**  
**All Other Funds - Expenditure Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

- Continued -

Fund Type/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<b><u>Internal Service Funds :</u></b>							
641	Public Works Administration	617,445	603,153	28,201	445,012	73.78%	158,141
642	Engineering Administration	385,888	404,774	22,489	345,250	85.29%	59,524
643	Local Site Remediation Revolving	201,000	267,402	96,527	108,987	40.76%	158,415
661	Motor Pool and Garage	1,474,726	1,551,212	173,021	1,036,209	66.80%	515,003
663	Equipment Revolving Fund	72,136	55,300	0	55,300	100.00%	0
677	Workers' Compensation	208,500	133,786	23,818	130,581	97.60%	3,205
678	Prescription Drug	864,600	885,541	69,958	715,033	80.75%	170,508
679	Health Care Deductible Reimb.	44,200	80,635	6,437	39,403	48.87%	41,232
680	Health Care Deductible Reimb.-Fire	163,500	152,912	22,564	101,563	66.42%	51,349
<b><u>Trust &amp; Agency Funds :</u></b>							
702	County & School Tax Collection	35,000	16,000	0	0	0.00%	16,000
711	Cemetery Perpetual Maintenance	64,500	55,600	0	4,706	8.46%	50,894
718	Ella W. Sharp Endowment	45,050	40,925	0	0	0.00%	40,925
731	Employees' Retirement System	3,270,000	3,500,000	267,196	3,221,290	92.04%	278,710
732	Policemen's/Firemen's Pension	1,040,000	1,040,000	0	691,347	66.48%	348,653
733	Policemen's/Firemen's Pens.-345	4,750,000	5,775,000	345,263	4,335,426	75.07%	1,439,574
736	Public Employees Health Care	10,000	20,000	0	0	0.00%	20,000
<b><u>Special Assessment Funds :</u></b>							
895	Special Assessment	324,149	344,298	0	343,536	99.78%	762

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

Fund/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<b><u>General Fund :</u></b>					
Property Taxes	6,898,278	6,803,778	909,405	6,970,123	102.44%
Income Taxes	7,250,000	7,375,000	707,481	7,251,657	98.33%
Licenses & Permits	252,725	256,931	58,354	202,648	78.87%
Federal Grants	2,585	19,318	0	7,524	38.95%
State Grants	12,465	44,453	0	5,678	12.77%
State Revenue Sharing	2,286,500	3,872,376	630,379	2,627,314	67.85%
Contributions From Local Units	29,665	49,070	0	25,203	51.36%
Charges For Goods & Services	1,185,949	1,079,507	54,305	966,895	89.57%
Fines & Forfeits	237,580	170,290	17,720	182,858	107.38%
Investment Income	50,000	21,000	707	6,881	32.77%
Contributions From Other Funds	171,500	216,627	5,011	151,707	70.03%
Miscellaneous	278,034	354,486	9,318	328,956	92.80%
Total General Fund Revenues	18,655,281	20,262,836	2,392,680	18,727,444	92.42%
<b><u>Special Revenue Funds :</u></b>					
202 Major Street	3,912,693	7,867,871	147,075	2,505,593	31.85%
203 Local Street	2,007,167	1,598,069	44,021	1,002,152	62.71%
208 Ella W. Sharp Park Operating	677,950	666,825	110,396	417,288	62.58%
210 Land Acquisition Fund	50,000	40,000	0	1	0.00%
211 Housing Initiative Fund	15,000	35	9	32	91.43%
245 Public Improvement	1,057,500	1,048,800	119,085	1,046,767	99.81%
249 Building Inspection	554,520	518,610	55,768	404,070	77.91%
251 Housing Code Enforcement Fund	0	0	10,475	12,400	N/A
252 Building Demolitions Fund	0	225,000	557	228,772	101.68%
257 Budget Stabilization	16,000	9,000	2,113	7,059	78.43%
265 Drug Law Enforcement	31,250	39,689	5,232	37,804	95.25%
268 BYRNE/JAG Grants	167,386	222,696	0	65,677	29.49%
269 COPS Hiring Recovery Prog. Grant	196,246	212,010	48,675	150,714	71.09%
270 LAUNET Grant	35,475	8,488	1,516	5,204	61.31%
289 Neighborhood Stabilization Grant	265,000	223,306	28,345	123,048	55.10%
295 2008 Brownfield Assessment Grant	25,000	72,725	12,149	12,133	16.68%
296 Recreation Activity	300,500	296,000	17,845	235,366	79.52%
297 JPS Recreation Millage Program	240,000	223,200	0	1	0.00%
298 2008 Brownfield Revolving Loan	96,200	96,200	26,637	9,636	10.02%
<b><u>Debt Service Funds :</u></b>					
324 2003 MTF Bond D/S	283,235	283,235	0	283,010	99.92%
365 2003 City Hall D/S	657,500	657,500	57,629	657,276	99.97%
368 Building Authority D/S	133,360	133,360	0	132,910	99.66%
395 2001 DDA TIF D/S	550	550	275	275	50.00%
396 2011 DDA TIF Refinancing D/S	5,624,828	5,493,166	123,563	5,492,206	99.98%
397 2012 BRA TIF Refunding D/S	0	9,121,300	0	9,121,288	100.00%
398 2002 BRA TIF D/S	637,703	418,347	194,620	418,346	100.00%
399 2007 BRA TIF Refunding D/S	446,529	446,529	238,427	446,529	100.00%

(Continued-)

**City of Jackson**  
**All Funds - Revenue Summary**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

- Continued -

Fund/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<b><u>Capital Projects Funds :</u></b>						
401	Capital Projects Fund	635,000	538,102	0	3,117	0.58%
402	Water Equipment and Replacement	1,014,000	1,406,000	285,754	1,124,638	79.99%
404	Sanitary Sewer Maintenance Fund	517,165	516,800	31,729	312,131	60.40%
405	Sanitary Sewer Replacement	663,000	654,778	56,930	603,459	92.16%
406	Wastewater Equip. Replacement	643,000	643,000	54,910	578,977	90.04%
494	Brownfield Redevelopment Auth.	1,272,500	1,205,246	1,194,804	1,203,605	99.86%
496	DDA Project	1,046,602	1,046,602	1,038,602	1,038,617	99.24%
<b><u>Enterprise Funds :</u></b>						
583	Sharp Park Golf Practice Center	68,200	61,750	14,754	40,354	65.35%
585	Auto Parking System	28,250	24,179	1,068	12,296	50.85%
586	Parking Assessment	91,839	122,104	4,329	98,167	80.40%
589	Stormwater Utility	773,000	1,104,707	106,287	1,095,582	99.17%
590	Sewer	5,171,900	5,300,415	473,649	4,369,934	82.45%
591	Water	6,795,327	7,336,148	595,138	6,039,329	82.32%
599	Parking Deck Fund	256,932	257,235	1,724	259,144	100.74%
<b><u>Internal Service Funds :</u></b>						
641	Public Works Administration	617,445	615,153	52,026	574,419	93.38%
642	Engineering Administration	385,888	315,947	27,596	283,716	89.80%
643	Local Site Remediation Revolving	165,000	80,894	77,779	79,739	98.57%
661	Motor Pool and Garage	1,341,764	1,330,781	105,280	1,104,848	83.02%
663	Equipment Revolving Fund	72,136	55,300	0	55,300	100.00%
677	Workers' Compensation	265,000	296,640	17,963	234,885	79.18%
678	Prescription Drug	810,300	896,050	56,615	813,577	90.80%
679	Health Care Deductible Reimb.	93,000	116,500	12,290	99,730	85.61%
680	Health Care Deductible Reimb.-Fire	170,000	191,264	12,786	153,275	80.14%
<b><u>Trust &amp; Agency Funds :</u></b>						
702	County & School Tax Collection	35,000	16,000	667	8,160	51.00%
711	Cemetery Perpetual Maintenance	89,500	110,600	3,091	65,091	58.85%
718	Ella W. Sharp Endowment	85,050	80,102	0	0	0.00%
731	Employees' Retirement System	4,183,000	4,183,000	(1,071,880)	1,465,835	35.04%
732	Policemen's/Firemen's Pension	885,000	872,000	0	425,831	48.83%
733	Policemen's/Firemen's Pension-345	7,168,528	7,173,528	(90,928)	2,825,338	39.39%
736	Public Employees Health Care	40,000	40,000	0	18,527	46.32%
<b><u>Special Assessment Funds :</u></b>						
895	Special Assessment	324,149	344,298	23,022	365,481	106.15%

**City of Jackson**  
**Notes to Revenue & Expenditure Summaries**  
**As of and For the 11 Months Ended May 31, 2012**  
**(Prepared on the Adopted Budget-Basis )**

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

**Financial Summary Narrative:**

**General Fund**

Expenditures in the General Fund are, for the most part, tracking at expected levels through the first eleven months of this fiscal year. A memo was sent to all departments on May 21st and again on June 18th to remind departments to review and, if necessary, submit any needed budget amendments if they were, or it appeared they were going to be, over-budget at June 30th.

The City's income tax revenues show improvement on a month-to-month basis over last fiscal year and should approximate the projected budget estimate. At end of May income tax revenues were 98.33% of budget. In addition, the City has also been receiving statutory revenue sharing under the State's EVIP Program. These funds are contingent upon the City complying with three criteria, all of which have already had their certifications filed with the State Treasury.

**Other Funds**

Other major funds are also, for the most part, at revenue and expense levels that are expected at this point in the fiscal year.



**Department of Community Development**  
**Building a Stronger Community**

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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 26, 2012**  
**NEW BUSINESS**

**TO:** Honorable Mayor and City Councilmembers

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

**RE:** CDBG and HOME Financial Summaries through May 2012

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**MOTION:** Receipt of the CDBG and HOME Financial Summaries through May 2012

Attached please find Financial Summaries for CDBG and HOME funds for the eleven months ended June 26, 2012.

Cc: Heather Soat, Accounting Manager  
Michelle Pultz, Records Management Coordinator

**City of Jackson  
Community Development Block Grant  
Monthly Financial Summary  
For the Eleven Months Ended May 31, 2012**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<b><u>Public Services</u></b>							
1 AWARE							
FY 2010/2011	15,000	12,500	-	2,500	15,000	-	100.0%
FY 2011/2012	5,500	-	4,850	4,850	4,850	650	88.2%
2 JAHC - Homeownership Training (FY 2010/2011)	8,000	7,737	-	263	8,000	-	100.0%
3 MLK Summer Program	40,000	-	-	40,000	40,000	-	100.0%
4 Center for Family Health	10,000	-	-	10,000	10,000	-	100.0%
5 Partnership Park-After School Programs (FY 2010/2011)	5,000	2,690	-	2,310	5,000	-	100.0%
6 United Way - 211 Services	7,500	-	-	7,500	7,500	-	100.0%
7 Salvation Army - Heating Assistance	55,954	-	-	31,161	31,161	24,793	55.7%
<b><u>Administration</u></b>							
8 Administration & Planning							
FY 2010/2011	249,700	145,174	-	104,526	249,700	-	100.0%
FY 2011/2012	205,000	-	17,546	77,924	77,924	127,076	38.0%
<b><u>Code Enforcement</u></b>							
9 City Code Enforcement Division							
FY 2010/2011	503,345	386,244	-	117,101	503,345	-	100.0%
FY 2011/2012	485,000	-	70,133	321,819	321,819	163,181	66.4%
10 City Attorney Office							
FY 2010/2011	63,000	33,722	-	29,278	63,000	-	100.0%
FY 2011/2012	29,000	-	5,012	19,427	19,427	9,573	67.0%
<b><u>Housing Rehabilitation Projects</u></b>							
11 Owner Occupied Housing Rehabilitation							
FY 2008/2009	58,980	33,345	-	2,539	35,884	23,096 ±	60.8%
FY 2009/2010	88,000	-	-	-	-	88,000 ±	0.0%
FY 2010/2011	60,000	-	-	-	-	60,000 ±	0.0%
FY 2011/2012	50,027	-	-	-	-	50,027 ±	0.0%
12 City Emergency Hazard Repair Program							

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
FY 2010/2011	125,000	37,067	9,496	67,949	105,016	19,984	84.0%
FY 2011/2012	54,900	-	-	-	-	54,900	0.0%
13 New Neighbor Program (FY 2005/2006)	80,000	69,329	-	6,943	76,272	3,728 ±	95.3%
14 World Changers							
FY 2010/2011	45,585	12,454	-	20,929	33,383	12,202	73.2%
FY 2011/2012	40,000	-	-	-	-	40,000	0.0%
15 Cleanup (FY 2010/2011)	10,000	-	-	-	-	10,000 ±	0.0%
16 City Rehab Administration (Denied Loans)							
FY 2008/2009	3,000	1,491	-	1,509	3,000	-	100.0%
FY 2009/2010	1,000	-	-	1,000	1,000	-	100.0%
FY 2010/2011	1,000	-	(652)	348	348	652	34.8%
FY 2011/2012	1,000	-	(573)	-	-	1,000 ±	0.0%
17 John George Home - building repairs							
FY 2010/2011	10,000	9,660	-	-	9,660	340	96.6%
FY 2011/2012	12,500	-	-	-	-	12,500	0.0%
18 DDA - Façade Loans (FY 2008/2009)	18,000	5,026	-	-	5,026	12,974 ±	27.9%
<b><u>Street Projects</u></b>							
19 Mason - Jackson to Francis (FY 2009/2010)	141,910	73,118	-	64,935	138,053	3,857	97.3%
20 Loomis - Leroy to North (FY 2009/2010)	116,041	18,715	-	97,326	116,041	-	100.0%
21 Loomis - North to Argyle (FY 2009/2010)	47,000	-	-	47,000	47,000	-	100.0%
22 Monroe Street Sidewalk (FY 2009/2010)	25,049	25,049	-	-	25,049	-	100.0%
23 Special Assessments (FY 2009/2010)	22,718	820	2,276	2,276	3,096	19,622	13.6%
24 Wilkins - Jackson to Williams (FY 2010/2011)	103,000	897	-	81,435	82,332	20,668	79.9%
25 Wilkins - Williams to Mechanic (FY 2010/2011)	106,000	-	-	-	-	106,000	0.0%
26 Wilkins - Mechanic to Francis (FY 2010/2011)	136,000	-	-	136,000	136,000	-	100.0%
27 Special Assessments (FY 2010/2011)	10,000	-	-	-	-	10,000	0.0%
28 Biddle - Jackson to Williams	53,000	-	-	5,750	5,750	47,250	10.8%
29 Forest - Bend to Edgewood	106,000	-	-	5,095	5,095	100,905	4.8%
30 Homewild - Ellery to Edgewood	119,000	-	-	5,641	5,641	113,359	4.7%
31 Special Assessments	25,000	-	-	-	-	25,000	0.0%
<b><u>Other Projects</u></b>							
32 Public Works - curb ramps							

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
FY 2009/2010	67,523	57,655	-	9,868	67,523	-	100.0%
FY 2010/2011	20,000	-	-	20,000	20,000	-	100.0%
FY 2011/2012	10,000	-	-	1,714	1,714	8,286	17.1%
<b>33 Tree Removal/Replacement</b>							
FY 2009/2010	25,000	18,751	-	6,249	25,000	-	100.0%
FY 2010/2011	14,000	-	-	14,000	14,000	-	100.0%
FY 2011/2012	15,000	-	-	13,100	13,100	1,900	87.3%
<b><u>Economic Development</u></b>							
<b>34 Job Creation Loans</b>							
FY 2010/2011	50,000	-	-	-	-	50,000	0.0%
FY 2011/2012	20,000	-	-	-	-	20,000 *	0.0%
<b><u>Public Improvements</u></b>							
<b>35 JPD Equipment (FY 2010/2011)</b>	7,752	7,606	-	-	7,606	146 *	98.1%
<b>36 Demolition (FY 2010/2011)</b>	38,000	-	-	-	-	38,000 *	0.0%

NOTE: All funds are FY 2011/2012 allocations unless otherwise indicated

Balances denoted with an asterisk have been identified as possible demolition funding for the Neighborhood Economic Stabilization program.

**City of Jackson  
HOME  
Monthly Financial Summary  
For the Eleven Months Ended May 31, 2012**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2009/2010	525,179	460,727	-	64,452	525,179	-	100.0%
FY 2011/2012	184,017	-	58,994	58,994	58,994	125,023	32.1%
2 HOME Administration							
FY 2010/2011	30,400	-	-	30,400	30,400	-	100.0%
FY 2011/2012	32,189	-	-	-	-	32,189	0.0%
3 JAHC - Downpayment Assistance							
FY 2010/2011	40,000	-	2,200	18,656	18,656	21,344	46.6%
4 JAHC - CHDO Operating Expenses							
FY 2009/2010	15,000	5,856	-	1,045	6,901	8,099	46.0%
FY 2010/2011	18,000	-	-	-	-	18,000	0.0%
5 CAA - CHDO Operating Expenses (FY 2011/2012)	16,000	-	-	-	-	16,000	0.0%
6 JAHC - CHDO Acquisition/Rehab/Resale							
FY 2009/2010	73,072	55,477	-	17,595	73,072	-	100.0%
FY 2010/2011	90,000	89,670	240	(16,524)	73,146	16,854	81.3%
7 CAA - CHDO Acq/Rehab/Resale (FY 2011/2012)	53,250	-	-	-	-	53,250	0.0%
8 JAHC - Administration (FY 2010/2011)	6,000	4,600	-	394	4,994	1,006	83.2%
9 Habitat for Humanity (FY 2011/2012)	35,000	-	-	13,706	13,706	21,294	39.2%
10 City - Acq/Rehab/Resale (FY 2011/2012)	240,000	-	-	-	-	240,000	0.0%

**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

Jackson, MI 49201

(517) 788-4050


(517) 788-4023

Fax: (517) 788-4059

**MEMORANDUM**

June 19, 2012

TO: Honorable Mayor and City Council

FROM: Julius A. Giglio, City Attorney 

RE: Robert D. Moore v City of Jackson

DATE: June 19, 2012

Attached please find a Summons and Complaint filed by Robert D. Moore against the City of Jackson in the Jackson County Circuit Court. Requested action is to refer this matter to the City Attorney's office for handling.

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

JAG/tk

Enc.

cc w/enc.: Larry Shaffer, City Manager

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO.  12-1782-AS
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Court Address

Court telephone no.

Hon. John G. Moran

Plaintiff name(s), address(es) and telephone no(s). P47476  
 Robert D. Moore  
 1660 Cliffs Landings  
 Ypsilanti, MI 48198 (734) 218-4587

Plaintiff attorney, bar no., address, and telephone no.  
 Pro Per

v

Defendant name(s), address(es), and telephone no(s).  
 City of Jackson  
 Dept of Comm. Development,  
 161 W. Michigan AVE  
 Jackson, MI 49201  
 (517) 788-4060

**SUMMONS** NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan, you are notified:

- You are being sued.
- YOU HAVE 21 DAYS** after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
- If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief in the complaint.

Issued 6/13/12	This summons expires* 9/12/12	Court clerk Linda Damon
-------------------	----------------------------------	----------------------------

\*This summons is invalid unless served on or before its expiration date.

**COMPLAINT** Instruction: The following is information that is required to be in the caption of every complaint and is to be by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

**Family Division Cases**

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

**General Civil Cases**

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in \_\_\_\_\_ Court.

The action  remains  is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

**VENUE**

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

6/13/2012  
Date

Robert D. Moore  
Signature of attorney/plaintiff

**PROOF OF SERVICE**

**SUMMONS AND COMPLAINT**

Case No. 12-1782 PS

**TO PROCESS SERVER:** You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NON-SERVICE**

**OFFICER CERTIFICATE**

OR

**AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

- I served personally a copy of the summons and complaint,
- I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with

\_\_\_\_\_ List all documents served with the Summons and Complaint

\_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- I have personally attempted to serve the summons and complaint, together with any attachments on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

Service fee	Miles Traveled	Mileage fee	Total fee
\$		\$	\$

Signature \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with: \_\_\_\_\_ Attachments

Carmen Ryan on 6/13/12 2:49pm  
 \_\_\_\_\_ Day, date, time  
Carmen Ryan on behalf of City of Jackson  
 \_\_\_\_\_  
 Signature

June 13, 2012

Case Type: AS  
Superintending Control

Appeal to 4<sup>th</sup> District court, in the matter of City of Jackson Decision and Order dated 5/24/2012 regarding 302 First Street. (See attached)

I, Robert D. Moore, owner of the house at 302 First Street **Petition the court for a Temporary Restraining Order and an Order of Superintending Control**

**Plaintiff:**

Robert D. Moore  
1660 Cliffs Landing  
Ypsilanti, Michigan 48197  
(734)218-4587  
bob.moorecfo@yahoo.com

**Defendant:**

City of Jackson  
Dept. of Comm. Development  
161 W. Michigan Avenue  
Jackson, Michigan 49201  
Administrative Services  
(517)788-4060

**Background Information:**

Robert D. Moore was invited to the City of Jackson in 2004 by Washington Way a division of Foote Hospital for the purpose of providing homes and a structured environment for recovering alcoholics and addicts. During the period of 2004 and 2006 Mr. Moore purchased, renovated and staffed 4 homes 2 for men and two for women in Jackson's City limits under the dba of Moorehouse. Due to the success of Moorehouse's program he was approached by Lesia Pickart of the Michigan Prison Reentry Initiative (MPRI) in early 2005 to assist the State of Michigan with Jackson's prison crowding situation and the State of Michigan budget reduction program. The 302 First street property was purchased in 2006 by Mr. Moore at his own expense for placement of MPRI parolees who had a history of drug and alcohol addiction.

Over 90% of the Moorehouse residents arrived homeless and unable to pay rent. As the economy began to fall into a recession in early 2007 it became more difficult to find residents employment and resulted in significant operating deficits and the filing of personal Bankruptcy by Mr. Moore in November of 2007.

As part of the Chapter 7 Bankruptcy proceedings the 302 First Street property was surrendered to Timothy Miller who was appointed as Bankruptcy Trustee. Mr. Miller learned that GMAC bank had not filed a timely lien on the property and attempted to sell the property to satisfy claims from other creditors. The Bankruptcy case was filed for Mr. Moore by Charles Schnieder in Wayne County. The case could not be closed until Miller sold or abandoned the property. Mr. Moore met with Mr. Schnieder during early 2010 seeking Mr. Schnieder help in resolving this property and closing the Bankruptcy case filed in 2007. Mr. Schnieder stated that for more money he could file a motion to compel Mr. Miller to act but suggested he wait.

On April 7, 2012 Mr. Moore was contacted by Susan Murdie a local resident who lives across the street from 302 First and wanted to know why the property was not

maintained. Moore informed her it was part of a Bankruptcy and that he no longer owned the property. Ms. Murdie informed Mr. Moore that per the county records he was the sole owner of the property. Mr. Moore made contact with Mr. Miller, the Bankruptcy trustee on April 11<sup>th</sup> and learned that the Bankruptcy attorney petitioned the court on November 2010 to abandon the property. The court approved the request in December 2010 and the Bankruptcy case was finally closed in August of 2011. Mr. Schnieder received 3 notices of these events none of which were forwarded to Mr. Moore. This action represented breach of contract, the building being vandalized and the city's order to demolish said property. A grievance is being filed with the State Bar and legal action is being reviewed.

The plaintiff's complaint in this matter is that the city did not follow proper procedure entering said premises and conducting an inspection with unauthorized personnel who approved of trespassing on the property and conducting an illegal salvage business in the basement of 302 First Street. Furthermore, the City Inspector that posted the order dated April 18<sup>th</sup> admitted that the deadlines cited in that order were totally unreasonable. In addition, the plaintiff contends that the report filed by the inspector exaggerated the condition of the building in order to support demolition. Finally that the order issued by the Building Code Board of Examiners and Appeals totally disregarded the efforts made by the owner to correct the dangerous structure as defined by Chapter 17 of the City of Jackson Code.

This order if upheld with cost the Plaintiff in excess of \$25,000 for demolish cost as well as future lost of rental income.

Timeline of key dates, activities or circumstances:

- April 11, 2012 Mr. Moore learned he still owned 302 First street house.
- April 12, 2012 Mr. Moore toured property with Susan Murdie, secured doors and initiated plan for clean-up.
- April 16, 2012 City Inspector Brian Taylor entered building and asked Jay Horshall owner of Reynolds Property Management to accompany him. Brian has stated he did so for his own safety. Brian Taylors claims the door was kicked in.
- April 18, 2012 Mr. Moore began clean-up and repairs. While in the basement a man later identified as Vick Horshall entered the back door of the building with a hammer in his hand. When confronted by Mr. Moore he said that his nephew told him he could use the basement to salvage aluminum from two homes recently demolished by Reynolds management that were located on each side of 302 First.
- April 18, 2012 Mr. Horshall called Mr. Moore at home and apologized for trespassing on his property and telling his Uncle he could use Mr Moore's basement to break up windows and salvage aluminum.
- April 19, 2012 Mr. Moore met with Patrick Burtch, Director of Public Works, Frank Donovan, Chief Building official and Brian Taylor City Inspector to discuss how they gained entry to the building and why Jay Horshall was invited to accompany them.
- April 19<sup>th</sup> through 24<sup>th</sup> the following work was completed on the property:  
Interior of the building cleaned of all debris. Second story windows repaired. All

doors were securely fastened. New lock installed on main entry. The roof was inspected and a minor leak repaired. The gutters were reattached to the building. Grass mowed, trimmed over grown bushes, fertilized lawn for weed control and edged side walks. Finally carpets were steamed cleaned by Dailey's carpet cleaning.

- April 24 2012 Mr. Moore spoke with Brian Taylor City inspector at 302 First and asked for clarification on the 7 day deadlines associated with the April 18 Notification and Order. Mr. Taylor indicated that everyone recognizes those deadlines as totally unrealistic and are there to motivate people who let their property go. He indicated that he saw everything Mr. Moore had been doing and the key was to propose a plan and the city would work with me. He suggested Mr. Moore e-mail him the request. Mr. Moore did so on April 25<sup>th</sup> and copied Frank Donovan and Patrick Burtch. Frank responded and told him any correspondence was to be directed to him. Frank never responded to the request and Mr. Moore eventually an order to appear before the Building Code Board of Examiners and Appeals on May 24, 2012.
- April 24, 2012 Mr. Moore spoke with John the owner of Environmental Services, LLC out of Lansing. Jay Horshall had contracted with Environmental Services to demolish the homes on each side of 302 First Street. John claims that his contract with Jay Horshall and Reynolds Property Management allowed him salvage rights to these buildings but Jay sent staff to strip the buildings before they arrived. Based on this new information Mr. Moore filed a police report on April 24, 2012 with Officer TintlePough. Approximately \$75,000 in damage was done to 302 First street when it was stripped. The question is by whom and when. The manager of Reynolds property management, Carrie claims that Brian had informed them that 302 First Street was abandoned and going to be demolish months in advance of the inspection. All this new information suggested that Reynolds Property Management staff may have been involved in the stripping of 302 First Street.
- May 10, 2012 the Police report was completed and Mr. Moore paid for a copy. The report contained multiple errors and totally left out the fact the Reynolds Property Management stripped the building on each side of 302 First Street and the claim by Environmental Services that they did so in violation of their contract.
- May 10<sup>th</sup> through May 23<sup>rd</sup> 2012. Mr. Moore called Officer Tinlepough 5 times requesting that the report be corrected because it was incomplete and inaccurate. Each time Mr. Moore left messages for Officer Tintlepough and never received a return call.
- May 24, 2012 Mr. Moore appeared before the Building Code of Examiners and Appeals and by a 4 to 3 the Board upheld the order to demolish 302 First Street. Mr. Moore did share with the City Mayor his frustration with the Police Department and was now trying to reach a Sergeant Carter. Mr. Moore did receive a call from Sergeant Carter on May 29<sup>th</sup> and agreed to correct the report but as of today that has yet to be completed.

Therefore I Petition the court for a Temporary Restraining Order and an Order of  
Superintending Control

Robert D. Moore      6/13/12

Robert D. Moore

Date

Filing on behalf of self



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

May 29, 2012

MOORE ROBERT D  
8189 VALLEY VIEW DR  
YPSILANTI MI 48197

RE: 302 FIRST ST (HOUSE)

Dear Owner:

Enclosed please find a copy of the Decision of the Building Code Board of Examiners and Appeals as decided at the May 24, 2012, meeting.

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

Sincerely,

A handwritten signature in cursive script that reads "Frank Donovan".

Frank Donovan  
Chief Building Official

FD/smp

pc file copy





Department of Community Development
Building a Stronger Community

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

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

BUILDING CODE BOARD OF EXAMINERS AND APPEALS
IN REGARD TO THE MATTER OF: 302 FIRST ST (HOUSE)
DECISION AND ORDER

At a session of said Building Code Board of Appeals held in the City of Jackson, County of Jackson,
State of Michigan on the 24th day of May, 2012

Upon hearing the evidence and examining the exhibits, the Building Code Board of Examiners and Appeals finds that
the Notice and Order served upon the Owner(s) of record MOORE ROBERT D is hereby UPHHELD.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that the structure located at 302 FIRST ST is a
dangerous structure as defined by Chapter 17, Sections 17-26 (5,6,9) and 17-27 of the Code of the City of Jackson,
because:

The Owner(s) failed to comply with the requirements of the Notice and Order dated April 18, 2012.

IT IS FURTHER ORDERED AND ADJUDGED that the Building Inspection Division shall cause said structure to be
demolished or otherwise made safe, with the cost of same to be the responsibility of the Owner(s).

IF YOU DO NOT AGREE WITH THIS DECISION AND ORDER OF THE BUILDING CODE BOARD OF
APPEALS, YOU MAY APPEAL IT TO THE CIRCUIT COURT BY FILING A PETITION FOR A
TEMPORARY RESTRAINING ORDER AND AN ORDER OF SUPERINTENDING CONTROL WITHIN
TWENTY (20) DAYS OF THE DATE OF THIS DECISION. YOU MUST ALSO SERVE A COPY OF THE
PETITION AND TEMPORARY ORDER UPON THE CITY OF JACKSON WITHIN THAT TIME
PERIOD TO STOP ANY CITY ACTION TAKEN TOWARD THE PROPERTY.

PLEASE NOTE THAT THE CITY OF JACKSON WILL, BY SPECIAL ASSESSMENT, ASSESS ALL
COSTS INCURRED TO ENFORCE THIS DECISION AND ORDER AGAINST THE PROPERTY AND
THE CITY OF JACKSON MAY FILE SUIT TO RECOVER THESE COSTS AGAINST THE OWNER(S)
WITHOUT LOSING ITS RIGHT TO PLACE A LIEN ON THE PROPERTY.

DATE: 5/24/12

Francis X. Berkemeier, Chairperson

Andrew Dotterweich

Jon Dowling, Engineering Department

Martin J. Griffin

David Wooden, Fire Department
Bill Benedetto

Patrick Burtch, Director of Public Works

June 20, 2012

Report # 5 from the Chairperson of the City Affairs/Rules and Personnel Committee with action items:

To: City Council

A)The City Affairs/Rules & Personnel Committee met with the 4 appointed officials to discuss their annual evaluations and voted 3-0 to recommend that the Council receive the composite evaluations of the appointed officials and direct that they be placed in the affected official's personnel file and that individual evaluations for each official be secured in the office of the City Clerk.

B) The Committee 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.

C) The committee voted 2-1 to recommend to the City Council to extend contracts as follows: City Assessor to 9/15/14, City Attorney to 8/30/14 and City Clerk to 6/28/13

Move to receive the Report from the City Affairs/Rules & Personnel Committee and concur in with:

Recommendation A

Recommendation B

Recommendation C

**Committee members:**

**Laura Dwyer Schlecte, Daniel P. Greer, Carl L. Breeding, Chairperson**



**CITY CLERK'S OFFICE**

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**CITY COUNCIL MEETING  
June 26, 2012**

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Public Hearing and Resolution Regarding the Application Filed by HCL America, Inc. for a Personal Property Tax Exemption Certificate

**MOTION: PUBLIC HEARING ON THE APPLICATION FILED BY HCL AMERICA, INC. FOR A PERSONAL PROPERTY TAX EXEMPTION UNDER P.A. 328, AS AMENDED.**

**1. RESOLUTION GRANTING THE EXEMPTION.**

Attached please find the resolution and a copy of the application filed by HCL America, Inc. for a personal property tax exemption under P.A. 328, as amended. The location is 209 E. Washington, Suite 500, 5<sup>th</sup> floor and the legal description is attached.

Requested action is for the Council to adopt the resolution after the public hearing is held.

Thank you.

C: City Manager  
Deputy City Manager  
City Assessor  
City Attorney

**RESOLUTION**

**APPROVING A  
PERSONAL PROPERTY TAX EXEMPTION APPLICATION**

Under Public Act 328 of 1998, as amended by Public Act 20 of 1999  
for

**HCL AMERICA, INC.**

**BY THE CITY COUNCIL:**

**WHEREAS**, the City Council of the City of Jackson recognizes the need to eliminate unemployment, spur economic growth and increase its commercial and industrial tax base by selective use of Public Act 328 of 1998, as amended; and

**WHEREAS**, the City of Jackson, as a statutorily defined distressed area, qualifies to use this Act; and

**WHEREAS**, HCL America, Inc. has applied for exemption of new personal property under this Act; and

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

**WHEREAS**, a public hearing on the application was held by the City Council on June 26, 2012.

**NOW, THEREFORE, BE IT RESOLVED** that a Personal Property Tax Exemption is granted to HCL America, Inc. by the City Council of the City of Jackson for twelve (12) years. The effective date of this exemption shall begin as of the approval of this application, hereafter established as December 31, 2012, and shall cease on, or before, December 31, 2024.

**THE CITY COUNCIL** finds that HCL America, Inc. is an eligible business fitting into the Office Operations business category.

**FURTHERMORE**, the project is located in an Eligible District, namely a Brownfield Redevelopment Authority Zone, which is within the political jurisdiction of the City of Jackson.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to take any and all necessary actions to ensure the proper filing of this resolution with the State Treasurer and State Tax Commission.

\* \* \* \* \*

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 June 26, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, Michigan on this 27th day of June, 2012.

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

## Application for Exemption of New Personal Property

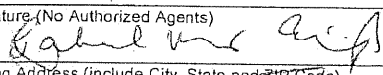
Issued under P.A. 328 of 1998. An exemption will not be effective until approved by the State Tax Commission.

**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 Zone 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
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**HCL AMERICA, INC.  
LEGAL DESCRIPTION  
APPLICATION FOR ACT 328  
PERSONAL PROPERTY TAX EXEMPTION**

**LOTS 7 THRU 17 INCLUSIVE BLOCK 3 SOUTH RANGE 2  
EAST OF ORIGINAL PLAT OF VILLAGE OF  
JACKSONBURG.**

**NEW PERSONAL PROPERTY TAX EXEMPTION AGREEMENT**

AGREEMENT made this day of June 21<sup>st</sup> 2002 by and between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 ("City"); and HEL AMERICA INC., a Michigan corporation, with offices located at CCC, 209 EAST WASHINGTON AVE, City and County of Jackson, Michigan; 5<sup>th</sup> FLOOR, JACKSON, MI

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 April 20, 1999 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 JUNE 26, 2012 and ending JUNE 26, 2024.

12 (x) 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 \$ 1.5 M<sup>ILLION</sup> 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 200 (x) new jobs within the eligible district in which Applicant is located within 3 (x) 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, 2012, 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:

Jessica Winston  
HCL America

CITY OF JACKSON

By \_\_\_\_\_

Its \_\_\_\_\_

APPLICANT

By Rajesh Kumar Singh

Its HCL AMERICA INC.

SR. REGIONAL DIRECTOR  
& HEAD OF OPERATIONS  
(GLOBAL DELIVERY CENTERS  
- US & MEXICO)



# Department of Community Development

## Building a Stronger Community

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

### CITY COUNCIL MEETING JUNE 26, 2012

**MEMO TO:** Honorable Mayor and City Councilmembers

**FROM:** City of Jackson Planning Commission  
Patrick Burtch, Deputy City Manager  
Barry Hicks, AICP, Planning Director *PBH*

**DATE:** June 21, 2012

**SUBJECT:** **Proposed Ordinance Amendments to Chapter 28 (Zoning); Reorganization of Article IV and subsequent Sections.**

**MOTION 1:** Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would reorganize Article IV and subsequent Sections.

**MOTION 2:** Consideration of an Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan, by repealing those sections pertaining to planned unit residential development districts; transferring Sections from Article IV to Article III; reorganizing the remaining Sections which currently comprise Article IV into two new Articles; and renumbering the subsequent Articles in the Ordinance (*City Planning Commission and Staff recommends approval*).

**MOTION 3:** Consideration of removing the Zoning Ordinance from Municode and that the City publish and maintain the ordinance independently and to retain the Ordinance as Chapter 28 of the City of Jackson's Code of Ordinances (*City Planning Commission and Staff recommends approval*).

---

The proposed reorganization of the City's Zoning ordinance is being proposed so as to group similar information and sections next to one another that contain similar information and so that they are easier to locate and reference.

Additionally, the Planning Commission and Staff are recommending that the Zoning Ordinance be removed from MuniCode, the City's online ordinance publisher, in order to publish the ordinance separately due to several formatting issues. The Zoning Ordinance would legally remain Chapter 28 of the City's Codes of Ordinances.

Attached, you will find the memorandum that was sent to the Planning Commission, which provides more details regarding the proposed revisions.

The Planning Commission reviewed and considered reorganizing the City's Zoning Ordinance at their June 20, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances, and to and maintain Chapter 28 independently from Municode.

BH

Att': Planning Commission Memorandum  
Proposed Ordinance  
Public Notice



# Department of Community Development

## Building a Stronger Community

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

### PLANNING COMMISSION MEETING JUNE 20, 2012

- MEMO TO:** Planning Commissioners
- FROM:** Barry Hicks, AICP, Planning Director  
Grant Bauman, AICP, Principle Planner (Region 2 Planning Commission)
- DATE:** June 14, 2012
- SUBJECT:** **Proposed Ordinance Amendments to Chapter 28 (Zoning); Reorganization of Article IV and subsequent Sections.**
- MOTION 1:** Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would reorganize Article IV and subsequent Sections.
- MOTION 2:** Consideration of recommending that City Council adopt an Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan, by repealing those sections pertaining to planned unit residential development districts; transferring Sections from Article IV to Article III; reorganizing the remaining Sections which currently comprise Article IV into two new Articles; and renumbering the subsequent Articles in the Ordinance (*Staff recommends approval*).
- MOTION 3:** Consideration of recommending that City Council remove the Zoning Ordinance from Municode and that the City publish and maintain the ordinance independently and to retain the Ordinance as Chapter 28 of the City of Jackson's Code of Ordinances (*Staff recommends approval*).

---

The Zoning Ordinance Revisions Task Force (ZORTF) is proposing that the attached ordinance in order to reorganize Chapter 28 (Zoning) of the City of Jackson Code of Ordinances. The reason for the reorganization is to better lay out the City's Zoning Ordinance so that similar information and sections are next to one another and easier to locate and reference.

The ZORTF developed the reorganization proposal during a few meetings in late April and early May. The proposed reorganization developed during those meetings was then incorporated into the text of the proposed Ordinance and prepared for consideration by the Planning Commission and City Council.

The ZORTF is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission).

The following contains a summary of salient points regarding the proposed Ordinance:

- Reconfiguring the current Article IV (supplemental provisions) into a new Article IV (site and building design standards) and Article V (development approval procedures) will make the ordinance easier to use and administer by grouping those sections which contain design standards into a single article and the grouping of the procedures designed to ensure that those standards are satisfied into an adjacent article;



- The merging of the off-street parking and loading standards in to a single section and the moving of the conditions regarding off-street lots in residential districts to the combined section regulating CUPs “sets the stage” for the off-street parking and loading requirements also under consideration.
- All attempts to utilize the City’s current planned unit residential development (PURD) regulations have resulted in denial. Accordingly, the removal of those regulations will not affect existing development.
- The placement of the various conditional use permit (CUP) standards into a single section “sets the stage” for a full revision of CUP standards in the near future.
- The consolidation of the various manufactured housing standards into a single section “sets the stage” for a full revision of those standards.
- Grouping the various planned building group shopping center (PB) standards into a single section “sets the stage” for a full revision of those standards in the near future, including the incorporation of the mixed-use planned unit development district (PUDD) regulations currently located in Article I.

#### **Separate Publication of the City’s Zoning Ordinance**

In addition to the proposed reorganization and changes, staff would like to recommend removing the Zoning Ordinance from Municode, the City’s ordinance publication consultant, and publish and maintain the ordinance independently. While the ordinance would be published separate from the rest of the City Code, it would legally still be Chapter 28 of the City of Jackson Code of Ordinances. There are a few reasons why the ZORTF is recommending this action:

- Municode’s standard formatting is not conducive to the display of the tables and figures incorporated into recent and planned revisions to the Zoning Ordinance as intended. The separate publication of Chapter 28 (Zoning) will allow for those elements to be displayed as they were envisioned. The need for this action will only grow as the Ordinance continues to evolve into a “Form-Based” regulatory document.
- Legally retaining the Zoning Ordinance as Chapter 28 (Zoning) of the City’s Code of Ordinances – even though it is published separately – should not create the need for cumbersome revisions regarding references to the Code in general or references to specific chapters and sections of the City Code.
- Maintaining the Zoning Ordinance separately from the Code of Ordinance will assure the timely publication of revisions.

Att’: Proposed Ordinance  
Public Notice

ORDINANCE 2012.\_\_\_\_

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan, by repealing those sections pertaining to planned unit residential development districts; transferring Sections from Article IV to Article III; reorganizing the remaining Sections which currently comprise Article IV into two new Articles; and renumbering the subsequent Articles in the Ordinance.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

To reorganize the Zoning Ordinance in preparation for planned revisions to the standards and procedures contained therein; to repeal certain Sections; and to authorize the publication of Chapter 28 (Zoning) separately from the Code of Ordinances.

Section 2. That Chapter 28 (Zoning) of the City Code be published separately while remaining legally part of the Code of Ordinances, City of Jackson, Michigan, in order to facilitate the display of the tables and figures contained therein as intended and to allow for the immediate release of future amendments to the Chapter once they have been adopted by City Council.

Section 3. That Article IV of Chapter 28 (Zoning) of the Code of Ordinances, City of Jackson, Michigan, be amended by repealing the following sections which pertain to planned unit residential development (PURD):

Sec. 28-137. - Planned unit residential development—Generally.

Sec. 28-138. - Same—Regulations.

Sec. 28-139. - Same—Project design standards.

Sec. 28-140. - Same—Procedure for review and approval.

Sec. 28-141. - Same—Applications.

Sec. 28-142. - Same—Conditions.

Sec. 28-143. - Same—Phasing and commencement of construction.

Sec. 28-144. - Same—Effect of approval.

Sec. 28-145. - Same—Fees.

Section 4. That Article III of Chapter 28 (Zoning) of the Code of Ordinances, City of Jackson, Michigan, be amended by transferring the following sections currently located in Article IV:

ARTICLE III. - ZONING DISTRICT REGULATIONS

...

Sec. 28-87. - Use by right on a lot [originally Sec. 28-131].

Sec. 28-88. - Required area or space cannot be shared [originally Sec. 28-133].

Sec. 28-89. - Exemption of essential services [originally Sec. 28-134].

Secs. 28-90 – 28-99. – Reserved.

Section 5. That Article IV of Chapter 28 (Zoning) of the Code of Ordinances, City of Jackson, Michigan, be repealed and the Sections contained therein be reorganized into two new Articles as follows:

ARTICLE IV. - SITE AND BUILDING DESIGN STANDARDS

Sec. 28-100. - Off-street parking *and loading* requirements [originally Sec. 28-106].

Sec. 28-100 (h). - Off-street loading requirements [originally Sec. 28-108].

Secs. 28-101 – 28-104. – Reserved.

Sec. 28-105. - Landscaping and screening requirements [originally Sec. 28-117].

Secs. 28-106 – 28-109. – Reserved.

Sec. 28-110. - Environmental protection standards.

Sec. 28-110 (a). - Limitations on external effects of uses [originally Sec. 28-130].

Sec. 28-110 (b). - Screening of trash storage areas [originally Sec. 28-130.1].

Secs. 28-111 – 28-114. – Reserved.

Sec. 28-115. - Building design standards [originally Sec. 28-159].

Secs. 28-116 – 28-119. – Reserved.

Sec. 28-120. - Accessory structures [originally Sec. 28-132].

Secs. 28-121 – 28-124. – Reserved.

Sec. 28-125. - Fence height and construction [originally Sec. 28-135].

Secs. 28-126 – 28-129. – Reserved.

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**ARTICLE V - DEVELOPMENT APPROVAL PROCEDURES**

Sec. 28-130. – Nonconforming lots, buildings, structures, and uses of buildings, structures and land [originally Sec. 28-121].

Secs. 28-131 – 28-134. – Reserved.

Sec. 28-135. - Site plan review procedures and requirements [originally Sec. 28-152].

Secs. 28-136 – 28-139. – Reserved.

Sec. 28-140. - Additional development requirements for certain permitted uses [originally Sec. 28-136].

Secs. 28-141 – 28-144. – Reserved.

Sec. 28-145. - Conditional uses [originally Sec. 28-146].

Sec. 28-145 (a). - Conditional uses authorized by the city planning commission [originally Sec. 28-147].

Sec. 28-145 (b). - Standards on which decisions will be based [originally Sec. 28-148].

Sec. 28-145 (c). - Voiding of conditional use permit [originally Sec. 28-149].

Sec. 28-145 (c)(1) [originally Sec. 28-149 (a)]

Sec. 28-145 (c)(1)(a) [originally Sec. 28-149 (a)(1)]

Sec. 28-145 (c)(1)(b) [originally Sec. 28-149 (a)(2)]

Sec. 28-145 (c)(2) [originally Sec. 28-149 (b)]

Sec. 28-145 (d). - Additional development requirements for certain conditional uses [originally Sec. 28-150].

Sec. 28-145 (d)(12). - Off-street lots in residential districts [originally Sec. 28-107].

Sec. 28-145 (e). - Conditional use for functional equivalent family; additional persons [originally Sec. 28-151].

Secs. 28-146 – 28-149. – Reserved.

Sec. 28-150. – Manufactured housing standards.

Sec. 28-150 (a). - Mobile home park regulations [originally Sec. 28-119].

Sec. 28-150 (b). - Procedure for obtaining mobile home park approval [originally Sec. 28-120].

Sec. 28-150 (b)(1) [originally Sec. 28-120 (a)]

Sec. 28-150 (b)(2) [originally Sec. 28-120 (b)]

Sec. 28-150 (b)(3) [originally Sec. 28-120 (c)]

Sec. 28-150 (b)(4) [originally Sec. 28-120 (d)]

Sec. 28-150 (b)(5) [originally Sec. 28-120 (e)]

Sec. 28-150 (b)(6) [originally Sec. 28-120 (f)]

Sec. 28-150 (b)(7) [originally Sec. 28-120 (g)]

Sec. 28-150 (b)(8) [originally Sec. 28-120 (h)]

Sec. 28-150 (b)(9) [originally Sec. 28-120 (i)]

Secs. 28-151 – 28-154. – Reserved.

Sec. 28-155. - Wireless telecommunication facilities [originally Sec. 28-134.1].

Secs. 28-156 – 28-159. – Reserved.

Sec. 28-160. - Planned building group shopping centers—~~Generally~~ [originally Sec. 28-153].

Sec. 28-160 (a). - ~~Same~~—Preliminary development plan [originally Sec. 28-154].

Sec. 28-160 (b). - ~~Same~~—Regulations [originally Sec. 28-155].

Sec. 28-160 (c). - ~~Same~~—Final development plan and hearing [originally Sec. 28-156].

Sec. 28-160 (d). - ~~Same~~—Approval of adjustments [originally Sec. 28-157].

Sec. 28-160 (e). - ~~Same~~—Zoning map designation [originally Sec. 28-158].

Secs. 28-161 – 28-164. – Reserved.

Sec. 28-165. - Performance guarantees for improvements [originally Sec. 28-118].

Secs. 28-166 – 28-180. – Reserved.

Section 6. That the following Articles of Chapter 28 (Zoning) of the Code of Ordinances, City of Jackson, Michigan, be renumbered:

ARTICLE VI. - DISTRICT CHANGES AND AMENDMENTS [originally Art. V]

ARTICLE VII. - ADMINISTRATION AND ENFORCEMENT [originally Art. VI]

ARTICLE VIII. - ZONING BOARD OF APPEALS [originally Art. VII]



## Department of Community Development Building a Stronger Community

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

**Published in the Jackson Citizen Patriot on June 3, 2012**

### **Notice of Public Hearing**

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

#### **The request was made by:**

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

#### **The proposed text amendments:**

The proposed amendments to the Zoning Ordinance (Chapter 28) include changes to: reorganize the sections which comprise Article IV, Supplemental Regulations, in to Article IV, Site and Building Design Standards, and Article V, Development Approval Procedures, and to transfer and renumber subsequent Articles accordingly; Deletion of Sec. 28-137 thru Sec. 28-145 regarding Planned Unit Residential Development Districts

#### **The reason for the text amendments:**

The proposed amendments will reorganize the Zoning Ordinance (Chapter 28 of the City of Jackson Code of Ordinances) to consolidate building design and site design standards in to one article, and development and approval procedures in to one article. Additionally, language regarding planned unit residential development districts will be deleted and requests for such development will be regulated as a planned unit development district in accordance with Sec. 28-48.

#### **The effect of adopting the text amendments:**

The proposed changes will reorganize the Zoning Ordinance to make it easier to navigate and to find applicable sections.

The public hearings before the City Planning Commission and City Council will be held on:

**Planning Commission – Wednesday, June 20, 2012 at 6:30 pm**

**City Council – Tuesday, June 26, 2012 at 7:00 pm**

The meetings will be held in the

**City Hall Council Chambers, 2nd floor**

**161 W. Michigan Avenue**

The meetings will be held in the

**City Hall Council Chambers, 2nd floor**

**161 W. Michigan Avenue**

Please contact Barry Hicks at (517) 768-6433 to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks, AICP  
Planning Director



# Department of Community Development

## Building a Stronger Community

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

Phone (517) 788-4060 • Facsimile (517) 780-4781

### CITY COUNCIL MEETING JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: City of Jackson Planning Commission  
Patrick Burtch, Deputy City Manager  
Barry Hicks, AICP, Planning Director *PBH*  
*BH*

DATE: June 21, 2012

SUBJECT: **Proposed Ordinance Amendments to Chapter 28 (Zoning); Off-Street Parking, Loading, and Access Design Standards**

**MOTION 1:** Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would revise Sec. 28-100 – off-street parking, loading, and access design standards, and Sec. 28-5 – definitions (*Planning Commission and Staff recommends approval*).

**MOTION 2:** Consideration of an ordinances revising Sec. 28-100 – off-street parking, loading, and access design standards, and Sec. 28-5 – definitions, to define certain terms to accommodate the new provisions (*Planning Commission and Staff recommends approval*).

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The proposed off-street parking, loading, and access design standards provide the City with a needed tool to improve the physical environment of Jackson and to control parking areas, thereby reducing storm water runoff and protecting the health, safety, and general welfare of its residents and business owners by limiting curb cuts and requiring certain implementations to control off-street traffic. Several elements are being proposed which are designed to control traffic in parking and loading areas as well as their access to public streets in such a manner that will reduce traffic accidents and provide safer, more pedestrian friendly access. The ordinance also continues the ongoing effort to make it easier to administer the Zoning Ordinance by streamlining approval procedures and reducing the number of Planning Commission and Zoning Board of Appeals approval requests.

Attached, you will find the memorandum that was sent to the Planning Commission, which provides more details regarding the proposed ordinance.

The Planning Commission reviewed and considered this ordinance at their June 20, 2012 meeting and is recommending that Council adopt the revisions as proposed to Chapter 28 of the City of Jackson Code of Ordinances.

BH

Att': Planning Commission Memorandum  
Proposed Ordinance  
Public Notice



## Department of Community Development Building a Stronger Community

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

Phone (517) 788-4060 • Facsimile (517) 780-4781

### PLANNING COMMISSION MEETING JUNE 20, 2012

**MEMO TO:** Planning Commissioners

**FROM:** Barry Hicks, AICP, Planning Director  
Grant Bauman, AICP, Principle Planner (Region 2 Planning Commission)

**DATE:** June 14, 2012

**SUBJECT:** **Proposed Ordinance Amendments to Chapter 28 (Zoning); Off-Street Parking, Loading, and Access Design Standards**

**MOTION 1:** Open a Public Hearing to receive comment on the proposed amendments to Chapter 28 (Zoning) of the City of Jackson Code of Ordinances which would revise Sec. 28-100 – off-street parking, loading, and access design standards, and Sec. 28-5 – definitions.

**MOTION 2:** Consideration of recommending that City Council adopt ordinances revising Sec. 28-100 – off-street parking, loading, and access design standards, and Sec. 28-5 – definitions, to define certain terms to accommodate the new provisions. (*Staff recommends approval*).

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The proposed off-street parking, loading, and access design standards provide the City with a needed tool to improve the physical appearance of Jackson, thereby protecting the health, safety, and general welfare of its residents and business owners. The ordinance also continues the ongoing effort to make it easier to administer the Zoning Ordinance by streamlining approval procedures and reducing the number of Planning Commission and Zoning Board of Appeals approval requests.

The proposed ordinance revisions were developed to: reduce the amount of impervious surfaces; provide additional landscape areas in parking lots to increase the amount of pervious surfaces; provide paving and parking lot and loading area design standards; and to minimize the average size and number of curb-cuts, therefore reducing the likelihood of a vehicle or pedestrian accident on public streets. Additionally, the standards will add a minimum and maximum number of parking spaces required per use, which will assure an adequate number of parking spaces are located onsite without allowing more spaces than needed to accommodate the use, thus keeping the amount of paved surface to a minimum without compromising safety and congestion concerns.

The Zoning Ordinance Revisions Task Force (ZORTF) is comprised of Barry Hicks (Planning Director), Patrick Burtch (Deputy City Manager), Bethany Smith (Deputy City Attorney), Frank Donovan (Chief Building Official), and Grant Bauman (Principal Planner, Region 2 Planning Commission). The task force was joined by Troy White from the City Engineering Department to assist with establishing certain engineering standards within the ordinance. An initial draft was created to fit into the existing structure of the City Code. Once that was complete, City staff commenced editing Sec. 28-100 into its current form over the course of several meetings with the assistance of a Region 2 Planner. Amendments to Sec. 28-5 are also recommended in order to define certain terms used as a result of the proposed revisions.

The remainder of this memo contains a summary of salient points regarding the proposed Ordinance:

- Subsection (a) specifies the general standards pertaining to off-street parking areas (e.g., location, setbacks, changes in use/intensity);



Department of Community Development  
Building a Stronger Community

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- Subsection (b) codifies the rules for calculating the number of required parking spaces;
- Subsection (c) is comprised of tables containing the parking requirements for various uses, including minimum and maximum standards and a separate table for uses in Downtown Jackson (i.e., the C-3 district);
- Subsection (d) regulates the storage of recreation vehicles and equipment;
- Subsection (e) places limits of the repair of vehicles in residential districts;
- Subsection (f) controls the parking and storage of commercial vehicles.
- Subsection (g) specifies the layout standards for parking areas (e.g., widths and lengths of parking spaces), including barrier-free spaces, through the use of text and figures;
- Subsection (h) provides the standards for off-street loading, including the size, number, and location of the required spaces.
- Subsection (i) standardizes the location and spacing of driveways as well as the sharing of those facilities among uses.

Att': Proposed Ordinance  
Public Notice

ORDINANCE 2012. \_\_\_\_

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to revise Sec. 28-100, which regulates off-street parking and loading, and to add access management standards to the Section.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To revise the standards for off-street parking and loading and create access design standards which preserve and protect the traditional urban character and form of the City of Jackson, thereby enhancing its economic vitality, aiding in the creation of a pedestrian friendly environment, and protecting property values.

Section 2. That Article IV of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

ARTICLE IV. SITE AND BUILDING DESIGN STANDARDS

**Sec. 28-100. Off-street parking, loading, and access design standards.**

(a) *General provisions for off-street parking.*

- (1) The regulations of this Article must be met in all districts whenever any uses are established or any building or structure is erected, enlarged, or increased in capacity.
- (2) Plans and specifications showing required off-street parking spaces, including the means of access, ingress, egress, drainage and circulation must be submitted to the Zoning Administrator (or designee) for review on or before the time of application for a building permit for the erection or enlargement of a building or at the time spaces are added or altered, unless a site plan is required under Section 28-135 (site plan review procedures and requirements), in which case this requirement does not apply.
- (3) No parking area or parking space which exists at the time this Section becomes effective, or which subsequently thereto is provided for the purpose of complying with the provisions of this Section, may thereafter be relinquished or reduced in any manner below the requirements established by this Ordinance.
- (4) *Residential parking.*
  - a. One-family residential off-street parking spaces must consist of a parking strip, driveway, garage, or combination thereof, and must be located on the premises they are intended to serve.
  - b. No parking is permitted on lawns or other unpaved areas on residential lots.

- c. Parking areas in a front yard are limited to a drive or driveway and may not exceed thirty five percent (35%) of the front yard area.
  - d. Parking in a front yard is prohibited except in an approved driveway which:
    - 1. Must be paved in accordance with Subsection 28-100 (g)(3).
    - 2. Cannot be more than 20-feet wide, extending from the curb cut, unless otherwise approved by the Zoning Administrator (or designee).
  - e. Carports and garages will be calculated as parking spaces on a one-to-one basis. Carports must be enclosed or obscured at least 25% along all sides visible from public streets, residential districts or vehicular drives within the site.
- (5) *Location.*
- a. The parking of vehicles will not be permitted except in an area that has been designated and improved to provide for such vehicle parking in accordance with the provisions of this Article.
  - b. Off-street parking for uses other than one- or two-family dwellings in the R-3, R-4, and R-6 zoning districts must be located only in the side and rear yards and must meet the setbacks of Subsection 28-100 (a)(6). The Zoning Administrator (or designee) or Planning Commission may allow parking in the front yard in consideration of site characteristics such as lot size, configuration, site circulation, number of spaces required, topography, existing structures, parking arrangement on adjacent sites, views, uses across the street and similar features.
  - c. Off-street parking for uses other than one- or two-family dwellings in the C-1, C-2, C-3, C-4, I-1, and I-2 zoning districts must meet the setbacks of Subsection 28-100 (a)(6).
  - d. Off-street parking for all multiple-family and non-residential uses must be either on the same lot or within lots under the same ownership and control as the lot or use being served, except where provided in Subsection 28-100 (5)(e), below.
  - e. Required parking may be provided off-site, on a lot or lots where there is a lease or shared parking agreement to accommodate parking, provided such arrangement is approved by the Zoning Administrator (or designee) or Planning Commission. Any lease or shared parking agreement must include a provision that requires notification to the Zoning Administrator (or designee) of any change in the terms or expiration. The Zoning Administrator (or designee) may allow modifications to parking agreements where parking compliance is achieved in some other manner or the Zoning Board of Appeals grants a variance.

- f. All off-street parking required to meet the requirements of this Section must be within a convenient walking distance of the building entrances, as determined by the Planning Commission, except that valet parking may be provided elsewhere.
  - g. Parking is prohibited in the lawn extensions and/or terraces or on sidewalks within public rights-of-way, on lawn areas or otherwise outside of designated parking spaces.
- (6) *Parking lot setbacks for uses other than one- or two-family dwellings.* Parking lots, including drives and maneuvering aisles, but excluding driveways, must meet the building setback requirement as set forth in the schedule of regulations for that district. The Zoning Administrator (or designee) or Planning Commission may waive this requirement where a shared access driveway, connected parking lots, or rear service drive is provided, or where landscaping or a wall is provided to screen views and headlight glare. Required parking lot setback areas must be landscaped according to the standards of Sec. 28-105.
- (7) *Change in use or intensity.*
- a. Whenever the use of a building or lot is changed, parking facilities must be provided as required by this Section for the new use.
  - b. When an existing use changes employment, operations or activities that may produce parking demand in excess of available spaces, the City will require documentation showing adequate parking is provided or will be expanded to meet the requirements of this Section.
  - c. If any building, structure, or lot is increased through the addition of dwelling units, increased floor area, increased seating capacity, or through other means, additional off-street parking must be provided to bring the use or site into compliance with this Section.
  - d. Any area once designated as required off-street parking must not be altered unless and until equal facilities meeting the standards of this Section are provided elsewhere, or the parking requirements of the site change as determined by the Zoning Administrator (or designee).
  - e. Off-street parking existing at the effective date of this Section, in connection with the operation of an existing building or use, may not be reduced to an amount less than required for a similar new building or new use.
- (8) *Storage and repair.* The use of required parking and loading areas for any other purpose is expressly prohibited.
- (9) *Shared parking.* The shared provision of off-street parking for two (2) or more buildings or uses is permitted where the locational requirements of Subsection 28-100 (a)(5) are met, and a notarized agreement submitted on behalf of all pertinent parties

is approved by the Zoning Administrator (or designee). In such cases, the total number of spaces provided collectively must not be less than the sum of spaces required for each separate use. However, the Zoning Administrator (or designee) or Planning Commission may reduce the total number of spaces by up to 30% if it is determined that the operating hours of the buildings or uses do not overlap.

(10) *Construction parking.* During construction, gravel surfacing may be permitted for such temporary parking as determined by the Zoning Administrator (or designee).

(11) *Deferred parking spaces.*

a. The Zoning Administrator (or designee) or Planning Commission may approve a lesser amount of parking, based upon demonstration by the property owner and applicant (if different) that the required amount of parking is greater than the intended use will generate. In order to meet the parking space requirements of this Section, the area in which the deferred parking would be located must be retained as open space in the event additional parking is required. The site plan must note the area where parking is being deferred, including dimensions and a dotted parking lot layout. Any required landscaping placed within the “banked” parking area must be replaced by the owner/applicant if the parking area is expanded. The owner must agree to construct the additional parking, based on observed use, within six (6) months of being informed of such request by the City.

b. Design of the storm water management facilities for the entire potential parking area (i.e., including the “banked” parking area) must be carried out at the time of the approval of the lesser amount of parking by the Zoning Administrator (or designee) or Planning Commission. Only the construction of storm water management facilities needed to serve the portion of the parking to be built may be required. In such cases, however, the property owner must agree to construct the additional storm water management facilities when the additional parking is constructed. The site plan must note the area where the deferred storm water management facilities will be constructed.

(b) *Rules for calculating required number of parking spaces.*

(1) *Usable floor area and gross floor area.*

a. Where useable floor area (UFA) or gross floor area (GFA), is the unit for determining the required number of off-street parking spaces, determination of the floor area must be based upon a floor plan submitted as part of the site plan review application (see Section 28-5 for definitions).

b. Where the UFA cannot be established at the time of site plan review, it will be considered to be 85% of the gross floor area.

(2) *Bench seating.* In stadiums, sports arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or similar seating facilities, each

twenty-four (24) inches of such seating will be counted as one (1) seat. In cases where a place of assembly has both fixed seats and an open assembly area(s), requirements will be computed separately for each type and added together.

- (3) *Employees.* For requirements stated in terms of employees, the calculation will be based upon the maximum number of employees likely to be on the premises at one time and may include overlap of employees during shift changes.
- (4) *Capacity.* For requirements stated in terms of capacity or permitted occupancy, the number will be determined on the basis of the largest ratings by the building, fire or health codes of the City, county, or state.
- (5) *Partial spaces.* When the number of required parking spaces results in a partial space, any portion of a space up to and including one-quarter (0.25) will be disregarded and portions of a space over one quarter (0.25) will be counted as one (1) additional required space.
- (6) *Public parking is available.* Where a common municipal parking area is in existence, the off-street parking requirements can be waived or reduced if: (a) sidewalks are provided between the parking area and the use and (b) the parking area is no more than a five hundred (500) foot distance, as measured along the sidewalks from the entrance of the establishment concerned. A notarized letter or memo containing this information must be submitted to the Zoning Administrator (or designee). Any change in tenancy or use will be judged as sufficient cause for review by the Zoning Administrator (or designee) or Planning Commission for the purpose of determining off-street parking requirements.
- (7) *Two or more uses proposed.* The number of parking spaces required for land or buildings used for two or more purposes will be the sum of the requirements for the various uses computed in accordance with this Subsection.

If a parking lot serves two or more uses where the operating hours of the uses do not overlap, the total number of required spaces may be less than the sum of requirements for each use. In no case, however, may the number of spaces required be less than the sum of the largest number of spaces required for one use plus one-half (1/2) of the required spaces for each additional use. A notarized agreement must be submitted to the Zoning Administrator (or designee) which identifies (1) the hours of operation for each use and (2) the use with the largest parking requirement as the primary use. The Zoning Administrator (or designee) will determine the conditions of overlapping requirements and the amount of reductions in the required number of spaces which will be permitted, in accordance with this Subsection.

- (8) *Similar Uses.* Where a use is not specifically listed in the Table of Off-Street Parking Space Requirements, the parking requirements of a similar use will apply. The Zoning Administrator (or designee) will make the interpretation. The Zoning Adminis-

trator (or designee) may also refer to national parking generation studies in determining the required parking calculation.

- (9) *Reduction or modification of required spaces.* The required number of spaces in the tables that follow may be reduced or modified by the Zoning Administrator (or designee) or Planning Commission under the following circumstances:
  - a. A shared parking agreement or leased parking is provided as noted in this Section.
  - b. Convenient municipal off-street parking is available to meet peak time parking demands of the use. The City Council may require payment to offset acquisition, construction and maintenance costs.
  - c. The number of required spaces may be reduced in consideration of available curbside spaces within a convenient walking distance, but not those located fronting a residential use.
  - d. Where the applicant has provided a parking study, conducted by a qualified traffic engineer, which demonstrates that another standard based on actual number of employees, expected level of customer traffic or actual counts at a similar establishment would be more appropriate.

(c) *Off-street parking space requirements.*

- (1) *General off-street parking requirements.* The requirements in this Subsection apply to uses outside of the Downtown. Please refer to Subsection 28-100 (c)(2) for the off-street parking requirements which apply in the C-3 district.

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
<i>Dwellings and other residential uses</i>			
One-family dwellings	2.00	4.00	spaces for each dwelling unit
Two-family dwellings	2.00	3.00	spaces for each dwelling unit
Multiple-family dwellings	1.00	1.50	spaces for each dwelling unit; plus
	0.50	0.55	spaces per dwelling unit for visitor parking
Manufactured housing communities	2.00	2.00	spaces per dwelling unit (per the Mich. Admin. Code r. 125.1925); plus
	1.00	1.10	spaces per every 3 dwelling units for visitor parking (per the Mich. Admin. Code r. 125.1926)

(continued)

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Buildings converted to dwellings outside of the C-3 District	1.0	1.1	Spaces per dwelling unit
Elderly housing dwelling Units	1.00	1.10	spaces for each 2 dwelling units; plus
	1.00	1.10	spaces per employee on maximum shift
Apartment hotels, dormitories, and fraternity and sorority houses, including work release (halfway) houses	1.00	1.10	spaces per room or resident (whichever is greater)
Rooming and boarding houses	1.00	1.10	spaces per room or resident (whichever is greater)
Adult and child group home facilities	1.00	1.10	spaces for each employee on site at any one time as well as the required spaces for the dwelling
Assisted living facilities, convalescent homes, nursing homes, and children's homes	1.00	1.10	spaces for each 4 beds; plus
	1.00	1.10	spaces for each 2 employees on maximum shift
Bed and breakfast inns	2.00	2.00	spaces for the owner(s) of the bed and breakfast;
	1.00	1.10	spaces for each guest room
<b><i>Institutional uses</i></b>			
Adult and child day care facilities	2.00	2.20	spaces; plus
	1.00	1.10	spaces per 8 adults or children of licensed authorized capacity; and
	1.00	1.10	drop-off spaces per 8 adults or children of licensed authorized capacity
Churches, temples and similar places of worship and related establishments	1.00	1.10	spaces for each 4 seats of capacity
Essential public services	1.00	1.10	spaces per 100 square feet of UFA
Hospitals	1.75	2.00	spaces per bed; plus the spaces required per 1,000 square feet of UFA devoted to office, research or other related uses; or the required spaces for outpatient care centers

(continued)

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Medical and dental offices and clinics	4.00	4.40	spaces per 1,000 square feet of UFA
Outpatient care centers, urgent care facilities or other similar uses	2.00	2.20	spaces per exam or outpatient procedure/operating room; plus
	1.00	1.10	spaces per room for employee parking
Private clubs and lodge halls	1.00	1.10	spaces for each 3 persons of maximum capacity
Public and quasi-public institutional buildings, structures and uses	0.50	0.75	spaces per 3 seats of permitted capacity with fixed seats (e.g., arenas, auditoriums, and stadiums) ; or
	1.00	1.10	spaces per 300 square feet of UFA without fixed seats (e.g., community centers)
Schools: elementary and middle schools	1.00	1.10	spaces for each employee on maximum shift; plus
	50%	55%	of spaces required for any assembly, auditorium and/or outdoor arena areas; and
	10.00	11.00	pick-up/drop-off spaces as well as any necessary waiting or loading area for buses
Schools: high schools	1.00	1.10	spaces for each employee on maximum shift plus
	1.00	1.10	spaces for each 20 students of capacity; and
	50%	55%	of spaces required for any assembly, auditorium, and/or outdoor arena areas; and
	10.00	11.00	pick-up/drop-off spaces as well as any necessary waiting or loading area for buses
Schools: colleges and business, vocational, and trade schools	1.00	1.10	spaces for each employee plus
	1.00	1.10	spaces for each ten students of capacity; and
	50%	55%	of spaces required for any assembly, auditorium, and/or outdoor arena areas
Libraries, museums, art galleries and centers, and other cultural facilities	1.00	1.10	spaces per 300 square feet of UFA

*(continued)*

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
<i>Commercial uses</i>			
Automobile: gasoline stations and repair establishments	1.00	1.10	spaces for each gasoline pump; plus
	2.00	2.20	spaces for each service bay; and
	1.00	1.10	spaces for each employee on maximum shift; and
	1.00	1.10	spaces per 200 square feet of UFA for retail sales; and
	1.00	1.00	spaces per 4 seats for restaurants; and
	5.00	11.00	stacking spaces per drive-through lane
Automobile: new and used dealerships and other types of vehicle dealers (e.g., recreational vehicles, tractors, commercial trucks, etc.)	1.00	1.50	spaces for each 300 square feet of interior sales area in addition to the spaces dedicated for vehicle sales (refer to Sec. 28-115, site design standards); plus
	1.00	1.10	spaces for each service bay; and
	1.00	1.10	spaces for each 2 employees on maximum shift
Automobile: wash establishments (automatic)	1.00	1.10	spaces per employee during peak shift; plus
	12.00	14.00	stacking spaces for the initial car wash bay; and
	5.00	7.00	stacking spaces for each additional car wash bay; or
	6.00	7.00	stacking spaces when accessory to a gas station
Automobile: wash establishments (manual)	2.00	2.20	spaces; plus
	1.00	1.10	spaces per each employee on maximum shift; and
	2.00	2.20	stacking spaces per bay
Automobile: oil change establishments	3.00	3.30	spaces; plus
	2.00	2.20	stacking spaces per service bay
Banquet facilities	1.00	1.10	spaces per 2 persons of capacity authorized by the building code; or
	1.00	1.10	spaces per 300 square feet of UFA (whichever is greater)
Barber shops and beauty salons, including day spas	2.00	2.20	spaces for each chair; plus
	1.00	1.10	spaces for each employee on maximum shift

(continued)

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Conference centers, exhibit halls and similar uses	1.00	1.10	spaces per two persons of capacity authorized by the Building Code; or
	10.00	11.00	spaces per 1,000 square feet of UFA, (whichever is greater)
Dry cleaners, jewelry stores, repair shops, and similar uses	5.00	5.55	spaces for the initial 1,000 square feet; plus
	1.00	1.10	spaces for each additional 1,000 square feet; and
	1.00	1.10	spaces per employee on maximum shift
Funeral homes and mortuary establishments	1.00	1.10	spaces for each 50 square feet of UFA in service parlors, chapels and receptions areas; plus
	1.00	1.10	spaces for each fleet vehicle
Furniture, appliance, and household equipment stores	1.00	1.10	spaces for each 1,000 square feet of UFA; plus
	1.00	1.10	spaces for each employee on maximum shift
General Commercial and Retail Sales Establishments	5.00	5.00	spaces; plus
	1.00	1.50	spaces per 1,000 square feet of UFA for stores up to 25,000 square feet of GFA; and
	0.50	1.75	spaces per each additional 1,000 square feet of UFA for stores greater than 25,000 square feet of GFA such as shopping centers, discount stores, club warehouses, home improvements centers and grocery stores; and
	0.00	0.25	spaces per 1,000 square feet of UFA of outdoor display and sales areas
Hotels and motels	1.00	1.10	spaces per guest room; plus
	10.00	11.00	spaces per 1,000 square feet of UFA of lounge, restaurant, conference, banquet rooms or exhibit space (if the majority of the patrons are expected to be hotel/motel guests) or the individual standards
Kennels or boarding areas	5.00	5.50	spaces; plus
	1.00	1.10	spaces per employee on maximum shift

*(continued)*

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Lumberyards/stores	3.00	3.30	spaces per 1,000 square feet of UFA
	0.00	0.25	spaces per 1,000 square feet of UFA of outdoor display and sales areas
Mini-self-storage warehouse	3.00	3.30	spaces; plus
	1.00	1.10	spaces per employee on maximum shift
Restaurants: Bars, taverns, and lounges	10.00	12.00	spaces per 1,000 square feet of UFA; plus
	1.00	1.10	spaces per employee on maximum shift
Restaurants: Fast food, drive-through, and drive-in	15.00	16.50	spaces per 1,000 square feet of UFA, excluding the areas used for food preparation; plus
	5.00	7.00	stacking spaces per lane from the location where orders are placed
	1.00	1.10	spaces per employee on maximum shift
Restaurant: Standard	20.00	25.00	spaces per 1,000 square feet of UFA, excluding the areas used for food preparation; plus
	1.00	1.10	spaces per employee on maximum shift and the spaces required for bars, taverns, or lounges and/or banquet or meeting rooms
Restaurant: Carry-out and open front window	6.00	6.60	spaces; plus
	1.00	1.10	spaces per employee on maximum shift
Restaurant: Coffee, Tea, and 'Wi-Fi' Cafes	1.50	2.00	spaces per 125 square feet of UFA
	1.00	1.10	spaces per employee on maximum shift
Self-Serve Laundry (Laundromat)	1.00	1.10	spaces for each 2 machines
Studios for Photography, Dance, Music, Art and Similar Uses	3.00	3.30	spaces per 1,000 square feet of UFA; plus
	1.00	1.10	spaces per employee
Theaters, cinemas, and auditoriums	1.00	1.10	spaces per three seats

*(continued)*

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Video arcade	1.00	1.10	spaces per 100 square feet of UFA; or
	6.00	6.60	spaces (whichever is greater)
Video rental stores	10.00	11.00	spaces per 1,000 square feet of UFA
Office: General	4.00	10.00	spaces per 1,000 square feet of UFA
Office: Professional	5.00	5.50	spaces per 1,000 square feet of UFA
Banks, credit unions, and similar financial establishments	1.00	1.10	spaces per 200 square feet of UFA; plus
	1.00	1.10	stacking spaces for each drive-up teller and each ATM; and
	4.00	5.00	spaces per employee on maximum shift
Banking centers separate from a financial establishment (including ATM's)	4.00	4.40	parking spaces for walk-up banking centers; or
	4.00	4.40	stacking spaces per lane for drive-through banking centers
Veterinary offices, clinics and hospitals	4.00	4.40	spaces per 1,000 square feet of UFA, plus the required spaces for kennels or boarding areas
<b>Industrial uses</b>			
Light and general manufacturing, research establishments, testing labs and development centers	2.00	5.00	spaces; plus
	1.00	1.10	spaces per employee on maximum shift; and the spaces required for any office or sales area
Utility substations, including wireless telecommunication facilities	2.00	2.00	spaces for each substation
Warehousing establishments	2.00	5.00	spaces; plus
	1.00	1.10	spaces per employee on maximum shift; and
	1.00	1.10	spaces for each vehicle to be stored on the premises

(continued)

**Table of General Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
<i>Recreational uses</i>			
Batting cages	3.00	3.30	spaces per batting cage
Bowling alleys	4.00	5.00	spaces for each alley; plus the parking for accessory uses as provided herein
Fitness centers and health clubs	5.00	5.50	spaces per 1,000 square feet of UFA; plus the required parking spaces for swimming pools, courts, restaurants and other uses
Golf driving ranges	1.00	1.10	spaces per 2 tees plus the parking required for other uses on the site
Golf courses (public or private)	6.00	6.60	spaces for each golf hole; plus
	1.00	1.10	spaces for each employee; and the spaces required for each accessory use, such as a restaurant
Miniature golf courses	2.00	2.20	spaces for each golf hole; plus
	1.00	1.10	spaces for each employee; and the spaces required for each accessory use, such as a restaurant
Municipal recreation centers	5.00	8.00	spaces per 1,000 square feet of UFA; plus the spaces required for outdoor courts, field and facilities
Racquetball/Tennis Courts	2.00	3.00	spaces per court
Stadiums, sports arenas, and rolling or ice skating rinks	1.00	1.10	spaces per 3 persons of capacity authorized by the Building Code
Swimming Pools	1.00	1.10	spaces per 3 persons of capacity authorized by the Building Code
Swimming Pool Clubs, Tennis Clubs, and similar uses privately operated	1.00	1.10	spaces for each 2 member families; plus spaces as required for each accessory use, such as restaurant

(2) *Downtown off-street parking requirements.*

- a. The requirements in this Subsection apply to uses in the Downtown, which are reduced requirements in recognition of the opportunities for shared parking and trips in the C-3 District and the proximity to residential areas and public parking areas. Please refer to Subsection 28-100 (c)(1) for the general off-street parking requirements.

**Table of Downtown Off-Street Parking Space Requirements**

Use	Range of parking spaces		
	Min.	Max.	Measurement
Commercial and retail sales establishments	30%	50%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurants: bars, taverns, lounges	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurants: fast food, excluding drive-through or drive-in	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: standard	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: standard with bars, taverns, lounges	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: carry-out and open front window	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: coffee, tea, and 'Wi-Fi' cafes	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Personal service establishments and offices	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
New multiple-family dwellings and existing buildings converted to dwellings	0.00	1.00	spaces for each dwelling unit in buildings with 4 units or less
	1.00	1.10	spaces for each dwelling unit in buildings with 5 to 20 units
	0.50	0.55	spaces for each dwelling unit in buildings with 20 units or more

b. If the required spaces above are obtained by participating in the City's meterless parking system, notarized and signed documentation must be provided to the Zoning Administrator (or designee).

(d) *Storage of recreational vehicles and equipment.*

(1) *Recreation vehicles and equipment.* Recreational vehicles and equipment includes, but are not limited to: boats and boat trailers; snowmobiles; trail cycles; all-terrain vehicles; travel trailers; camp trailers; tent trailers; motor homes; utility trailers; floats, rafts and similar equipment; trailers; cases and boxes used for transporting recreational equipment; and all equipment designed to be used for a temporary dwelling for travel, recreation and vacation use or periodical and occasional family recreational and vacation use.

- (2) *Standards in residential districts.* The following standards will apply in all residential districts:
- a. Except as otherwise permitted in this Section, recreational vehicles and equipment greater than eight (8) feet in width, twenty-two (22) feet in length, and seven (7) feet in height cannot be parked or stored on any lot or parcel in any residential district, and/or parcel used for residential purposes, unless all of the following applies:
    1. The lot/parcel is located adjacent to a property zoned for commercial use.
    2. The vehicle/equipment is parked adjacent to the commercial use and behind the rear corner of the home.
    3. The front and side yard setbacks are satisfied.
  - b. Recreational vehicles and equipment eight (8) feet in width, twenty-two (22) feet in length, and seven (7) feet in height or less may be parked and stored in the rear yard, behind the back building line, on any lot or parcel in any residential district, and/or parcel used for residential purposes, providing the following is satisfied:
    1. No less than a five (5) foot side yard setback is maintained.
    2. No less than a ten (10) foot setback is maintained from the adjacent home unless abutting the garage in which case only the five (5) foot side yard setback will apply.
    3. No less than three (3) feet shall be maintained between the on-site home and the vehicle/equipment.
    4. On a corner lot, vehicles and equipment must be stored behind the established front yards as defined in Section 28-5.
  - c. No more than one (1) unit can be parked outside of a garage or similar structure. For purpose of this limitation, a unit will be recreational equipment used in conjunction with other recreational equipment (i.e. a recreational vehicle mounted on a trailer shall be considered one (1) unit).
  - d. For the purposes of loading and unloading, recreational vehicles and equipment may be parked anywhere in a driveway or parking area on a residential premises for a period not to exceed forty-eight (48) hours, for the purposes of loading and unloading. Parking of self-propelled (i.e. motorized) vehicles (as defined in the Motor Vehicle Code) within the public street shall also be acceptable for the same period, contingent upon other on-street parking regulations contained in this Code.

- e. Such equipment cannot be used for living or sleeping purposes when parked or stored on a residential lot, or in any location not approved for such use, other than as follows:
    - 1. The location must be in accordance with the above noted provisions, and can never be within the public right-of-way.
    - 2. Duration cannot exceed two (2) weeks per year.
  - f. Recreational vehicles and equipment cannot be parked or stored on any public right-of-way other than as noted above in Subsection 28-100 (d)(2)(e).
  - g. Stored recreational vehicles must have a current license plate and be registered to an occupant of the dwelling unit on the parcel(s) on which it is stored.
  - h. The following shall apply to all recreation equipment:
    - 1. Unmounted camper enclosures or boats are not permitted in the front or side yard or driveway and must be stored on a paved surface approved by the Zoning Administrator (or designee) and stabilized.
    - 2. Open top utility trailers may not be used to store any material other than recreational equipment.
    - 3. All boats must be covered.
    - 4. Refer to Subsection 28-100 (f) for commercial vehicle parking and storage regulations.
- (3) No recreational vehicles or equipment are allowed in multiple family development or manufactured housing communities.
- (4) *Repairs in residential districts.* Recreational vehicles and equipment may not be stored or parked in residential districts for the purpose of making major repairs (i.e. engine rebuilding, reconditioning of motor vehicles, body work, etc.), refurbishing, or reconstruction of the recreational vehicle or equipment.
- (5) *Non-residential districts.* The storage of recreational vehicles, equipment, and any other motorized or non-motorized (excluding bicycles) in non-residential districts when it is not associated with the business of the property, must provide proper screening (i.e. no less than eight (8) foot evergreens and/or an eight (8) foot high solid fence, as approved by the Zoning Administrator (or designee)) so that it is not visible from the street and abutting residential areas. All such areas must also be maintained in accordance with Article III (grass and noxious weeds) of Chapter 26 (vegetation) of the Code.
- (e) *Repair of vehicles.* The carrying out of repair, restoration and maintenance procedures or projects on vehicles in any residential zoning district, when such work is not conducted entirely within the interior of the vehicle, is subject to the following limitations:

- (1) Procedures exceeding forty-eight (48) hours in duration or which require the vehicle to be immobile or inoperable in excess of forty-eight (48) hours must be carried out within an enclosed building.
  - (2) Inoperable vehicles and vehicle parts must be stored inside an enclosed building.
- (f) *Commercial vehicle parking and storage.*
- (1) Commercial vehicles cannot be considered as an accessory use to a single-family dwelling except as permitted below:
    - a. The vehicle is used as the principal means of transportation for a resident in the conduct of such resident's employment or profession.
    - b. The vehicle cannot be a utility trailer, dump truck, stake truck, flat-bed truck, wrecker or semi-tractor.
    - c. No part of the vehicle may exceed seven (7) feet in overall height, measured from grade.
    - d. The vehicle cannot have outside brackets or holders for ladders, tools, pipes or other similar equipment.
    - e. The vehicle cannot have more than four (4) rear wheels.
    - f. The vehicle cannot exceed twelve thousand (12,000) pounds gross weight.
  - (2) The parking or storage of essential public service vehicles, such as a police vehicle, fire department or vehicle of a public agency where the vehicle is operated by the homeowner or the occupant is exempt from these provisions provided that the vehicle does not exceed the height and weight standards contained in Subsection 28-100 (f)(1).
  - (3) Commercial vehicles which are employed in conjunction with the permitted use of a lot, parcel or any premises must be parked or stored in compliance with the following provisions:
    - a. For sites with a site plan approved subsequent to the effective date of this Subsection, such vehicles must be parked or stored in parking or loading spaces designated for that purpose on the site plan.
    - b. For situations not covered under Subsection 28-100 (f)(3)(a), such vehicles cannot be parked while the commercial establishment is closed to the public or stored in any parking space adjacent to the public right-of-way except when the number of commercial vehicles under control of the owner and/or occupant exceeds the number of available parking spaces.
  - (4) Commercial vehicles intended to be used as signs are prohibited. No commercial vehicle may be parked on a business premises or an industrial lot for a time period ex-

ceeding forty-eight (48) hours for the intended purpose, as determined by the Zoning Administrator (or designee), of advertising a product or serving as a business sign.

- (5) In any multiple-family residential district, the property owner or the controlling authority must provide a designated area, approved by the Planning Commission, to park or store commercial vehicles. Required parking spaces shall not be used for the parking or storage of commercial vehicles and must be hard surfaced, as approved by the Zoning Administrator (or designee).
- (6) The parking or storage of commercial vehicles and/or for residential, office or storage purposes shall not be permitted, except as allowed in Subsection 28-100 (f)(1).
- (g) *Off-street parking space layout standards, construction and maintenance.*

Wherever a parking lot is built, such parking lot must be laid out, constructed and maintained in accordance with the following standards:

- (1) *Aisle lane widths, parking space widths and parking space length.* Aisle lane widths, parking space widths and parking space lengths are to be provided as shown in the Table of Off-Street Parking Layout Standards and the Figure of Off-Street Parking Layout Standards, unless otherwise approved by the Zoning Administrator (or designee). All spaces must have adequate access by means of aisles or lanes. Aisles for access to all parking spaces on two-way aisles must be designed and clearly marked for two-way movement. Aisles for angle parking spaces must have one-way movement only and must be clearly marked for one-way movement.

**Table of Off-Street Parking Space Layout Standards**

Parking Space Angle	Traffic Direction	Aisle Lane Width	Parking Space Width	Parking Space Length
30 to 74 degrees	One-Way	18 feet	9 feet	21 feet
75 to 90 degrees	Two-Way	24 feet	9 feet	20 feet
Parallel	One-Way	12 feet	9 feet with a minimum 4 foot wide maneuvering area between each space	25 feet
	Two-Way	24 feet		

- (2) *Stormwater drainage.* All off-street parking areas must drain into the appropriate facilities for handling stormwater run-off (per the requirements of the Stormwater Utility Ordinance (Sec. 27-180 *et sec*)), and must be directed to prevent direct drainage onto abutting properties, toward buildings, or onto public rights-of-way.

[PLACEHOLDER FOR THE FIGURE OF OFF-STREET PARKING LAYOUT STANDARDS]

- (3) *Surface treatment.* Surfaces of parking areas or drives must be constructed over an approved and inspected base and maintained in the following manner with concrete or asphalt surfaces and curb and gutters in accordance with City standards. The entire parking lot includes maneuvering lanes and driveways.
- a. *One-and two-family residential.* The depth of pavement and base must meet one of the following standards, or as otherwise approved by the City Engineer (or designee):
    1. Three and a half (3½) inches of asphalt placed in two lifts; or
    2. Four (4) inches of concrete.
  - b. *Other residential and commercial.* The depth of pavement and base must meet one of the following standards, or as otherwise approved by the City Engineer (or designee):
    1. Four (4) inches of asphalt placed in two lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to 98% proctor for parking spaces and six (6) inches of asphalt placed in two lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to 98% proctor for maneuvering lanes and loading areas for commercial vehicles; or
    2. Six (6) inches of concrete.
  - c. *Industrial.* The depth of pavement and base must meet one of the following standards, or as otherwise approved by the City Engineer (or designee):
    1. Four (4) inches of asphalt placed in two lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to 98% proctor for parking spaces and six (6) inches of asphalt placed in a minimum of two (2) lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to 98% proctor for maneuvering lanes and loading areas used for commercial and industrial vehicles.
    2. Six (6) inches of concrete with six (6) inches of base comprised of MDOT 22a aggregate compacted to 98% proctor.
- (4) *Curbs.* A raised or rolled concrete curb and gutter at least six (6) inches in height must be installed (as illustrated in the Figure of Curb and Gutter Standards) with the construction of all driveways, parking lots, access lanes and other vehicle maneuvering areas to prevent motor vehicle conflicts with abutting landscape areas, sidewalks, streets, buildings or adjoining property.
- (5) *Pavement structures.* All catch basins, manhole covers, valve boxes, and similar structures must be encased in eight (8)-inch thick concrete (as illustrated in the Figure of Pavement Structure Standards) with a minimum two (2)-foot diameter outside of the structure, or as approved by the City Engineer (or designee).

**[PLACEHOLDER FOR THE FIGURE OF CURB AND GUTTER STANDARDS AND THE FIGURE OF PAVEMENT STRUCTURE STANDARDS]**

- (6) *Maneuvering lanes.* All off-street parking areas that make it necessary or possible for vehicles to back directly into a public street are prohibited provided that this prohibition does not apply to off-street parking areas of one-family or two-family dwellings.
- (7) *Ingress and egress.* Ingress and egress to parking lots must be provided for all vehicles by means of clearly limited and defined drives. One-way driveways must be twelve (12) feet wide and two-way driveways must be twenty-four (24) feet wide to the front building line of a principal structure.
- (8) *Small vehicles.* A limited number of spaces in each parking lot may be provided for parking of smaller vehicles. The number of such spaces must not exceed ten percent (10%) of the required spaces. The spaces must be clearly identified through the use of signs and/or pavement markings as being for small vehicles. Small vehicle parking spaces must be a minimum of seven and a half (7.5) feet wide and a minimum of eight (8) feet long.
- (9) *Overhang of curbs abutting sidewalks or landscape areas.* The required length of a parking space can be reduced by one and a-half (1½) feet if either of the following applies:
  - a. The useable (net) width of the sidewalk is at least five (5) feet, once the one and a half (1½) foot vehicle overhangs are accounted for; or
  - b. The landscape area is deep enough to accommodate both the one and a half (1½) foot vehicle overhang and the mature widths of any proposed/required shrubbery.
- (10) *Stacking spaces.* Stacking spaces must be nine (9) feet wide and twenty-five (25) feet long. Stacking spaces must be illustrated on the site plan and must not block driveways, parking aisles or circulation around a building or restrict access to waste receptacles and loading areas.
- (11) *Pavement markings.* All parking and loading spaces must be delineated with pavement markings. The visibility of pavement markings delineating parking and loading spaces and directional control must be maintained.
- (12) *Barrier-free parking.*
  - a. Off-street parking facilities required for buildings under separate ordinances or zoning laws must be provided in accordance with the provisions of the Americans with Disabilities Act of 1989, as amended.
  - b. In no case may that parking be less than the following:
    1. Each reserved parking space must be not less than eight (8) feet wide and adjacent to an access aisle not less than five (5) feet wide.

- 2. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined approach or a curb cut with a gradient of not more than one (1) foot in twelve (12) feet, a width of not less than four (4) feet, and a six (6) foot taper along the sidewalk must be provided for wheelchair access.
- c. Parking spaces for the physically handicapped must be located as close as possible to walkways and entrances. There must be a barrier-free route of travel from the parking space to the front entrance of the building. Where possible this route must not cross parking lot maneuvering lanes. Signs must be provided when necessary indicating the direction of travel to an accessible entrance.

**Table of Michigan Barrier-Free Parking Requirements**

Total Number of Spaces in the Parking Lot	Required Number of Handicap Accessible Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	8
301 to 400	12
Over 400	12; plus 2 for every 250 or fraction thereof over 400

- (h) *Off-street loading facilities.*
  - (1) *Applicability.* In connection with every building or part thereof hereafter erected, except one- and two-family dwellings, off-street loading and unloading spaces for uses which customarily receive or distribute material or merchandise by vehicles must be provided on the same lot with such buildings. Off-street loading spaces are hereby required in order to avoid interference with public use of streets and parking areas.
  - (2) *Required parking.* Loading areas cannot be included in calculations for off-street parking space requirements
  - (3) *Review required.* Plans and specifications showing required loading and unloading spaces and the means of ingress and egress and internal circulation must be submitted to the Zoning Administrator (or designee) and any appropriate State or County agency for review at the time of application for a building permit for the erection or

enlargement of a use of a building or structure or at the time such spaces are added or altered, except as required in Sec. 28-135 (Site Plan Review Procedures and Requirements), in which case this requirement will not apply.

- (4) *Size of spaces.* The size of all required loading/unloading spaces must be at least ten (10) feet by fifty (50) feet (five hundred (500) square feet) for office uses and at least ten (10) feet by seventy (70) feet (seven hundred (700) square feet) in areas for commercial and industrial uses, with a clearance of at least fourteen (14) feet in height.
- (5) *Number of spaces.* The minimum number of loading spaces in all zoning districts must be provided in accordance with the following table. The Zoning Administrator (or designee) or Planning Commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

**Table of Off-Street Loading Facility Requirements**

<b>Usable Floor Area in Square Feet</b>	<b>Loading and Unloading Space Required in Terms of Square Feet of Useable Floor Area</b>
0 - 5,000	None
5,001-20,000	One (1) space
20,001-100,000	One (1) space; plus one (1) additional space for each 20,000 square feet in excess of 20,001 square feet
100,001-500,000	Five (5) spaces; plus one (1) additional space for each 40,000 square feet in excess of 100,001 square feet
500,001-and over	Fifteen (15) spaces; plus one (1) additional space for each 80,000 square feet in excess of 500,001 square feet

- (6) *Location.* Loading spaces must meet the following location requirements:
  - a. Loading spaces must be provided off-street in the rear or side yard behind the front building line of the principal structure and will not be permitted in the front yard or where visible from a street or residential district.
  - b. Loading spaces must meet the parking space setback requirements of subsection 28-100 (a)(6).
  - c. Loading spaces must not be closer than twenty-five (25) feet to any residential district property line, unless otherwise approved by the Zoning Administrator (or designee), upon the installation of additional landscaping and/or a barrier.
  - d. Where the loading space requires an overhead door on the building elevation, the overhead doors cannot be visible from the street.

- e. In accordance with Section 28-105, the Zoning Administrator (or designee) or Planning Commission has the discretion to require additional screening in order to provide adequate screening of loading areas from abutting properties.
- (7) *Access and Vehicular Movement.* Site Plans must illustrate expected vehicular path and turning radii of loading/unloading vehicles in order to demonstrate there are no conflicts with internal circulation, parking and accessory structures. Off-street loading facilities that make it necessary or possible to back directly into a public street are prohibited. All maneuvering of trucks and other vehicles must take place on the site and not within a public right-of-way.
- (8) *Surface.* Loading dock approaches and loading spaces must be surfaced with asphalt or concrete paving in order to provide a permanent, durable, and dustless surface with a base sufficient to accommodate expected vehicle weight.
- (9) *Storm Water Drainage.* Loading areas must be graded and drained consistent with the storm water drainage standards for parking lots described in Subsection 28-100 (g)(2).
- (10) *Storage and repair.* The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles is prohibited in required loading spaces.
- (11) *Change in use or intensity.*
  - a. Whenever the use of a building or lot is changed, loading facilities must be provided as required by this Section for the new use.
  - b. If any building, structure or lot is increased in floor area or through other means, additional loading must be provided to bring the site into compliance with this Section.
  - c. Any area designated for required loading must not be changed to any other use unless and until equal facilities meeting the standards of this Section are provided elsewhere, or the loading requirements of the site change as determined by the Zoning Administrator (or designee).
  - d. Loading facilities, existing at the effective date of this Section, in connection with the operation of an existing building or use, cannot be reduced to an amount less than required for a similar new building or new use.
  - e. When changes in activity occur that may produce loading demand in excess of available loading facilities, the City will require documentation showing adequate loading facilities will be provided or will be expanded to meet anticipated needs.
- (i) *Site access location and design (access management).* The standards of this Section are intended to preserve the capacity of the street system and to minimize the potential for traffic collisions, in balance with the need to provide reasonable access to properties.

- (1) *Location in general.* Driveways must be located to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade. Driveways (including the radii but not including right turn lanes, passing lanes, and tapers) must be located entirely within the right-of-way frontage, unless otherwise approved by the City and upon written certification from the adjacent property owner agreeing to such encroachment.
- (2) *Number of driveways.* The number of commercial driveways (not including driveways for two-family dwelling units or unmanned public utility uses) must be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along streets.
- (3) *Driveway spacing from an intersection.* Minimum spacing requirements between a proposed driveway and an intersection (either adjacent or on the opposite side of the street) may be set on a case-by-case basis but in no instance may not be less than the distances listed in the Table of Minimum Commercial Driveway Spacing From Street Intersections, unless approved by the Zoning Administrator (or designee) in consultation with the City Engineer (or designee). The following measurements are from the near edge of the proposed driveway (measured at the throat perpendicular to the street) to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

**Table of Minimum Commercial Driveway Spacing From Street Intersections**

Location of Driveway	Minimum Spacing for a Full Move- ment Driveway	Minimum Spacing for a Driveway Re- stricting Left Turns
Along State Trunkline and City Major Streets, intersecting street is a State Trunkline or City Major Streets	250 feet	125 feet
Along State Trunkline and City Major Streets, intersecting street is a Local Street	200 feet	125 feet
Along Local Streets	75 feet	50 feet

- (4) *Minimum spacing between driveways.* Minimum spacing between two commercial driveways is determined based upon posted speed limits along the parcel frontage. The minimum spacing indicated in the Table of Minimum Spacing Between Commercial Driveways are measured from centerline to centerline, and may only be deviated from upon the approval of the Zoning Administrator (or designee) in consultation with the City Engineer (or designee).

**Table of Minimum Spacing Between Commercial Driveways**

Posted Speed Limit	Minimum Driveway Spacing
25 MPH	130 feet
30 MPH	185 feet
35 MPH	245 feet
40 MPH	300 feet
45 MPH or higher	350 feet

- (5) *Offset.* To reduce left-turn conflicts, commercial driveways must be aligned with driveways or streets on the opposite side of the roadway where possible. If alignment is not possible, driveways should be offset based upon the posted speed limit along the parcel frontage. The minimum spacing indicated below are measured from centerline to centerline.

**Table of Minimum Offsets Between Commercial Driveways**

Posted Speed Limit	Minimum Driveway Spacing
25 MPH	255 feet
30 MPH	325 feet
35 MPH	425 feet
40 MPH	525 feet
45 MPH or higher	630 feet

- (6) *Modification of standards.* Given the existing built conditions through much of the City, the standards above may be modified by the Zoning Administrator (or designee) or Planning Commission on a case-by-case basis depending upon analysis of existing and expected traffic operations, and restrictions imposed by current development or site conditions. The Zoning Administrator (or designee) or Planning Commission may require preparation by the applicant of a traffic study and/or a review by the City Engineer (or designee) to assist in their decision. In no case, however, can the minimum distance between driveways be less than sixty (60) feet. The Zoning Administrator (or designee) or Planning Commission may require a shared access system as described in Subsection 28-100 (i)(7) (see below).
- (7) *Shared access system.* The Zoning Administrator (or designee) or Planning Commission may require a shared access system where it is determined to have a beneficial impact on traffic operations and safety. This determination will be based on the expected traffic patterns, existing traffic conditions and the feasibility for shared access. This shared access system may involve a shared driveway, connections of parking lots or a drive connecting two or more lots or uses, access from a side street, a

shared driveway or service road connecting two or more properties or uses. In such cases a shared access agreement must be provided to the City.

- (8) *Changes in use.* When a use is proposed to change or expand the Zoning Administrator (or designee) or Planning Commission may require the removal or redesign of access points to bring the site closer to conformity with this Section.

Section 3. That Article I of Chapter 28 of the Code of Ordinances, City of Jackson, Michigan be amended by further defining “useable floor area (UFA)” and “gross floor area (GFA)” under the overall definition of “floor area” and defining “stacking space.”

## ARTICLE I. IN GENERAL

### Sec. 28-5. Definitions.

...

*Floor area* means total gross area on all floors as measured to the outside surface of exterior walls, excluding crawl spaces, garages, carports, open porches balconies and terraces (see “floor area terminology” diagram following this Section).

- (1) *Useable floor area (UFA)* means that area to be used for sale of merchandise or services, or to serve patrons, clients or customers. Usable floor area must be measured from the interior faces of the exterior walls, and total usable floor area for a building must include the sum of the usable floor for all floors of a building. Floor area used (or intended to be used) principally for incidental services, storage, installations of mechanical equipment, heating systems, sanitary facilities, and similar uses are excluded from the computation.
- (2) *Gross floor area (GFA)* means the sum of all gross horizontal areas of all floors of a building or buildings, measured from the outside dimensions of the outside face of the outside wall. Unenclosed courtyards or patios are not considered to be part of the gross area, except where they are utilized for commercial purposes such as the outdoor sale of merchandise or dining.

...

*Stacking space* means the average length of a vehicle (i.e., twenty (20) feet), as it applies to the required number of vehicle lengths that must be provided for vehicles cueing per drive-through lane/facility.



## Department of Community Development Building a Stronger Community

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

**Published in the Jackson Citizen Patriot on June 3, 2012**

### **Notice of Public Hearing**

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

### **The request was made by:**

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

### **The proposed text amendments:**

The proposed amendments to the Zoning Ordinance (Chapter 28) include changes to: The revision of a new section: Sec. 28-100. – Off-Street Parking, Loading, and Access Design Standards. Additional amendments to other sections of the Zoning Ordinance may be made for the purpose of keeping the language throughout the ordinance consistent with the proposed text amendments to the aforementioned section.

### **The reason for the text amendments:**

The proposed amendments will create revise some existing standards and create new standards for off-street parking lots, loading areas, curb cuts, and other related design elements associated with parking lots and loading areas. This will include design elements as well as revising the number of minimum number of parking spaces required and creating a maximum number permitted, depending on the use of the property.

### **The effect of adopting the text amendments:**

The proposed changes will create requirements for the layout of off-street parking and loading areas as well as provisions for the acceptable minimum design standards for these areas and their associated use.

The public hearings before the City Planning Commission and City Council will be held on:

**Planning Commission – Wednesday, June 20, 2012 at 6:30 pm**

**City Council – Tuesday, June 26, 2012 at 7:00 pm**

The meetings will be held in the

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

The meetings will be held in the

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

Please contact Barry Hicks at (517) 768-6433 to view, ask questions about, or comment upon the proposed text amendments.

By: Barry Hicks, AICP  
Planning Director



**CITY CLERK'S OFFICE**  
Lynn Fessel, City Clerk

---

**CITY COUNCIL MEETING**  
**June 26, 2012**

DATE: June 16, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Recognition of The Enterprise Group Community Ventures Corp.  
as a Nonprofit Organization

**MOTION: CONSIDERATION OF A RESOLUTION RECOGNIZING  
THE ENTERPRISE GROUP COMMUNITY VENTURES  
CORP. AS A NONPROFIT ORGANIZATION OPERATING  
IN THE COMMUNITY**

Attached please find a resolution recognizing The Enterprise Group Community Ventures Corp. 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  
Deputy 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 The Enterprise Group Community Ventures Corp. of the City of Jackson, county of Jackson, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for

\_\_\_\_\_  
APPROVAL/DISAPPROVAL

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

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

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

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



June 14, 2012

Honorable Mayor and City Council Members:

The Jackson Area Manufacturers Association (JAMA) offers a number of youth educational programs. At the high school level, our newest program is Hot Rod U at which area kids take a rusted out piece of junk (literally) and turn it into a street legal custom hot rod. We'll be finishing up the first car during the last week of June/first week of July. Our plan is to then show the car at various events and then raffle it off, with all of the funds raised going back into the program, thereby allowing us to build the next hot rod.

JAMA contracts with The EG's Community Ventures Corporation for our educational programs. We do this primarily because the CVC is a 501(c)(3) nonprofit (to which corporations can give and obtain tax breaks) while JAMA (and The EG) are 501(c)(6) nonprofit "business leagues".

In looking over the state's qualifications for non-profits to obtain a charitable gaming license, the category that best fits the CVC is that of civic organization. This category has as a requirement that a resolution be passed by the township/city/village in which an organization resides recognizing the organization as a nonprofit operating within the community. Attached is a copy of the resolution template document from the State of Michigan's Charitable Gaming Division, along with copies of the IRS letters indicating the CVC's 501(c)(3) status.

Therefore, I submit for deliberation at your next regular meeting this request for the EG Community Ventures Corporation to be recognized as a nonprofit organization operating in the community (for the purpose of obtaining a charitable gaming license).

Sincerely,

Bill Rayl  
Executive Director, JAMA  
Vice President, EG Community Ventures Corporation

OGDEN UT 84201-0046

In reply refer to: 0423625237  
Aug. 09, 2007 LTR 252C E0 E  
38-2493672 200612 67 000  
00002637  
BODC: TE

ENTERPRISE GROUP COMMUNITY VENTURES  
CORPORATION  
1 S JACKSON SQ STE 1100  
JACKSON MI 49201-1459753

Taxpayer Identification Number: 38-2493672

Dear Taxpayer:

Thank you for your Form 990.

We have changed the name on your account as requested. The number shown above is valid for use on all tax documents.

If you have any questions, please call us toll free at 1-877-829-5500.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.

Telephone Number ( ) \_\_\_\_\_ Hours \_\_\_\_\_

Sincerely yours,

*Marilyn Jordan*

Karen E. Peat  
Dept. Manager, Code & Edit/Entity 3

Enclosure(s):  
Copy of this letter

Internal Revenue Service  
District Director

Department of the Treasury

P. O. BOX 2508  
CINCINNATI, OH 45201

COPY

Date: JUN 01 1989

Employer Identification Number:  
38-2493672

Contact Person:  
MYRNA HUBER

Contact Telephone Number:  
(513) 684-2501

THE JACKSON ALLIANCE  
FOR BUSINESS DEVELOPMENT  
133 W MICHIGAN AVE  
JACKSON, MI 49201

Our Letter Dated:  
August 31, 1984  
Addendum Applies:  
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

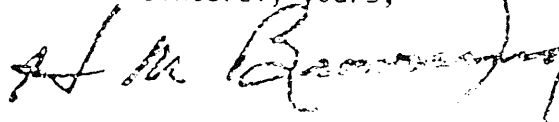
Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

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

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

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



Harold M. Browning  
District Director

Internal Revenue Service

Department of the Treasury

Washington, DC 20224

The Jackson Alliance for  
Business Development  
133 West Michigan Avenue  
Jackson, Michigan 49201

Person to Contact:

James Fillmore

Telephone Number: (202) 566-3473

Refer Reply to:

OP:E:EO:R:3-CJG

Date:

AUG 31 1984

Employer Identification Number: 38-2493672  
Key District: Cincinnati, OH  
Accounting Period Ending: December 31  
Foundation Status Classification: 509(a)(1) and 170(b)(1)(A)(vi)  
Advance Ruling Period Ends: December 31, 1988

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.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after your advance ruling period ends, furnish your key District Director information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as such from the date of your inception for purposes of sections 507(d) and 4940.



## Department of Public Works

521 Water Street - Jackson, MI 49203  
Telephone: (517) 788-4170 — Facsimile: (517) 788-4639

### CITY COUNCIL MEETING JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Patrick Burtch, Deputy City Manager *PKB*  
SUBJECT: Request for Resolution to Order Sidewalk Replacement  
MOTION: **CONSIDERATION TO ADOPT A RESOLUTION TO ORDER  
SIDEWALK REPLACEMENT AT FOUR LOCATIONS LISTED**

---

August 1, 2011 the owner of record for 248 E Euclid was sent a letter giving 45 day notice to arrange for repair of the sidewalk at this address. October 7<sup>th</sup>, the owners of 306 Seventh, 304 Seventh and 317 W Mason were sent a letter giving 45 day notice for repair of the sidewalk at the listed addresses. An inspection was performed on April 27<sup>th</sup> to verify the status of these sidewalks and they have not been repaired.

Per the City Code of Ordinance after resolution is passed a 20 day notice letter will be sent to the owners to respond and abate the hazardous sidewalk condition. If no response is received after the second notification, Public Works will make the necessary sidewalk restoration and invoice the owner as listed on record. I hereby recommend that the City Council adopt this resolution.

Pc: Laurence Shaffer, City Manager

## RESOLUTION

BY CITY COUNCIL:

WHEREAS, the City Council on June 20 of 1992 adopted a program for restoration of hazardous sidewalks in the City of Jackson; and

WHEREAS, that program in part provides that where property owners fail to repair sidewalks within 45 days of the receipt of notice of hazardous sidewalk, that the City Council will order that sidewalk replacement; and

WHEREAS, notice of hazardous sidewalk conditions have been sent to certain property owners and those property owners have failed to restore sidewalks within the 45-day allotted time;

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby order sidewalk replacement as described in the individual notices provided for properties at the following address:

Stencil Number	Address
5-178400000	248 E Euclid
4-052200000	317 W Mason
3-032000000	304 Seventh
3-031900000	306 Seventh

\*\*\*\*\*

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 26<sup>TH</sup> day of June, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 27<sup>th</sup> day of June, 2012.

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



161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING  
JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer

SUBJECT: Resolution for Approval of Contract with MDOT for High Street

**MOTION: Approval of a contract with Michigan Department of Transportation (MDOT) for Street Construction on High Street from Cooper Street to Losey Avenue, and authorization for the Mayor and City Clerk to execute the appropriate contract documents.**

At their June 12, 2012 meeting, the City Council held public hearings of necessity and approved the resolutions ordering construction for pavement improvements on High Street from Cooper Street to Losey Avenue.

Attached is a resolution to enter into a contract with the Michigan Department of Transportation for pavement improvements on High Street from Cooper Street to Losey Avenue. This project includes milling of 4 inches off the roadway and resurfacing with two courses of asphalt hot mix asphalt with spot concrete curb and gutter work. Also, a section of 500 feet centered on the railroad crossing will be reconstructed with new curb and a new full depth pavement section on an improved vertical alignment to provide a smoother crossing than what currently exists.

The total construction cost of this project is estimated at \$481,400.00. The City portion of the project will be paid from Special Assessments. The breakdown is as follows:

Street Construction Federal Funding:	\$394,000.00
Assessments:	<u>\$87,400.00</u>
Total:	\$481,400.00

I am requesting the attached resolution to enter into the contract with the Michigan Department of Transportation be approved by the City Council, and the Mayor and City Clerk be authorized to sign the appropriate contract documents.

Please do not hesitate to contact me if you should have any questions.

JD:sms

c: Laurence R. Shaffer, City Manager  
Randall T. McMunn, P.E. Assistant City Engineer  
Troy R. White, P.E., Civil Engineer III  
Lynn Fessel, City Clerk  
Lucinda Schultz, Accounting Manager

RESOLUTION

BY CITY COUNCIL:

WHEREAS, High Street between Cooper Street and Losey Avenue is in need of pavement improvements; and

WHEREAS, the City has received Federal Funding for 81.85% for the road portion of this project; and

WHEREAS, the cost-participation agreement and contract for this project has been prepared by the Michigan Department of Transportation and forwarded to the City of Jackson for approval; and

WHEREAS, the estimate for the construction work is \$481,400.00 with the State share being \$394,000.00 and the City share being \$87,400.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council does approve the construction on High Street between Cooper Street and Losey Avenue; and

BE IT FURTHER RESOLVED that the City Council does approve entering into contract with the Michigan Department of Transportation for the pavement improvements; and

BE IT FURTHER RESOLVED that the City Council does authorize the Mayor and the City Clerk to sign the contract documents on behalf of the City.

\* \* \* \*

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 26<sup>th</sup> day of June, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 27<sup>th</sup> day of June, 2012.

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

STP

DA  
Control Section STUL 38409  
Job Number 90128  
Project STP 1238(017)  
Federal Item No. HH 7985  
CFDA No. 20.205 (Highway  
Research Planning &  
Construction)  
Contract No. 12-5311

PART I

THIS CONTRACT, consisting of PART I and PART II (Standard Agreement Provisions), is made and entered into this date of \_\_\_\_\_, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF JACKSON, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in the City of Jackson, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I", dated June 4, 2012, attached hereto and made a part hereof:

Hot mix asphalt cold milling and resurfacing work along East High Street from Cooper Street to Losey Avenue; including spot concrete curb and gutter work; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT, at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s) or funding:

SURFACE TRANSPORTATION PROGRAM

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT, including any other costs incurred by the DEPARTMENT as a result of this contract, except for construction engineering and inspection.

No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering, construction materials testing, inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT including advertising and awarding the construction contract for the PROJECT or portions of the PROJECT. Such administration shall be in accordance with PART II, Section II of this contract.

Any items of the PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY, at no cost to the PROJECT or to the DEPARTMENT, shall:

- A. Design or cause to be designed the plans for the PROJECT.
- B. Appoint a project engineer who shall be in responsible charge of the PROJECT and ensure that the plans and specifications are followed.
- C. Perform or cause to be performed the construction engineering, construction materials testing, and inspection services necessary for the completion of the PROJECT.

The REQUESTING PARTY will furnish the DEPARTMENT proposed timing sequences for trunkline signals that, if any, are being made part of the improvement. No timing

adjustments shall be made by the REQUESTING PARTY at any trunkline intersection, without prior issuances by the DEPARTMENT of Standard Traffic Signal Timing Permits.

5. The PROJECT COST shall be met in part by contributions by the Federal Government. Federal Surface Transportation Funds shall be applied to the eligible items of the PROJECT COST at the established Federal participation ratio equal to 81.85 percent. The balance of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds will be the sole responsibility of the REQUESTING PARTY.

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds earned as the PROJECT progresses.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

7. Upon completion of construction of the PROJECT, the REQUESTING PARTY will promptly cause to be enacted and enforced such ordinances or regulations as may be necessary to prohibit parking in the roadway right-of-way throughout the limits of the PROJECT.

8. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project.

9. The REQUESTING PARTY certifies that a) it is a person under 1995 PA 71 and is not aware of and has no reason to believe that the property is a facility as defined in MSA 13A.20101(1)(l); b) the REQUESTING PARTY further certifies that it has completed the tasks required by MCL 324.20126 (3)(h); MSA 13A.20126(3)(h); c) it conducted a visual inspection of property within the existing right of way on which construction is to be performed to determine if any hazardous substances were present; and at sites on which historically were located businesses that involved hazardous substances, it performed a reasonable investigation to determine whether hazardous substances exist. This reasonable investigation should include, at a minimum, contact with local, state and federal environmental agencies to determine if the site has been identified as, or potentially as, a site containing hazardous substances; d) it did not

cause or contribute to the release or threat of release of any hazardous substance found within the PROJECT limits.

The REQUESTING PARTY also certifies that, in addition to reporting the presence of any hazardous substances to the Department of Environmental Quality, it has advised the DEPARTMENT of the presence of any and all hazardous substances which the REQUESTING PARTY found within the PROJECT limits, as a result of performing the investigation and visual inspection required herein. The REQUESTING PARTY also certifies that it has been unable to identify any entity who may be liable for the cost of remediation. As a result, the REQUESTING PARTY has included all estimated costs of remediation of such hazardous substances in its estimated cost of construction of the PROJECT.

10. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either state or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Department of Environmental Quality, shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and, with the FHWA, to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall be charged for and shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT, in the event that remediation and delay costs are not deemed eligible by the FHWA. If the REQUESTING PARTY refuses to participate in the cost of remediation, the DEPARTMENT shall terminate the PROJECT. The parties agree that any costs or damages that the DEPARTMENT incurs as a result of such termination shall be considered a PROJECT COST.

11. If federal and/or state funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Department of Environmental Quality and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the FHWA and/or the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

12. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the Federal Highway Administration pursuant to Title 23 of the United States Code.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT or its agents pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT or its

agents shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT or its agents is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT or its agents does not relieve the REQUESTING PARTY and the local agencies, as applicable of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402, MSA 3.996(102).

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT or its agents is performing a governmental function, as that term is defined in MCL 691.1401; MSA 3.996(101), which is incidental to the completion of the PROJECT.

13. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402; MSA 3.996(102). Exclusive jurisdiction of such highway for the purposes of MCL 691.1402; MSA 3.996(102) rests with the REQUESTING PARTY and other local agencies having respective jurisdiction.

14. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable.

15. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

16. The parties shall promptly provide comprehensive assistance and cooperation in defending and resolving any claims brought against the DEPARTMENT by the contractor, vendors or suppliers as a result of the DEPARTMENT'S award of the construction contract for the PROJECT. Costs incurred by the DEPARTMENT in defending or resolving such claims shall be considered PROJECT COSTS.

17. The DEPARTMENT shall require the contractor who is awarded the contract for the construction of the PROJECT to provide insurance in the amounts specified and in accordance with the DEPARTMENT'S current Standard Specifications for Construction and to:

- A. Maintain bodily injury and property damage insurance for the duration of the PROJECT.
- B. Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the

DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other county, county road commission, or municipality in whose jurisdiction the PROJECT is located, and their employees, for the duration of the PROJECT and to provide, upon request, copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume jurisdiction of the highway described as the PROJECT as a result of being named as an insured on the owner's protective liability insurance policy.

- C. Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current standard specifications for construction and to provide, upon request, copies of notices and reports prepared to those insured.

18. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolutions approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF JACKSON

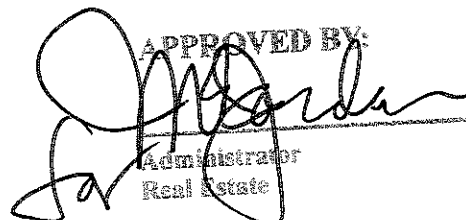
MICHIGAN DEPARTMENT  
OF TRANSPORTATION

By \_\_\_\_\_  
Title:

By \_\_\_\_\_  
Department Director MDOT

By \_\_\_\_\_  
Title:



APPROVED BY:  
  
\_\_\_\_\_  
Administrator  
Real Estate

6/11/12  
\_\_\_\_\_  
Date

June 4, 2012

EXHIBIT I

CONTROL SECTION	STUL 38409
JOB NUMBER	90128
PROJECT	STP 1238(017)

ESTIMATED COST

CONTRACTED WORK

Estimated Cost	\$481,400
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COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$481,400
Less Federal Funds	<u>\$394,000</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$ 87,400

NO DEPOSIT

: DOT

TYPE B  
BUREAU OF HIGHWAYS  
03-15-93

PART II

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV MAINTENANCE AND OPERATION

SECTION V SPECIAL PROGRAM AND PROJECT CONDITIONS

## SECTION I

### COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. To qualify for eligible cost, all work shall be documented in accordance with the requirements and procedures of the DEPARTMENT.
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the following Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 and Title 49 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
  - 1. Engineering
    - a. FAPG (6012.1): Preliminary Engineering
    - b. FAPG (23 CFR 172): Administration of Engineering and Design Related Service Contracts
    - c. FAPG (23 CFR 635A): Contract Procedures
    - d. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments--Allowable Costs
  - 2. Construction
    - a. FAPG (23 CFR 140E): Administrative Settlement Costs-Contract Claims
    - b. FAPG (23 CFR 140B): Construction Engineering Costs
    - c. FAPG (23 CFR 17): Recordkeeping and Retention Requirements for Federal-Aid Highway Records of State Highway Agencies
    - d. FAPG (23 CFR 635A): Contract Procedures
    - e. FAPG (23 CFR 635B): Force Account Construction
    - f. FAPG (23 CFR 645A): Utility Relocations, Adjustments and Reimbursement

- g. FAPG (23 CFR 645B): Accommodation of Utilities (PPM 30-4.1)
  - h. FAPG (23 CFR 655F): Traffic Control Devices on Federal-Aid and other Streets and Highways
  - i. FAPG (49 CFR 18.22): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments—Allowable Costs
3. Modification Or Construction Of Railroad Facilities
- a. FAPG (23 CFR 140I): Reimbursement for Railroad Work
  - b. FAPG (23 CFR 646B): Railroad Highway Projects
- C. In conformance with FAPG (23 CFR 630C) Project Agreements, the political subdivisions party to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
- 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
  - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
  - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

## SECTION II

### PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. The DEPARTMENT will advertise and award all contracted portions of the PROJECT work. Prior to advertising of the PROJECT for receipt of bids, the REQUESTING PARTY may delete any portion or all of the PROJECT work. After receipt of bids for the PROJECT, the REQUESTING PARTY shall have the right to reject the amount bid for the PROJECT prior to the award of the contract for the PROJECT only if such amount exceeds by ten percent (10%) the final engineer's estimate therefor. If such rejection of the bids is not received in writing within two (2) weeks after letting, the DEPARTMENT will assume concurrence. The DEPARTMENT may, upon request, readvertise the PROJECT. Should the REQUESTING PARTY so request in writing within the aforesaid two (2) week period after letting, the PROJECT will be cancelled and the DEPARTMENT will refund the unused balance of the deposit less all costs incurred by the DEPARTMENT.
- C. The DEPARTMENT will perform such inspection services on PROJECT work performed by the REQUESTING PARTY with its own forces as is required to ensure compliance with the approved plans & specifications.
- D. On those projects funded with Federal monies, the DEPARTMENT shall as may be required secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- E. All work in connection with the PROJECT shall be performed in conformance with the Michigan Department of Transportation Standard Specifications for Construction, and the supplemental specifications, Special Provisions and plans pertaining to the PROJECT and all materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. No extra work shall be performed nor changes in plans and specifications made until said work or changes are approved by the project engineer and authorized by the DEPARTMENT.

- F. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than \$100,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

- G. The REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, shall make such arrangements with railway companies, utilities, etc., as may be necessary for the performance of work required for the PROJECT but for which Federal or other reimbursement will not be requested.
- H. The REQUESTING PARTY, at no cost to the PROJECT, or the DEPARTMENT, shall secure, as necessary, all agreements and approvals of the PROJECT with railway companies, the Railroad Safety & Tariffs Division of the DEPARTMENT and other concerned governmental agencies other than the FHWA, and will forward same to the DEPARTMENT for such reviews and approvals as may be required.
- I. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- J. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- K. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- L. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- M. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 2001, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- N. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- O. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- P. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- Q. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

### SECTION III

#### ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate

arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 98-502.

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

- a. Agencies expending a total of \$500,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

- The Reporting Package
- The Data Collection Form
- The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than \$500,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant number(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Transportation  
Bureau of Highways Technical Services  
425 W. Ottawa, P.O. Box 30050  
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FHPM Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final

or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number \_\_\_\_\_", or "Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. Payment of Contracted and DEPARTMENT Costs:

1. As work on the PROJECT commences, the initial payments for contracted work and/or costs incurred by the DEPARTMENT will be made from the working capital deposit. Receipt of progress payments of Federal funds, and where applicable, State Critical Bridge funds, will be used to replenish the working capital deposit. The REQUESTING PARTY shall make prompt payments of its share of the contracted and/or DEPARTMENT incurred portion of the PROJECT COST upon receipt of progress billings from the DEPARTMENT. Progress billings will be based upon the REQUESTING PARTY'S share of the actual costs incurred as work on the PROJECT progresses and will be submitted, as required, until it is determined by the DEPARTMENT that there is sufficient available working capital to meet the remaining anticipated PROJECT COSTS. All progress payments will be made within thirty (30) days of receipt of billings. No monthly billing of a lesser amount than \$1,000.00 will be made unless it is a final or end of fiscal year billing. Should the DEPARTMENT determine that the available working capital exceeds the remaining anticipated PROJECT COSTS, the DEPARTMENT may reimburse the REQUESTING PARTY such excess. Upon completion of the PROJECT, payment of all PROJECT COSTS, receipt of all applicable monies from the FHWA, and completion of necessary audits, the REQUESTING PARTY will be reimbursed the balance of its deposit.

2. In the event that the bid, plus contingencies, for the contracted, and/or the DEPARTMENT incurred portion of the PROJECT work exceeds the estimated cost therefor as established by this contract, the REQUESTING PARTY may be advised and billed for the additional amount of its share.

C. General Conditions:

1. The DEPARTMENT, in accordance with its procedures in existence and covering the time period involved, shall make payment for interest earned on the balance of working capital deposits for all projects on account with the DEPARTMENT. The REQUESTING PARTY in accordance with DEPARTMENT procedures in existence and covering the time period involved, shall make payment for interest owed on any deficit balance of working capital deposits for all projects on account with the DEPARTMENT. This payment or billing is processed on an annual basis corresponding to the State of Michigan fiscal year. Upon receipt of billing for interest incurred, the REQUESTING PARTY promises and shall promptly pay the DEPARTMENT said amount.
2. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
3. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

4. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT and upon completion of the PROJECT, payment of all items of PROJECT COST, receipt of all Federal Aid, if any, and completion of final audit by the DEPARTMENT and if applicable, by the FHWA, shall make final accounting to the REQUESTING PARTY. The final PROJECT accounting will not include interest earned or charged on working capital deposited for the PROJECT which will be accounted for separately at the close of the State of Michigan fiscal year and as set forth in Section C(1).
  
5. The costs of engineering and other services performed on those projects involving specific program funds and one hundred percent (100%) local funds will be apportioned to the respective portions of that project in the same ratio as the actual direct construction costs unless otherwise specified in PART I.

## SECTION IV

### MAINTENANCE AND OPERATION

A. Upon completion of construction of each part of the PROJECT, at no cost to the DEPARTMENT or the PROJECT, each of the parties hereto, within their respective jurisdictions, will make the following provisions for the maintenance and operation of the completed PROJECT:

1. All Projects:

Properly maintain and operate each part of the project, making ample provisions each year for the performance of such maintenance work as may be required, except as qualified in paragraph 2b of this section.

2. Projects Financed in Part with Federal Monies:

a. Sign and mark each part of the PROJECT, in accordance with the current Michigan Manual of Uniform Traffic control Devices, and will not install, or permit to be installed, any signs, signals or markings not in conformance with the standards approved by the FHWA, pursuant to 23 USC 109(d).

b. Remove, prior to completion of the PROJECT, all encroachments from the roadway right-of-way within the limits of each part of the PROJECT.

With respect to new or existing utility installations within the right-of-way of Federal Aid projects and pursuant to FAPG (23 CFR 645B): Occupancy of non-limited access right-of-way may be allowed based on consideration for traffic safety and necessary preservation of roadside space and aesthetic quality. Longitudinal occupancy of non-limited access right-of-way by private lines will require a finding of significant economic hardship, the unavailability of practicable alternatives or other extenuating circumstances.

c. Cause to be enacted, maintained and enforced, ordinances and regulations for proper traffic operations in accordance with the plans of the PROJECT.

d. Make no changes to ordinances or regulations enacted, or traffic controls installed in conjunction with the PROJECT work without prior review by the DEPARTMENT and approval of the FHWA, if required.

- B. On projects for the removal of roadside obstacles, the parties, upon completion of construction of each part of the PROJECT, at no cost to the PROJECT or the DEPARTMENT, will, within their respective jurisdictions, take such action as is necessary to assure that the roadway right-of-way, cleared as the PROJECT, will be maintained free of such obstacles.
- C. On projects for the construction of bikeways, the parties will enact no ordinances or regulations prohibiting the use of bicycles on the facility hereinbefore described as the PROJECT, and will amend any existing restrictive ordinances in this regard so as to allow use of this facility by bicycles. No motorized vehicles shall be permitted on such bikeways or walkways constructed as the PROJECT except those for maintenance purposes.
- D. Failure of the parties hereto to fulfill their respective responsibilities as outlined herein may disqualify that party from future Federal-aid participation in projects on roads or streets for which it has maintenance responsibility. Federal Aid may be withheld until such time as deficiencies in regulations have been corrected, and the improvements constructed as the PROJECT are brought to a satisfactory condition of maintenance.

## SECTION V

### SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that right-of-way.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. On those projects funded with Federal monies, the REQUESTING PARTY, at no cost to the PROJECT or the DEPARTMENT, will provide such accident information as is available and such other information as may be required under the program in order to make the proper assessment of the safety benefits derived from the work performed as the PROJECT. The REQUESTING PARTY will cooperate with the DEPARTMENT in the development of reports and such analysis as may be required and will, when requested by the DEPARTMENT, forward to the DEPARTMENT, in such form as is necessary, the required information.
- D. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000b-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- E. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A  
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

APPENDIX B  
TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

1. Compliance with Regulations: For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. Solicitation for Subcontracts, Including Procurements of Materials and Equipment: All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department or the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to, the following:
  - a. Withholding payments to the contractor until the contractor complies; and/or
  - b. Canceling, terminating, or suspending the contract, in whole or in part.

6. Incorporation of Provisions: The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised June 2011

## APPENDIX C

### TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

#### Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.



# 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 26, 2012

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Resolution of Notification to Jackson County to Release the City of Jackson's Right of First Refusal under PA 123 of 1999

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### MOTION

**Authorize Resolution of Notification to Jackson County to release the City of Jackson's Right of First Refusal under PA 123 of 1999.**

On April 2, 2012, the Jackson County Treasurer foreclosed on 145 properties within the City of Jackson for non-payment of taxes during the last three years. Under PA 123 of 1999, the State of Michigan has first right of refusal of all tax foreclosed properties in its counties, with the local unit of government having subsequent first right of refusal. In order for the City to take possession of a tax foreclosed property, it must pay the delinquent taxes, amounting to over \$700,000 for all 145 properties.

The entire list consists of one commercial property, two mixed use commercial/residential properties which are condemned, 30 vacant lots, and 112 residential properties, 55 of which are currently condemned. It was also noted that 16 of the properties on the 2012 list had previously been foreclosed on by Jackson County in 2009, sold at its tax auctions, and now are circulating through the process again.

At this time, it is recommended the City forego its right of first refusal and not acquire any of the properties on the 2012 Tax Foreclosure list.

**RESOLUTION**

**Notification of Release of Right of First Refusal  
Under Public Act 123 of 1999 for  
The County of Jackson**

WHEREAS, pursuant to Public Act 123 of 1999, MCL 211.78m, the State of Michigan has first right of refusal for all foreclosed property of its Counties; and

WHEREAS, pursuant to Public Act 123 of 1999, MCL 211.78m, the local unit of government has subsequent first right of refusal (pending response from the state which has not yet been received) for all foreclosed property of its Counties; and

WHEREAS, the City of Jackson has reviewed a list of 2012 foreclosed properties located within its boundaries, which are the parcels identified in the attached Exhibit A; and

WHEREAS, pursuant to the aforesaid right of first refusal, the City of Jackson has made a determination that it does not want to purchase the properties identified in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that at the meeting of the Jackson City Council, on this 26<sup>th</sup> day of June, 2012, the City of Jackson hereby declines to exercise its first right of refusal for the 2012 foreclosed properties located in the City of Jackson, County of Jackson, State of Michigan, identified in Exhibit A.

\* \* \* \* \*

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 26<sup>th</sup> day of June, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan on this 27<sup>th</sup> day of June, 2012.

---

Lynn Fessel, City Clerk

BY: ddonalds

For 2012 Foreclosures of 2009 and prior taxes

DB: Jackson

CITY OF JACKSON

Interest Computed As Of Foreclosure Date

PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
1-020600000	135.38	427.18	562.56	2011 2010	2009
LAND COM AT A PT ON THE S LN OF TRAIL ST 6 RDS W OF W LN OF INGHAM ST TH S 80.5 FT TH W 1 RD TH S 35 FT TH W 8 FT TH N TO THE S LN OF TRAIL ST TH E 24.5 FT TO BEG. BLK 1 DURAND'S ADD.					
Property Address: 227 W TRAIL ST ST JACKSON MI					
1-021100000	832.11	575.52	1,407.63	2011 2010	2009
LAND COM AT THE INTERS OF S LN OF TRAIL ST WITH E LN OF BLACKSTONE ST TH E 6 RDS TH S 4 RDS TH W 6 RDS TO THE E LN OF BLACKSTONE ST TH N 4 RDS TO BEG BLK 1 DURAND'S ADD					
Property Address: 431 N BLACKSTONE ST ST JACKSON MI					
1-030100000	2,636.47	596.64	3,233.11	2011 2010	2009
N 33 FT OF LOT 31 BLK 2 DURAND'S ADD W OF JAY ST					
Property Address: 514 BLACKMAN AVE AVE JACKSON MI					
1-035200000	197.48	454.40	651.88	2011 2010	2009
BEG AT THE INTERS OF W LN OF BLACKSTONE ST WITH S LN OF TAYLOR ST TH WLY ALG S LN OF TAYLOR ST 326.75 FT TO A PT FOR THE POB OF THIS DESC TH S 115.5 FT TH W 33 FT TH N 115.5 FT TO S LN OF TAYLOR ST TH E ALG S LN OF TAYLOR ST 33 FT TO POB BLK 4 DURAND'S ADD					
Property Address: 319 TAYLOR ST ST JACKSON MI					
1-067600000	4,050.96	940.20	4,991.16	2011 2010	2009
LOT 22 HILLSIDE SUB DIV					
Property Address: 324 ADAMS ST ST JACKSON MI					
1-082000000	124.84	416.51	541.35	2011 2010	2009
LOT 198 C K PERRINE'S HILLSIDE SUB DIV					
Property Address: DEWEY AVE AVE JACKSON MI					
1-0825.1000	293.70	458.37	752.07	2011 2010	2009
LOTS 199, 200, 201, 202, 203 & E 34 FT OF LOT 204 C K PERRINE'S HILLSIDE SUB DIV					
Property Address: ST CLAIR AVE AVE JACKSON MI					
1-082500000	303.60	460.60	764.20	2011 2010	2009
LOTS 209, 210, 211 & 212 C K PERRINE'S HILLSIDE SUB DIV					
Property Address: HURON ST ST JACKSON MI					
1-082600000	184.97	431.44	616.41	2011 2010	2009
LOTS 213 & 214 C K PERRINE'S HILLSIDE SUB DIV					
Property Address: HURON ST ST JACKSON MI					
2-019800000	3,613.76	835.26	4,449.02	2011 2010	2009
N 33 FT OF LOT 10 BLK 2 WITHINGTON'S ADD					
Property Address: 221 N WEBSTER ST ST JACKSON MI					

BY: ddonalds

For 2012 Foreclosures of 2009 and prior taxes

DB: Jackson

CITY OF JACKSON

Interest Computed As Of Foreclosure Date

PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
2-060500000	3,621.92	1,213.81	4,835.73	2011 2010	2009
LAND COM 243 FT E & 95.3 FT N OF NW COR LOT 15 BLK 1 BENNETT GIBSON'S ADD TH N 80 FT TH W 42 FT TH S 80 FT TH E 42 FT TO BEG NE 1/4 SW 1/4 SEC 34 T2S R1W					
Property Address: 407 DEMAY CT CT JACKSON MI					
2-090400000	5,657.26	1,688.00	7,345.26	2011 2010	2009
LOT 10 & E 1/2 OF LOT 11 BLK 1 STEWARD'S AMENDED ADD					
Property Address: 401 W TRAIL ST ST JACKSON MI					
2-0920.1000	6,031.09	1,685.42	7,716.51	2011 2010	2009
BEG ON E LN OF STEWARD AVE AT NW COR OF LOT 4 BLK 3 STEWARD'S AMENDED ADD TH E ALG N LN OF SD LOT 105.5 FT TO NW COR OF PROPERTY DESC AS E 59.5 FT OF LOT 4 BLK 3 STEWARD'S AMENDED ADD TH S ALG W LN OF ABOVE SD DESC PROPERTY & PARA WITH E LN OF SD LOT 4 132.8 FT TO NLY LN OF TRAIL ST TH NWLY ALG CURVED N LN OF TRAIL ST TO A PT WHICH HAS A CHORD DISTANCE OF 42.2 FT TH N 03 DEG 30' E 80.6 FT TH N 68 DEG 0' W 73.9 FT TO PT ON E LN OF STEWARD AVE TH N 0 DEG 10' W ALG SD E LN OF STEWARD AVE 12 FT TO POB BEING A PART OF LOT 4 BLK 3 STEWARD'S AMENDED ADD					
Property Address: 424 W TRAIL ST ST JACKSON MI					
2-095300000	5,939.51	1,624.67	7,564.18	2011 2010	2009
LOT 9 BLK 6 STEWARD'S AMENDED ADD					
Property Address: 510 OAKHILL AVE AVE JACKSON MI					
2-095700000	8,304.60	2,363.23	10,667.83	2011 2010	2009
LOT 13 BLK 6 STEWARD'S AMENDED ADD					
Property Address: 518 OAKHILL AVE AVE JACKSON MI					
2-106300000	6,365.21	1,921.09	8,286.30	2011 2010	2009
W 28 FT OF LOT 7 & E 14 FT OF LOT 8 BLK 10 STEWARD'S AMENDED ADD					
Property Address: 653 OAKHILL AVE AVE JACKSON MI					
2-113200000	6,335.30	1,801.92	8,137.22	2011 2010	2009
LOT 10 EX N 14 FT BLK 2 SEATON'S ADD					
Property Address: 518 W GANSON ST ST JACKSON MI					
2-141700000	2,663.97	709.39	3,373.36	2011 2010	2009
S 1/2 OF LOT 18 BLK 8 FOOTE & BENNETT'S ADD					
Property Address: 813 BUSH ST ST JACKSON MI					
2-158500000	3,155.57	928.70	4,084.27	2011 2010	2009
S 1/2 OF N 1/2 OF LOT 4 BLK 1 WEBSTER'S HIGHLAND ADD					
Property Address: 609 HIBBARD AVE AVE JACKSON MI					
2-159800000	4,612.05	1,442.28	6,054.33	2011 2010	2009
LOT 15 EX W 2 RDS BLK 1 WEBSTER'S HIGHLAND ADD					
Property Address: 718 CENTER ST ST JACKSON MI					

BY: ddonalds

For 2012 Foreclosures of 2009 and prior taxes

DB: Jackson

CITY OF JACKSON

Interest Computed As Of Foreclosure Date

PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
2-202300000	7,888.94	2,331.52	10,220.46	2011 2010	2009
LAND COM AT A PT ON W LN OF LANSING AVE 200.25 FT S OF S LN OF ADAMS ST TH W 132 FT TH N 66 FT TH W 93.06 FT TH S 132 FT TH E 225.06 FT TO W LN OF LANSING AVE TH N 66 FT TO BEG NE 1/4 NW 1/4 SEC 34 T2S R1W					
Property Address: 1024 LANSING AVE AVE JACKSON MI					
3-003700000	4,455.49	1,470.69	5,926.18	2011 2010	2009
W 42.63 FT OF LOT 2 & W 42.63 FT OF N 11.33 FT OF LOT 3 BLK 9 LIVERMORE WOOD & EATON'S ADD					
Property Address: 415 W WASHINGTON AVE AVE JACKSON MI					
3-005600000	83.83	438.55	522.38	2011 2010	2009
W 40 FT OF E 70 FT OF LOT 18 BLK 9 LIVERMORE WOOD & EATON'S ADD					
Property Address: 410 W FRANKLIN ST ST JACKSON MI					
3-010000000	3,923.50	929.36	4,852.86	2011 2010	2009
W 36.63 FT OF LOT 18 & E 28.37 FT OF LOT 17 BLK 11 LIVERMORE WOOD & EATON'S ADD					
Property Address: 506 W WASHINGTON AVE AVE JACKSON MI					
3-030700000	5,669.82	2,545.81	8,215.63	2011 2010 2009	2008
LOT 21 ASSESSOR'S FRANKLIN PLAT					
Property Address: 710 W FRANKLIN ST ST JACKSON MI					
3-046200000	6,339.65	1,816.87	8,156.52	2011 2010	2009
LOT 12 BLK 2 WOODLAWN J C WOOD'S ADD					
Property Address: 705 SIXTH ST ST JACKSON MI					
3-160600000	4,922.93	1,114.57	6,037.50	2011 2010	2009
S 52 FT 9 IN OF N 105 FT 6 IN OF E 90 FT OF LOT 1 BLK 4 JACKSON MOUND ADD					
Property Address: 1038 FOURTH ST ST JACKSON MI					
3-180400000	8,436.49	4,233.61	12,670.10	2011 2010 2009 2008	2007 2006
N 22 FT OF LOT 2 & S 8 FT OF LOT 1 BLK 1 LOESER'S SUB DIV OF BLKS 14, 15, 16 & PART OF BLKS 6, 7 & 8 JACKSON MOUND ADD					
Property Address: 1123 MOUND AVE AVE JACKSON MI					
3-195400000	3,678.27	875.83	4,554.10	2011 2010	2009
LOT 15 EX W 43 FT BLK 1 EATON WEBSTER & HARWOOD'S ADD					
Property Address: 816 SECOND ST ST JACKSON MI					
3-204900000	3,531.02	1,279.86	4,810.88	2011 2010	2009
E 102 FT OF N 4 RDS OF LOT 5 BLK 5 EATON WEBSTER & HARWOOD'S ADD					
Property Address: 802 FIRST ST ST JACKSON MI					

BY: ddonalds

For 2012 Foreclosures of 2009 and prior taxes

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CITY OF JACKSON

Interest Computed As Of Foreclosure Date

PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
3-206400000	1,936.77	1,001.95	2,938.72	2011 2010	2009
LOT 13 EX S 21 FT HAMILTON'S SUB DIV OF BLK 2 EATON WEBSTER & HARWOOD'S ADD					
Property Address: 611 W MORRELL ST ST JACKSON MI					
3-254700000	3,729.36	1,245.78	4,975.14	2011 2010	2009
W 44 FT OF LOTS 13 & 14 BLK 2 SOUTH PARK SUB DIV OF BLKS 1, 2, 5, 6, 9 & PARTS OF BLKS 7 & 8 GRISWOLD'S ADD					
Property Address: 706 RANDOLPH ST JACKSON MI					
3-3198.4C00	6,077.32	1,806.68	7,884.00	2011 2010	2009
E 15.25 FT OF LOT 14 & W 50.75 FT OF LOT 16 BLK 2 COLFAX ADD					
Property Address: 500 HEYSER ST ST JACKSON MI					
4-024200000	22,518.90	8,293.64	30,812.54	2011 2010 2009	2008 2007
E 66 FT OF N 1/2 OF LOT 2 B5S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG					
Property Address: 209 W FRANKLIN ST ST JACKSON MI					
4-026300000	2,822.84	949.70	3,772.54	2011 2010	2009
E 1/2 OF E 1/2 OF S 1/2 OF LOT 5 B5S R1W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG					
Property Address: 232 W MASON ST ST JACKSON MI					
4-030100000	4,137.77	1,240.53	5,378.30	2011 2010	2009
N 44 FT OF E 5 RDS OF LOT 1 B4S R2W THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG					
Property Address: 400 S BLACKSTONE ST ST JACKSON MI					
4-037500000	4,198.44	1,431.09	5,629.53	2011 2010 2009	2008
LOT 8 BLK 3 LIVERMORE WOOD & EATON'S ADD					
Property Address: 328 W WESLEY ST ST JACKSON MI					
4-041500000	3,963.89	1,165.04	5,128.93	2011 2010	2009
E 54.5 FT OF LOT 6 & E 54.5 FT OF S 2 RDS OF LOT 5 BLK 7 LIVERMORE WOOD & EATON'S ADD					
Property Address: 336 W BIDDLE ST ST JACKSON MI					
4-0434.1000	299.52	453.98	753.50	2011 2010	2009
LOT 11 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B6S R1W					
Property Address: 233 W MASON ST ST JACKSON MI					
4-046000000	3,565.42	1,419.05	4,984.47	2011 2010	2009
LAND COM AT A PT ON N LN OF BIDDLE ST 10 RDS E OF E LN OF BLACKSTONE ST TH N 8 RDS TH E 2 RDS TH S 8 RDS TH W 2 RDS TO BEG BEING PART OF LOT 5 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B7S R1W (W OF GREENWOOD AVE)					
Property Address: 230 W BIDDLE ST ST JACKSON MI					

BY: ddonalds

For 2012 Foreclosures of 2009 and prior taxes

DB: Jackson

CITY OF JACKSON

Interest Computed As Of Foreclosure Date

PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
4-046900000	3,766.12	1,387.34	5,153.46	2011 2010	2009
W 35 FT OF E 82.5 FT OF LOTS 10 & 11 BLK 7 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B7S R1W (W OF GREENWOOD AVE)					
Property Address: 236 W BIDDLE ST ST JACKSON MI					
4-048600000	2,685.80	975.07	3,660.87	2011 2010	2009
N 33 FT OF LOT 5 EX E 1 RD AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B8S R1W (W OF GREENWOOD AVE)					
Property Address: 809 S BLACKSTONE ST ST JACKSON MI					
4-050100000	441.37	82.70	524.07	2011 2010	2009
0501.1 LOT 5 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B8S R1W (E OF GREENWOOD AVE)					
Property Address: 209 W BIDDLE ST ST JACKSON MI					
4-051000000	2,940.23	1,140.66	4,080.89	2011 2010	2009
N 45 FT OF E 4 RDS OF LOT 1 BLK 6 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B6S R2W					
Property Address: 600 S BLACKSTONE ST ST JACKSON MI					
4-054000000	3,141.49	1,118.82	4,260.31	2011 2010	2009
W 44 FT OF E 8 RDS OF LOT 4 BLK 7 AN EXT OF VILLAGE OF JACKSONBURG KNOWN AS MOODY'S EXT B7S R2W					
Property Address: 304 W BIDDLE ST ST JACKSON MI					
4-066900000	3,227.40	1,025.08	4,252.48	2011 2010	2009
LOT 62 ASSESSOR'S SOUTH PLAT					
Property Address: 1035 S JACKSON ST ST JACKSON MI					
4-067200000	2,956.51	757.17	3,713.68	2011 2010	2009
LOT 65 ASSESSOR'S SOUTH PLAT					
Property Address: 1041 S JACKSON ST ST JACKSON MI					
4-067900000	2,802.11	889.20	3,691.31	2011 2010	2009
LOT 72 ASSESSOR'S SOUTH PLAT					
Property Address: 1038 WILLIAMS ST ST JACKSON MI					
4-0720.1000	165.66	430.80	596.46	2011 2010	2009
LOT 113 ASSESSOR'S SOUTH PLAT					
Property Address: 801 S JACKSON ST ST JACKSON MI					
4-075000000	806.26	450.17	1,256.43	2011 2010	2009
LOT 147 ASSESSOR'S SOUTH PLAT					
Property Address: 710 WILLIAMS ST ST JACKSON MI					

BY: ddonalds

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4-075600000	3,081.44	1,126.49	4,207.93	2011 2010	2009
LOT 153 ASSESSOR'S SOUTH PLAT					
Property Address: 110 W BIDDLE ST ST JACKSON MI					
4-077000000	2,970.29	1,038.92	4,009.21	2011 2010	2009
LOT 164 ASSESSOR'S SOUTH PLAT					
Property Address: 114 W WILKINS ST ST JACKSON MI					
4-081300000	3,943.55	1,252.76	5,196.31	2011 2010	2009
LOT 26 CHITTOCK'S ADD					
Property Address: 1042 CHITTOCK AVE AVE JACKSON MI					
4-085700000	4,159.33	1,485.68	5,645.01	2011 2010	2009
N 21 FT OF LOT 2 & LOT 1 EX W 31 FT BLK 2 C E WEBB'S ADD					
Property Address: 902 MAPLE AVE AVE JACKSON MI					
4-088100000	3,454.33	1,209.83	4,664.16	2011 2010	2009
LOT 2 BLK 3 C E WEBB'S ADD					
Property Address: 1007 MAPLE AVE AVE JACKSON MI					
4-090300000	3,732.02	910.58	4,642.60	2011 2010	2009
LOT 7 BLK 4 C E WEBB'S ADD					
Property Address: 1013 WILLIAMS ST ST JACKSON MI					
4-091900000	2,944.94	1,081.86	4,026.80	2011 2010	2009
S 44 FT OF LOT 19 BLK 4 C E WEBB'S ADD					
Property Address: 1033 WILLIAMS ST ST JACKSON MI					
4-096400000	97.50	417.99	515.49	2011 2010	2009
LOT 17 BLK 6 C E WEBB'S ADD					
Property Address: 1215 WILLIAMS ST ST JACKSON MI					
4-101200000	2,100.03	786.29	2,886.32	2011 2010	2009
LAND COM AT A POINT ON W LN OF WILLIAMS ST 116 FT S OF S LN OF ROCKWELL ST TH W 8 RDS TH S 46 FT TH E 8 RDS TO W LN OF WILLIAMS ST TH N 46 FT TO BEG SE 1/4 SE 1/4 SEC 3 T3S R1W					
Property Address: 1108 WILLIAMS ST ST JACKSON MI					
4-110100000	88.48	405.46	493.94	2011 2010	2009
LOT 84 TINKER'S ADD					
Property Address: WOODSUM ST ST JACKSON MI					

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4-113300000	5,105.04	1,619.08	6,724.12	2011 2010	2009
LAND COM AT A POINT ON W LN OF JACKSON ST 583 FT N OF S LN OF SEC 3 TH W 128 FT TH N 50 FT TH E 128 FT TO W LN OF JACKSON ST TH S 50 FT TO BEG SW 1/4 SE 1/4 SEC 3 T3S R1W					
Property Address: 1202 S JACKSON ST ST JACKSON MI					
4-1184.1000	2,863.94	984.57	3,848.51	2011 2010	2009
COM AT A PT ON S LN OF MORRELL ST 264 FT E OF W LN OF BLK 6 HARWOOD'S ADD TH E ON S LN OF MORRELL ST 40.25 FT TH S 8 RDS TH W 40.25 FT TH N 8 RDS TO POB BLK 6 HARWOOD'S ADD					
Property Address: 303 W MORRELL ST ST JACKSON MI					
4-118400000	3,137.98	1,105.04	4,243.02	2011 2010	2009
LAND COM AT A PT ON S LN OF MORRELL ST 336 FT E OF W LN OF BLK 6 HARWOOD'S ADD TH S 8 RDS TH W 31.75 FT TH N 8 RDS TH E 31.75 FT TO BEG BLK 6 HARWOOD'S ADD					
Property Address: 301 W MORRELL ST ST JACKSON MI					
4-124700000	4,466.13	1,441.89	5,908.02	2011 2010	2009
N 44 FT OF LOT 8 BLK 9 HARWOOD'S ADD					
Property Address: 1013 FIRST ST ST JACKSON MI					
4-129800000	378.27	514.30	892.57	2011 2010	2009
S 22 FT OF W 32 FT LOT 4 & N 22 FT LOT 10 & S 22 FT OF LOT 11 & N 22 FT OF W 32 FT OF LOT 5 BLK 1 PALMER'S ADD					
Property Address: 1121 GREENWOOD AVE AVE JACKSON MI					
4-144400000	2,254.53	863.90	3,118.43	2011 2010	2009
LOT 21 BLK 5 DIV 2 AMENDED PLAT OF DIV 1, 2 & 3 OF SUMMITVILLE ADD					
Property Address: 242 DOUGLAS ST ST JACKSON MI					
4-145800000	3,399.11	1,270.70	4,669.81	2011 2010 2009	2008
S 1/2 OF LOT 10 BLK 3 DIV 3 AMENDED PLAT OF DIV 1, 2 & 3 OF SUMMITVILLE ADD					
Property Address: 300 GRISWOLD ST ST JACKSON MI					
4-150300000	4,766.81	1,481.30	6,248.11	2011 2010	2009
LAND COM AT A PT ON S LN OF HIGH ST 158.32 FT E OF E LN OF MAPLE AVE EXTENDED S TH E 52.76 FT TH S 132 FT TH W 52.76 FT TH N 132 FT TO BEG NE 1/4 OF NE 1/4 SEC 10 T3S R1W					
Property Address: 129 W HIGH ST ST JACKSON MI					
4-168800000	4,846.68	1,459.99	6,306.67	2011 2010	2009
1689 LOTS 22 & 23 BLK 6 HARMON'S ADD					
Property Address: 150 W PROSPECT ST ST JACKSON MI					
4-170000000	2,334.25	1,055.97	3,390.22	2011 2010	2009
E 20 FT OF LOT 9 & W 20 FT OF LOT 8 BLK 7 HARMON'S ADD					
Property Address: 177 W EUCLID AVE AVE JACKSON MI					

BY: ddonalds

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4-174800000	4,696.03	1,495.24	6,191.27	2011 2010	2009
1749, 1766 W 70 FT OF LOTS 1 & 2 BLK 4 PROSPECT ADD Property Address: 307 BLOOMFIELD BLVD BLVD JACKSON MI					
4-180800000	2,813.95	1,009.17	3,823.12	2011 2010	2009
LOT 2 BLK 17 PROSPECT ADD Property Address: 207 W PROSPECT ST ST JACKSON MI					
4-188000000	3,440.79	1,133.39	4,574.18	2011 2010	2009
1881 W 92 FT OF BLK 28 PROSPECT ADD Property Address: 212 W MANSION ST ST JACKSON MI					
5-013700000	5,077.92	1,601.42	6,679.34	2011 2010	2009
LOT 9 B5S R2E GRAND RIVER ADD Property Address: 506 FRANCIS ST ST JACKSON MI					
5-022400000	3,072.81	815.15	3,887.96	2011 2010	2009
COM ON S LN OF WILKINS ST 174.5 FT E OF E LN OF MECHANIC ST TH E 40 FT TH S 132 FT TH W 40 FT TH N 132 FT TO POB BLK 72 AN ADD TO WESTERN PART OF JACKSONBURG KNOWN AS FORD'S WESTERN ADD Property Address: 111 E WILKINS ST ST JACKSON MI					
5-022600000	4,738.81	1,506.04	6,244.85	2011 2010	2009
A PIECE OF LAND COM AT A PT ON S LN OF WILKINS ST 132 FT E OF E LN OF MECHANIC ST TH S 132 FT TH E 42.5 FT TH N 132 FT TO S LN OF WILKINS ST TH W ON S LN OF WILKINS ST 42.5 FT TO POB BLK 72 AN ADD TO WESTERN PART OF JACKSONBURG KNOWN AS FORD'S WESTERN ADD Property Address: 109 E WILKINS ST ST JACKSON MI					
5-052800000	180.19	446.82	627.01	2011 2010	2009
S 23.5 FT OF LOT 1 & N 42.5 FT OF LOT 2 BLK 17 KNAPP'S ADD Property Address: 911 FRANCIS ST ST JACKSON MI					
5-058800000	87.73	407.06	494.79	2011 2010	2009
LAND COM AT A PT ON E LN OF FRANCIS ST 9 RDS S OF S LN OF BIDDLE ST TH S 4 RDS TH E 8 RDS 8 FT TH N 5 RDS TH W 8 FT TH S 16.5 FT TH W 8 RDS TO BEG SW 1/4 NW 1/4 SEC 2 T3S R1W Property Address: 811 FRANCIS ST ST JACKSON MI					
5-062400000	120.81	423.99	544.80	2011 2010	2009
LAND COM AT INTERS OF N LN OF AN ALLEY WITH W LN OF FRANCIS ST WHICH PT IS 247.5 FT S OF S LN OF MORRELL ST TH N ON W LN OF FRANCIS ST 50 FT TH W 177 FT TH S 43.5 FT TO N LN OF LOT 1 BLK 2 RUSTIC HALL ADD TH E 33 FT TH S 6.5 FT TO N LN OF AN ALLEY TH E 144 FT ON N LN OF SD ALLEY TO BEG NE 1/4 SE 1/4 SEC 3 T3S R1W Property Address: 914 FRANCIS ST ST JACKSON MI					

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5-064600000	3,052.92	936.67	3,989.59	2011 2010	2009
LOT 5 BLK 2 RUSTIC HALL ADD Property Address: 933 CHITTOCK AVE AVE JACKSON MI					
5-069600000	2,013.73	828.78	2,842.51	2011 2010	2009
S 50 FT OF LOT 8 & N 6 INCHES OF LOT 9 BLK 2 MERRIMAN'S ADD Property Address: 1114 FRANCIS ST ST JACKSON MI					
5-071400000	2,124.23	860.83	2,985.06	2011 2010	2009
LOT 26 BLK 2 MERRIMAN'S ADD Property Address: 1215 CHITTOCK AVE AVE JACKSON MI					
5-0808.1000	3,011.17	1,112.43	4,123.60	2011 2010	2009
808, 2264 LAND OWNED AND USED AS ONE PARCEL AND DESCRIBED AS S 44 FT OF LOT 10 BLK 4 MOORE'S ADD ALSO S 1/2 OF LOT 48 JACKSON URBAN RENEWAL REPLAT NO 3 Property Address: 1019 CYPRESS DR DR JACKSON MI					
5-102000000	3,682.92	2,371.78	6,054.70	2011 2010 2009	2008 2007
N 44 FT OF LOTS 10 & 11 BLK 9 ROOT'S SOUTH ADD Property Address: 1025 PIGEON ST ST JACKSON MI					
5-104100000	4,941.66	1,585.52	6,527.18	2011 2010	2009
LOT 6 BLK 11 ROOT'S SOUTH ADD Property Address: 1018 PIGEON ST ST JACKSON MI					
5-106000000	2,013.46	737.86	2,751.32	2011 2010 2009	2008
LAND COM AT PT ON N LN OF RIDGEWAY ST (FORMERLY S HILL ST) 75 FT W OF W LN OF MILWAUKEE ST TH N 62 FT TH W 43 FT TH S 62 FT TO N LN OF RIDGEWAY ST TH E 43 FT TO BEG SW 1/4 SW 1/4 SEC 2 T3S R1W Property Address: 142 RIDGEWAY ST ST JACKSON MI					
5-106100000	5,232.23	1,608.45	6,840.68	2011 2010	2009
LAND COM AT INTERS OF N LN OF RIDGEWAY ST (FORMERLY S HILL ST) WITH W LN OF MILWAUKEE ST TH N 42 FT TH W 75 FT TH S 42 FT TO N LN OF RIDGEWAY ST TH E 75 FT TO BEG SW 1/4 SW 1/4 SEC 2 T3S R1W Property Address: 1130 S MILWAUKEE ST ST JACKSON MI					
5-123700000	5,268.68	1,678.85	6,947.53	2011 2010	2009
LOT 4 G M STANLEY'S ADD Property Address: 1225 FRANCIS ST ST JACKSON MI					
5-146600000	2,228.64	917.06	3,145.70	2011 2010	2009
W 44 FT OF E 52 FT OF LOT 17 BLK 9 EGGLESTON'S ADD Property Address: 220 E ROBINSON ST ST JACKSON MI					

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PARCEL	TAX DUE	INTEREST/FEE DUE	TOTAL DUE	TAX YEARS	DELINQUENT
5-162400000	3,004.67	1,230.98	4,235.65	2011 2010	2009
LOT 20 BLK 10 JACKSON LAND & IMPROVEMENT CO'S SUB DIV OF BLKS 7 & 10 & PART OF BLK 4 EGGLESTON'S ADD					
Property Address: 1501 MERRIMAN ST ST JACKSON MI					
5-169100000	2,808.54	1,040.34	3,848.88	2011 2010	2009
W 28 FT OF LOT 21 & E 12 FT OF LOT 20 BLK 2 JACKSON LAND & IMPROVEMENT CO'S SUB DIV OF BLKS 2 & 7 & PARTS OF BLKS 1, 3, 4, 5, 6, 11 & 12 FRANCIS ST ADD					
Property Address: 110 E MANSION ST ST JACKSON MI					
5-170000000	98.78	407.63	506.41	2011 2010	2009
LOT 29 BLK 2 JACKSON LAND & IMPROVEMENT CO'S SUB DIV OF BLKS 2 & 7 & PART OF BLKS 1, 3, 4, 5, 6, 11 & 12 FRANCIS ST ADD					
Property Address: 140 E MANSION ST ST JACKSON MI					
5-183600000	5,329.29	1,637.21	6,966.50	2011 2010	2009
LOT 4 BLK 12 JACKSON LAND & IMPROVMENT CO'S SUB DIV OF BLKS 2 & 7 & PART OF BLKS 1, 3, 4, 5, 6, 11 & 12 FRANCIS ST ADD					
Property Address: 311 E EUCLID AVE AVE JACKSON MI					
5-189000000	2,457.15	925.84	3,382.99	2011 2010	2009
W 44 FT OF LOT 20 BLK 6 FRANCIS ST ADD					
Property Address: 239 E ROBINSON ST ST JACKSON MI					
5-202500000	3,200.70	842.27	4,042.97	2011 2010	2009
LOT 92 SOUTH GARDENS SUB DIV					
Property Address: 314 E ADDISON ST ST JACKSON MI					
5-2159.1000	8,273.04	1,809.47	10,082.51	2011 2010	2009
LOTS 9 & 10 JOHN I BRECK'S LITTLE FARM'S SUB DIV ALSO BEG AT SE CORNER OF SD LOT 10 TH E ALG N LN OF PROSPECT AVE TO AIRLINE DR TH NWLY ALG W LN OF AIRLINE DR TO INTERS OF S LN OF MANSION ST TH W TO NE CORNER OF LOT 9 TH S ALG E LN OF LOTS 9 & 10 TO POB PART OF NE 1/4 SEC 11 T3S R1W					
Property Address: 450 E PROSPECT ST ST JACKSON MI					
6-001200000	14,841.96	3,720.50	18,562.46	2011 2010	2009
E .80 FT OF N 83.20 FT OF LOT 2 & W 44 FT OF LOT 3 BLK 36 AN EXT OF VILLAGE OF JACKSONBURG ON E SIDE OF GRAND RIVER (KNOWN AS FORD'S EASTERN EXT)					
Property Address: 813 E MICHIGAN AVE AVE JACKSON MI					
6-001300000	6,428.25	1,819.99	8,248.24	2011 2010	2009
E 1/3 OF LOT 3 BLK 36 AN EXTENSION OF VILLAGE OF JACKSONBURG ON E SIDE OF GRAND RIVER (KNOWN AS FORD'S EASTERN EXT)					
Property Address: 819 E MICHIGAN AVE AVE JACKSON MI					
6-035400000	713.42	543.78	1,257.20	2011 2010	2009
LOTS 20, 21, 23, 24 & 25 BLK 2 WILSON'S AMendeD ADD					
Property Address: 340 JOHNSON ST ST JACKSON MI					

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6-048000000	1,336.14	566.74	1,902.88	2011 2010	2009
LOT 29 BLK 4 EATON'S EAST ADDITION					
Property Address: 1508 DEYO ST ST JACKSON MI					
6-049000000	3,980.71	1,221.11	5,201.82	2011 2010	2009
SOUTH 30 FT OF LOT 39 BLK 4 EATON'S EAST ADD					
Property Address: 310 S ELM AVE AVE JACKSON MI					
6-049100000	124.32	405.09	529.41	2011 2010	2009
E 76 FT OF LOT 40 BLK 4 EATON'S EAST AD					
Property Address: 312 S ELM AVE AVE JACKSON MI					
6-054000000	3,845.67	867.23	4,712.90	2011 2010	2009
LOT 10 ASSESSOR'S DEYO PLAT					
Property Address: 304 SUMMIT AVE AVE JACKSON MI					
6-081300000	6,239.63	1,849.84	8,089.47	2011 2010	2009
LOT 5 BLK 21 EAST ADD NO 5					
Property Address: 115 S GORHAM ST ST JACKSON MI					
6-085900000	3,341.92	1,146.00	4,487.92	2011 2010	2009
LOT 13 BLK 23 EAST ADDITION					
Property Address: 1702 TEN EYCK ST ST JACKSON MI					
6-087000000	4,740.98	1,061.82	5,802.80	2011 2010	2009
LOT 5 BLK 24 EAST ADDITION					
Property Address: 1805 TYSON ST ST JACKSON MI					
6-091600000	2,201.88	872.61	3,074.49	2011 2010	2009
LOT 3 BLK 26 EAST ADDITION NO 5					
Property Address: 2109 TYSON ST ST JACKSON MI					
6-108400000	3,717.36	1,140.24	4,857.60	2011 2010	2009
N 1/2 OF LOTS 17 & 18 BLK 36 EAST ADD NO 5					
Property Address: 330 S DWIGHT ST ST JACKSON MI					
6-109700000	5,648.84	1,712.15	7,360.99	2011 2010	2009
LOT 9 BLK 37 EAST ADD					
Property Address: 1819 DEYO ST ST JACKSON MI					
6-125800000	3,172.59	1,079.74	4,252.33	2011 2010	2009
LOT 5 BLK 2 CARR'S EAST ADD					
Property Address: 1819 PLYMOUTH ST ST JACKSON MI					

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6-143000000	3,937.63	1,255.63	5,193.26	2011 2010	2009
LOT 12 BLK 6 EX S 22 FT CARR'S EAST ADD Property Address: 707 S ELM AVE AVE JACKSON MI					
6-154800000	3,712.12	1,252.19	4,964.31	2011 2010	2009
LOT 28 BLK 11 THE MORGAN ADD Property Address: 803 E WASHINGTON AVE AVE JACKSON MI					
6-1830.1000	401.87	342.80	744.67	2009	
S 16.5 FT OF LOT 14 & LOT 15 & N 49.5 FT OF LOT 16 BLK 19 CARR'S SOUTH ADD Property Address: S GORHAM ST ST JACKSON MI					
7-007800000	441.08	482.86	923.94	2011 2010	2009
LOT 1 BLK 8 BLACKMAN'S ADD Property Address: 501 N MECHANIC ST ST JACKSON MI					
7-008000000	626.96	524.10	1,151.06	2011 2010	2009
0079 LOT 2 BLK 8 BLACKMAN'S ADD Property Address: 507 N MECHANIC ST ST JACKSON MI					
7-008600000	93.59	407.16	500.75	2011 2010	2009
S 1/2 OF W 1/2 OF LOT 7 & W 1/2 OF LOT 8 BLK 8 BLACKMAN'S ADD Property Address: 108 E TRAIL ST ST JACKSON MI					
7-017500000	3,192.19	1,367.37	4,559.56	2011 2010	2009
LOT 13 EX W 12.5 FT HEMENWAY'S ADD Property Address: 416 OAK ST ST JACKSON MI					
7-030800000	209.46	465.74	675.20	2011 2010	2009
W 25 FT OF N 1/2 OF LOT 6 & N 1/2 OF LOT 7 BLK 9 AN EXT OF VILLAGE OF JACKSONBURGH ON E SIDE OF GRAND RIVER KNOWN AS FORD'S EASTERN EXT Property Address: 315 N FRANCIS ST ST JACKSON MI					
7-031900000	4,476.63	884.89	5,361.52	2011 2010	2009
0322.1 E 44 FT OF N 102.12 FT OF LOT 6 BLK 10 AN EXT OF VILLAGE OF JACKSONBURGH ON E SIDE OF GRAND RIVER KNOWN AS FORD'S EASTERN EXT Property Address: 407 HOMEWILD AVE AVE JACKSON MI					
7-0332.1000	2,175.57	496.29	2,671.86	2011 2010	2009
W 1/2 OF LOT 4 BLK 11 AN EXT OF VILLAGE OF JACKSONBURGH ON E SIDE OF GRAND RIVER KNOWN AS FORD'S EASTERN EXT Property Address: 508 DETROIT ST ST JACKSON MI					

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7-0377.1000	3,123.64	1,322.79	4,446.43	2011 2010	2009 2008
0377 LOT 6 BLK 14 AN EXT OF VILLAGE OF JACKSONBURG ON E SIDE OF GRAND RIVER KNOWN AS FORD'S EASTERN EXT					
Property Address: 809 HOMEWILD AVE JACKSON MI					
7-045000000	14,788.86	3,799.84	18,588.70	2011 2010	2009
0455 LOTS 5 & 8 BLK 21 AN EXT OF VILLAGE OF JACKSONBURGH ON E SIDE OF GRAND RIVER KNOWN AS FORD'S EASTERN EXT					
Property Address: 500 E PEARL ST ST JACKSON MI					
7-058600000	2,769.93	1,016.01	3,785.94	2011 2010	2009
N 40 FT OF LOT 6 BLK 2 FORD'S NORTH ADD					
Property Address: 757 COOPER ST ST JACKSON MI					
7-064700000	3,625.81	1,771.81	5,397.62	2011 2010	2009 2008
W 1/2 OF LOT 6 BLK 7 FORD'S NORTH ADD					
Property Address: 509 E TRAIL ST ST JACKSON MI					
7-076300000	4,218.50	2,937.98	7,156.48	2011 2010	2009 2008 2007
LAND COM AT A PT ON S LN OF GANSON ST 74.25 FT E OF E LN OF WATERLOO AVE TH E 43.75 FT TH S 57.75 FT TH W 43.75 FT TH N 57.75 FT TO BEG NE 1/4 SW 1/4 SEC 35 T2S R1W					
Property Address: 1005 E GANSON ST ST JACKSON MI					
7-099700000	2,994.70	1,343.53	4,338.23	2011 2010	2009 2008 2007
N 1/2 OF LOT 2 ALSO E 4 FT OF N 1/2 OF LOT 1 BLK 1 EAST ADD					
Property Address: 314 SEYMOUR AVE AVE JACKSON MI					
7-103300000	3,458.45	1,222.52	4,680.97	2011 2010	2009
S 33 FT OF LOTS 1 & 2 BLK 4 EAST ADD					
Property Address: 309 N ELM AVE AVE JACKSON MI					
7-104800000	10,245.51	3,044.17	13,289.68	2011 2010	2009
LOT 14 EX S 6 FT BLK 4 EAST ADD					
Property Address: 210 ORANGE ST ST JACKSON MI					
7-111800000	3,805.22	1,385.28	5,190.50	2011	2009
LOT 3 EX N 25 FT ALSO N 12 FT OF LOT 5 BLK 8 EAST ADD					
Property Address: 125 N ELM AVE AVE JACKSON MI					
7-117900000	3,308.52	1,248.33	4,556.85	2011 2010	2009
S 1/2 OF LOT 13 BLK 11 EAST ADD					
Property Address: 209 N PLEASANT ST ST JACKSON MI					

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7-119500000	3,386.27	1,133.87	4,520.14	2011 2010	2009
S 50 FT OF LOT 4 BLK 13 EAST ADD Property Address: 144 N GORHAM ST ST JACKSON MI					
7-125600000	2,703.13	703.06	3,406.19	2011 2010	2009
N 1/2 OF LOT 10 BLK 15 EAST ADD Property Address: 122 N FORBES ST ST JACKSON MI					
8-004600000	5,617.33	1,571.47	7,188.80	2011 2010	2009
LOT 7 BLK 3 NORTH EASTERN ADD Property Address: 218 N FORBES ST ST JACKSON MI					
8-007500000	2,957.65	1,099.01	4,056.66	2011 2010	2009
N 44 FT OF LOT 10 BLK 4 NORTH EASTERN ADD Property Address: 206 N DWIGHT ST ST JACKSON MI					
8-018000000	3,208.09	1,103.45	4,311.54	2011 2010	2009
N 33 1/3 FT OF LOT 24 BLK 7 NORTH EASTERN ADD Property Address: 329 N FORBES ST ST JACKSON MI					
8-021900000	2,141.26	865.82	3,007.08	2011 2010	2009
LAND COM AT A PT ON W LN OF GORHAM ST 388 FT S OF S LN OF NORTH ST TH W 8 RDS TH S 45 FT TH E 8 RDS TH N 45 FT TO BEG W 1/2 NW 1/4 SEC 36 T2S R1W Property Address: 322 N GORHAM ST ST JACKSON MI					
8-044500000	12,529.78	3,733.39	16,263.17	2011 2010	2009
LOT 16 EX W 4 FT OF S 77 FT ALSO W 4 FT OF LOT 17 BLK 5 ROSEDALE ADD Property Address: 1806 E GANSON ST ST JACKSON MI					
8-1651.1000	5,039.45	1,443.44	6,482.89	2011 2010	2009
1651 1652 LOTS 6 & 7 BLK 12 MURPHY'S ADD Property Address: 822 WHITNEY ST ST JACKSON MI					
8-179000000	4,192.87	1,380.59	5,573.46	2011 2010	2009
1791 LOTS 1 & 2 BELVUE SUB DIV OF LOT 14 & PART OF LOTS 13, 15 & 16 HAMMOND'S ADD Property Address: 908 N WATERLOO AVE AVE JACKSON MI					
8-2000.8000	5,741.74	1,767.48	7,509.22	2011 2010	2009
2000.9 LAND COM AT INTERS OF E LN OF COOPER ST WITH N LN OF MARSHALL ST TH E ON N LN OF MARSHALL ST 558 FT FOR POB OF THIS DESC TH N 105 FT TH E 85 FT TH S 105 FT TH W 85 FT TO BEG SW 1/4 SEC 26 T2S R1W Property Address: 202 MARSHALL ST ST JACKSON MI					

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8-217100000	3,565.80	1,135.02	4,700.82	2011 2010	2009

LOT 5 BLK 2 MCNAUGHTON'S ADD

Property Address: 205 E ARGYLE ST ST JACKSON MI

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8-219200000	4,222.49	1,291.84	5,514.33	2011 2010	2009
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LOT 5 BLK 4 MCNAUGHTON'S ADD

Property Address: 410 E ARGYLE ST ST JACKSON MI

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8-233100000	3,960.63	1,112.33	5,072.96	2011 2010	2009
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LAND COM AT A PT ON E LN OF MALTBY ST 12 RDS N OF N LN OF GANSON ST TH E 7 RDS TH N 4 RDS TH W 7 RDS TH S 4 RDS TO BEG SW 1/4 NW 1/4 SEC 35 T2S R1W

Property Address: 815 MALTBY ST ST JACKSON MI

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8-252100000	1,655.54	621.38	2,276.92	2011 2010	2009
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LOT 27 SMART'S ADD

Property Address: 1119 WALKER ST ST JACKSON MI

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8-252300000	5,420.15	1,616.27	7,036.42	2011 2010	2009
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LOT 2 COOPER STREET ADD

Property Address: 1148 COOPER ST ST JACKSON MI

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PARCEL COUNT: 145	531,550.46	181,315.15	712,865.61		
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## City Assessor

161 West Michigan Avenue • Jackson, Michigan 49201  
Telephone: (517) 788-4033 • Facsimile: (517) 780-4762

City Council Meeting  
June 26, 2012

To: Honorable Mayor and City Councilmembers

From: David Taylor, City Assessor 

**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 City Assessor budget \$17,480 for Personal Services.**

The City Assessor respectfully requests the following budget amendment for the fiscal year 2011/12.

#### **General Fund - Personal Services**

Request to increase the City Assessors budget for personal services to correct a projected shortfall of \$17,480. An error was made in the calculation of the requirements for the personal services when creating the amended budget for the fiscal year 2011/12 with regards to a number of line items. Funding for this activity will be appropriated from the General Fund surplus.

Cc: Phil Hones, Finance Director  
Steve Maga, Staff Accountant

# RESOLUTION

**BY THE CITY COUNCIL:**

**WHEREAS**, the City Assessor wishes to provide funds in the City Assessor's Activity Budget to amend the 2011-2012 budget.

**WHEREAS**, the additional funds needed to correct a projected shortfall for personal services are estimated as \$ 17,480.

**WHEREAS**, the funding will come from unappropriated fund surplus;

**NOW, THEREFORE, BE IT RESOLVED**, that the 2011/12 Budget be amended as follows:

**GENERAL FUND**

		<u>Decrease</u>	<u>Increase</u>
<b>REVENUES:</b>			
101-000-699.000	Appropriation from Fund Balance	\$ -	\$ 17,480.00
		<u>\$ -</u>	<u>\$ 17,480.00</u>
<b>EXPENDITURES:</b>			
101-209-000-706.000	City Assessor - Salaries and Wages	\$ -	\$ 9,900.00
101-209-000-707.000	City Assessor -Wages Temporary	\$ -	\$ 1,670.00
101-209-000-719.000	City Assessor - Health Insurance	\$ -	\$ 5,910.00
		<u>\$ -</u>	<u>\$ 17,480.00</u>

\*\*\*\*\*

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

I, Lynn Fessel, City Clerk, in and for the City of Jackson, County of Jackson 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 26<sup>th</sup> of June, 2012.

**IN WITNESS WHEREOF**, I have hereunto  
affixed my signature and the Seal of the City of Jackson,  
Michigan, on this the 27<sup>th</sup> day of June, 2012.

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



## Department of Public Works

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

### CITY COUNCIL MEETING JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer

SUBJECT: Request to Approve Budget Amendment for Fiscal Year 2011-2012

**MOTION:** Accept consideration of a resolution amending the following funds in the fiscal year 2011/12 budget:

- 1) **Increase the General Fund Property Tax Maintenance budget \$4,000 for mowing tax reverted lots.**
- 2) **Increase the General Fund Street Lighting budget \$5,000 for utility charges from Consumers Energy.**
- 3) **Increase the General Fund Weed Control budget \$10,000 for private lot mowing completed by contractor.**

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The Department of Public Works respectfully requests the following amendments to the fiscal year 2011/2012 budget:

#### **General Fund – Property Tax Maintenance**

Request to increase the Property Tax Maintenance budget in the General Fund \$4,000 for lot maintenance. Funding for this activity will be appropriated from the General Fund surplus.

#### **General Fund – Street Lighting**

Request to increase the Street Lighting budget in the General Fund \$5,000 for utility charges from Consumers Energy. Funding for this activity will be appropriated from the General Fund surplus.

#### **General Fund – Weed Control**

Request to increase Weed Control budget in the General Fund \$10,000 for private lot mowing completed by contractor. Funding for this activity will be collected from private property owners. Private lots are mowed by contractor and then the property owner is billed for this service. There should be no additional cost to general fund.

The attached budget amendment is requested to cover this expense for the 2011-2012 Budget Year.

JD:ls

Cc: Phil Hones, Finance Director  
Steve Maga, Staff Accountant  
Lucinda Schultz, Accounting Manager

## RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, Public Works staff is requesting funds to continue mowing tax reverted properties, and

WHEREAS, Public Works staff is requesting additional funds to pay utility charges for Street Lights, and

WHEREAS, Public Works staff is requesting to increase the budget for Weed Control, to cover the cost of contractual expense for the private lot mowing program, and

WHEREAS, there is sufficient surplus in the General Fund to cover the requested budget increases.

NOW, THEREFORE, BE IT RESOLVED, that the 2011/12 Budget is amended as follows:

### General Fund

		<u>Increase</u>	<u>Decrease</u>
<b>Revenues:</b>			
101-000-699.000	Appropriation from Fund Balance	\$ 9,000	-
101-455-000-641.001	Charges for Services-Weed Control	<u>\$10,000</u>	<u>-</u>
<b>Total Revenue:</b>		\$19,000	
<b>Expenditures:</b>			
101-441-000-818.000	Property Tax Maintenance	\$ 4,000	-
101-450-000-920.000	Street Lighting - Utilities	\$ 5,000	-
101-455-000-818.000	Weed Control – Contractual	<u>\$10,000</u>	<u>-</u>
<b>Total Expense:</b>		\$19,000	

\* \* \* \* \*

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 26th day of June, 2012.

IN WITNESS WHEREOF, I have hereto  
affixed my signature and the Seal of the  
City of Jackson, Michigan, on this 27<sup>th</sup>  
day of June, 2012.

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

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

**AN ORDINANCE TO ESTABLISH COMPENSATION RATES FOR  
ADMINISTRATIVE AND SUPERVISORY EMPLOYEES OF THE  
CITY OF JACKSON**

**THE CITY OF JACKSON ORDAINS:**

Section 1: Definition. For purposes of this ordinance, the term “Administrative and Supervisory Employees” shall mean employees and appointive officials of the City of Jackson not covered by a current labor agreement, but excluding the City Manager, Deputy City Manager/Community Development Director, City Attorney, City Clerk and City Assessor.

Section 2: As of July 1, 2012, Administrative and Supervisory Employees shall be compensated on the basis of the annual salary rates shown on the attached “Schedule I, Administrative and Supervisory Employees Pay Rates,” according to the employee’s appropriate step rate within the Class Grade assigned the individual’s classification title under the Personnel Policy.

Section 3: Eligible employees must be actively employed by the City of Jackson thirty (30) days from the date of final adoption of this ordinance to be eligible for the new salary rate adjustment. The salary rate adjustments shall be retroactive to July 1, 2012. Employees whose wages are “red-circled” in accordance with Article XI – Compensation, Section XI-1 Salary Schedules of the Personnel Policy shall not receive annual increases granted by City Council ordinances for compensation to employees.

Section 4: Repeal. Ordinance 475 is hereby repealed as of July 1, 2012.

Section 5: This ordinance shall take effect thirty (30) days from the date of final adoption.

\*\*\*\*\*

Adopted:

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

**AN ORDINANCE TO ESTABLISH COMPENSATION RATES FOR CERTAIN  
NON-UNION EMPLOYEES OF THE CITY OF JACKSON**

**THE CITY OF JACKSON ORDAINS:**

Section 1: Definition. For purposes of this ordinance, the term “Non-Union Employees” shall mean Community Service Officers in the City of Jackson Police Department.

Section 2: As of July 1, 2012, the Non-Union Employees, i.e., Community Service Officers in the City of Jackson Police Department, shall be compensated on the basis of the annual salary rates shown on the attached “Schedule I-C, Community Service Officers Pay Rates.”

Section 3: Eligible employees must be actively employed by the City of Jackson thirty (30) days from the date of final adoption of this ordinance to be eligible for the new salary rate adjustment. The salary rate adjustments shall be retroactive to July 1, 2012. Employees whose wages are “red-circled” in accordance with Article XI – Compensation, Section XI-1 Salary Schedules of the Personnel Policy shall not receive annual increases granted by City Council ordinances for compensation to employees.

Section 4: Repeal. Ordinance 477 is hereby repealed as of July 1, 2012.

Section 5: This ordinance shall take effect thirty (30) days from the date of final adoption.

\*\*\*\*\*

Adopted:

**SCHEDULE I-C  
COMMUNITY SERVICE OFFICERS  
PAY RATES**

EFFECTIVE JULY 1, 2012 - 2.0%

	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>
Annual (80 hr schedule)	20,662	21,810	22,958
Bi-Weekly	794.69	838.85	883.01
Hourly	9.9336	10.4856	11.0376

**Adopted:**

## APPENDIX A-1

**SCHEDULE I  
ADMINISTRATIVE AND SUPERVISORY EMPLOYEES  
PAY RATES**

EFFECTIVE JULY 1, 2012 - 2.0%

Class Grade	Pay Basis	Minimum										Maximum
		Step 1	Step 1-1/2	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
4	Annual	31,042	31,570	32,096	33,183	34,311	35,476	36,680	37,923	39,212	40,540	41,918
	Bi-Wkly	1,193.92	1,214.22	1,234.47	1,276.29	1,319.67	1,364.46	1,410.77	1,458.58	1,508.14	1,559.21	1,612.22
	Hourly	14.9240	15.1777	15.4308	15.9536	16.4958	17.0558	17.6346	18.2323	18.8518	19.4902	20.1528
5	Annual	32,820	33,379	33,936	35,082	36,268	37,498	38,765	40,081	41,437	42,838	44,290
	Bi-Wkly	1,262.32	1,283.79	1,305.22	1,349.31	1,394.91	1,442.25	1,490.96	1,541.56	1,593.72	1,647.62	1,703.46
	Hourly	15.7789	16.0474	16.3153	16.8664	17.4363	18.0281	18.6370	19.2695	19.9215	20.5953	21.2933
6	Annual	34,601	35,185	35,771	36,979	38,229	39,520	40,857	42,236	43,663	45,137	46,662
	Bi-Wkly	1,330.81	1,353.27	1,375.79	1,422.28	1,470.33	1,519.99	1,571.44	1,624.45	1,679.34	1,736.03	1,794.70
	Hourly	16.6351	16.9159	17.1974	17.7785	18.3792	18.9999	19.6430	20.3056	20.9918	21.7004	22.4338
7	Annual	36,578	37,200	37,822	39,111	40,441	41,818	43,238	44,712	46,229	47,804	49,432
	Bi-Wkly	1,406.85	1,430.78	1,454.71	1,504.27	1,555.44	1,608.40	1,663.01	1,719.70	1,778.04	1,838.60	1,901.24
	Hourly	17.5856	17.8847	18.1839	18.8034	19.4430	20.1050	20.7876	21.4963	22.2255	22.9825	23.7655
8	Annual	38,751	39,413	40,073	41,439	42,854	44,313	45,822	47,385	48,999	50,668	52,400
	Bi-Wkly	1,490.44	1,515.88	1,541.28	1,593.81	1,648.24	1,704.36	1,762.37	1,822.51	1,884.58	1,948.77	2,015.37
	Hourly	18.6305	18.9485	19.2660	19.9227	20.6030	21.3045	22.0296	22.7813	23.5572	24.3596	25.1922
9	Annual	40,139	40,902	41,665	43,249	44,891	46,597	48,367	50,211	52,115	54,096	56,154
	Bi-Wkly	1,543.83	1,573.14	1,602.50	1,663.44	1,726.59	1,792.20	1,860.27	1,931.21	2,004.42	2,080.60	2,159.76
	Hourly	19.2978	19.6642	20.0312	20.7930	21.5824	22.4025	23.2533	24.1401	25.0553	26.0076	26.9970
10	Annual	42,907	43,724	44,542	46,243	48,011	49,840	51,746	53,720	55,770	57,899	60,108
	Bi-Wkly	1,650.27	1,681.70	1,713.14	1,778.56	1,846.58	1,916.91	1,990.21	2,066.16	2,144.99	2,226.88	2,311.85
	Hourly	20.6283	21.0213	21.4142	22.2320	23.0822	23.9614	24.8777	25.8270	26.8124	27.8360	28.8981
11	Annual	45,674	46,541	47,407	49,209	51,073	53,012	55,025	57,111	59,278	61,530	63,865
	Bi-Wkly	1,756.71	1,790.03	1,823.36	1,892.65	1,964.35	2,038.93	2,116.34	2,196.58	2,279.94	2,366.55	2,456.33
	Hourly	21.9588	22.3754	22.7919	23.6581	24.5543	25.4866	26.4542	27.4572	28.4992	29.5819	30.7041
12	Annual	48,642	49,564	50,485	52,403	54,393	56,454	58,600	60,823	63,134	65,531	68,020
	Bi-Wkly	1,870.84	1,906.29	1,941.74	2,015.51	2,092.03	2,171.33	2,253.84	2,339.36	2,428.25	2,520.43	2,616.16
	Hourly	23.3855	23.8286	24.2717	25.1939	26.1503	27.1416	28.1729	29.2421	30.3531	31.5054	32.7019
13	Annual	51,801	52,791	53,780	55,834	57,960	60,176	62,469	64,854	67,328	69,899	72,563
	Bi-Wkly	1,992.34	2,030.43	2,068.47	2,147.44	2,229.24	2,314.44	2,402.66	2,494.38	2,589.53	2,688.42	2,790.90
	Hourly	24.9042	25.3804	25.8559	26.8430	27.8655	28.9305	30.0333	31.1797	32.3692	33.6053	34.8862

**SCHEDULE I (CONTD)**  
**ADMINISTRATIVE AND SUPERVISORY EMPLOYEES**  
**PAY RATES**

**EFFECTIVE JULY 1, 2012 - 2.0% (Contd)**

Class Grade	Pay Basis	Minimum										Maximum
		Step 1	Step 1-1/2	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
14	Annual	54,968	56,013	57,057	59,229	61,481	63,820	66,242	68,767	71,383	74,096	76,914
	Bi-Wkly	2,114.17	2,154.33	2,194.50	2,278.05	2,364.66	2,454.63	2,547.76	2,644.90	2,745.49	2,849.85	2,958.23
	Hourly	26.4271	26.9292	27.4313	28.4756	29.5583	30.6829	31.8470	33.0613	34.3186	35.6231	36.9778
15	Annual	57,935	59,034	60,134	62,424	64,797	67,264	69,822	72,479	75,236	78,097	81,069
	Bi-Wkly	2,228.25	2,270.54	2,312.84	2,400.92	2,492.20	2,587.08	2,685.45	2,787.64	2,893.70	3,003.73	3,118.05
	Hourly	27.8531	28.3818	28.9105	30.0114	31.1526	32.3385	33.5681	34.8455	36.1713	37.5466	38.9756
16	Annual	60,900	62,058	63,217	65,622	68,118	70,710	73,395	76,187	79,089	82,097	85,219
	Bi-Wkly	2,342.29	2,386.85	2,431.41	2,523.92	2,619.93	2,719.62	2,822.90	2,930.28	3,041.87	3,157.56	3,277.64
	Hourly	29.2786	29.8356	30.3926	31.5490	32.7491	33.9953	35.2862	36.6285	38.0234	39.4695	40.9705
17	Annual	63,865	65,080	66,293	68,817	71,429	74,153	76,970	79,902	82,942	86,096	89,369
	Bi-Wkly	2,456.33	2,503.06	2,549.74	2,646.79	2,747.28	2,852.02	2,960.40	3,073.16	3,190.08	3,311.39	3,437.28
	Hourly	30.7041	31.2883	31.8718	33.0849	34.3410	35.6503	37.0050	38.4145	39.8760	41.3924	42.9660
18	Annual	67,030	68,308	69,587	72,245	75,003	77,867	80,842	83,930	87,138	90,465	93,920
	Bi-Wkly	2,578.06	2,627.25	2,676.43	2,778.67	2,884.73	2,994.90	3,109.32	3,228.08	3,351.46	3,479.43	3,612.30
	Hourly	32.2258	32.8406	33.4554	34.7334	36.0592	37.4363	38.8665	40.3510	41.8933	43.4929	45.1538
19	Annual	70,786	72,131	73,476	76,272	79,177	82,189	85,316	88,563	91,932	95,427	99,058
	Bi-Wkly	2,722.55	2,774.28	2,826.01	2,933.54	3,045.27	3,161.10	3,281.37	3,406.27	3,535.83	3,670.26	3,809.93
	Hourly	34.0319	34.6785	35.3252	36.6693	38.0658	39.5137	41.0171	42.5783	44.1979	45.8783	47.6242
20	Annual	74,543	75,965	77,388	80,337	83,399	86,580	89,882	93,310	96,869	100,560	104,398
	Bi-Wkly	2,867.03	2,921.74	2,976.45	3,089.87	3,207.64	3,329.99	3,457.01	3,588.84	3,725.73	3,867.71	4,015.31
	Hourly	35.8379	36.5217	37.2056	38.6234	40.0955	41.6248	43.2126	44.8605	46.5716	48.3464	50.1914
21	Annual	78,298	79,784	81,272	84,366	87,569	90,900	94,353	97,942	101,666	105,531	109,541
	Bi-Wkly	3,011.47	3,068.63	3,125.84	3,244.84	3,368.03	3,496.14	3,628.96	3,766.98	3,910.24	4,058.88	4,213.13
	Hourly	37.6434	38.3579	39.0730	40.5604	42.1004	43.7017	45.3620	47.0873	48.8780	50.7360	52.6641

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

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

An Ordinance to repeal Ordinance No. 458 regarding healthcare benefits for certain employees of the City of Jackson

WHEREAS, the City Council desires to repeal Ordinance No. 458 adopted October 22, 2002, which addresses certain city employees who are eligible for health care benefits upon employment termination.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Ordinance No. 458 of the City of Jackson is hereby repealed in its entirety.

Section 2. Effective Date

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



## Department of Public Works

521 Water Street - Jackson, MI 49203  
Telephone: (517) 788-4170 — Facsimile: (517) 788-4639

### CITY COUNCIL MEETING JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer

SUBJECT: Revise Chapter 27, Sections 27-184 through 27-189 of the Storm Water Utility of the City of Jackson Code of Ordinances to Update Certain Provisions

**MOTION: APPROVE CHAPTER 27, SECTIONS 27-184 THROUGH 27-189 OF THE STORM WATER UTILITY OF THE CITY OF JACKSON CODE OF ORDINANCES AND PLACE IT ON THE NEXT REGULARLY SCHEDULED CITY COUNCIL AGENDA FOR CONSIDERATION AND ADOPTION**

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The current Jackson Storm Water Utility Ordinance does not allow for 100% credits and exempts the City streets from consideration. The revisions to sections 27-184 to 27-189 correct these issues and some other minor grammar changes

The main revisions are in sections 27-188 and 27-189. Section 27-188 increases the maximum credit that a property own would be eligible to apply for to 100%. This section also defines the means for credits of public roadways. Section 27-189 is changed to delete the exemption of streets so that no property within the City limits is exempt from storm water user fees. The changes are marked in “track changes” to identify the modifications to the ordinance.

If you have any questions please contact me.

JHD:ss

C: Laurence R. Shaffer, City Manager  
Julius Giglio, City Attorney  
Lucinda Schultz, Accounting Manager

#### Sec. 27-184. ESTABLISHMENT OF A STORM WATER UTILITY

A storm water utility is hereby established by Council under the direction of the Administrator to conduct ~~fund~~ the storm water management program of the City. The storm water management program shall include those activities necessary to protect public health, safety, and welfare from storm water and fulfill the requirements of the City of Jackson's storm water NPDES discharge permit, and all successor permits, including but not limited to the following activities:

- (1) Planning, engineering, acquisition, construction, operation, maintenance, installation and debt service costs to acquire, construct, finance, operate and maintain a storm water system.
- (2) Administering the storm water management program.
- (3) Acquiring, constructing, improving, enlarging, repairing, enhancing, replacing, financing, operating and maintaining the storm water system, together with such indirect and overhead costs which are fairly chargeable to such activities pursuant to accepted accounting principles and practices applicable to the City.
- (4) Updating a storm water management plan.
- (5) Undertaking activities required in order to comply with federal and state law and regulations related to storm water and permits issued there under.
- (6) Paying drain assessments which are the obligation of the City.
- (7) Providing public education, or information, or outreach related to the storm water management program or required by federal or state regulations, or required by permits issued to the City by federal or state regulatory bodies.

#### Sec. 27-185. STORM WATER MANAGEMENT PLAN

The Administrator may adopt, amend, or extend a storm water management plan from time to time. Any such adoption, amendment, or extension shall be approved by resolution of the Council.

#### Sec. 27-186. STORM WATER USER FEE

- (1) Subject to the provisions of this Article, all owners of property in the City of Jackson shall be charged a storm water user fee for their use of the storm water system. The storm water user fee shall be proportionate to the necessary cost of the storm water management services provided to each property in the City. The basis for storm water user fees shall be computed by the Administrator using the Equivalent Hydraulic Area (EHA) or EHA Units applicable to each property.
- (2) The principal storm water generating characteristic of each property is its representative impervious and pervious area, which shall be used as the basis for the storm water user fee. The storm water user fee shall be used solely to defray the City's cost of conducting ~~fund~~ those elements of the storm water management program whose cost is directly related to the amount of storm water managed as well as the expenses related to billing, collection, customer service, and public involvement and public education activities.
- (3) The representative impervious and pervious areas of a property shall be the measured impervious and pervious areas of the property except for detached single-family homes (up to and including four units) which may be grouped into one or more representative impervious and pervious area rate categories based upon a statistical evaluation of the measured impervious and pervious area

of a sample of all properties. Each property within a category shall be billed the same storm water user fee if such statistical similarity is demonstrated. The minimum bill for any non-residential property shall be equal to the lowest category billed to a detached single-family home regardless of the credits applicable to such non-residential property.

- (4) The Administrator may periodically change the representative impervious and pervious area of a property based upon information available to the City and/or provided by a property owner.

Storm water user fees shall be determined and modified, from time to time, so that the total revenues generated by such user fees shall be sufficient to defray the cost of conducting ~~meet the cost of the~~ City's storm water management program. Storm water user fees shall be in addition to any special assessment, single lot assessment or public improvement charge that might be or become due for capital improvements to the storm water system.

#### Sec. 27-187. OTHER CHARGES

Charges for other services provided by the City shall be on a time and materials basis, including direct and indirect costs, as established by the Administrator. The Administrator may also set charges for the fair share recovery of the cost, including direct and indirect costs, from users for the implementation and operation of any of the following:

- (1) Monitoring, inspection and surveillance procedures
- (2) Reviewing accidental discharge procedures and construction
- (3) Storm water discharge permit applications
- (4) Annual charges for multi-year permits
- (5) Other charges as the Administrator may deem necessary to carry out the requirements of this Article

#### Sec. 27-188. CREDITS

- (1) The purpose of this section is to provide for each owner's voluntary control over contributions of storm flows to the storm water system and the related storm water user fees and to advance protection of the public health, safety, and welfare.
- (2) The City shall offer credits that will enable any owner, through voluntary action, to reduce the storm water user fees calculated for that owner's property and will provide a meaningful reduction in the cost of service to the storm water system, or that shall be reasonably related to a benefit to the storm water system:
  - a. Credits will only be applied if certain requirements are met, including, but not limited to: completion of on-going maintenance, guaranteed right-of-entry for inspections, and submittal of certification reports. Credits will be defined as percent (%) reductions applied to the storm water user fee calculation.
  - b. Credits are additive for each credit category. The maximum credit shall not exceed 100~~50~~ % of the storm water user fee calculation.
  - c. As long as the storm water facilities or management practices are functioning as approved, the credit will be applied to the storm water user fee. If the approved practice is not functioning as approved or is terminated, the credit will be cancelled and the storm water user fee will return to the baseline calculation. Once the credit has been cancelled, an owner may not reapply for a credit for a period of 12 months and only then if the deficiency has been corrected, as determined by City inspection.

- d. Credits will be applied to the next complete billing cycle after the application has been approved.
- (3) The Administrator shall define a method for applying and granting credits, as well as criteria for determining the credits an owner may receive. The Administrator may establish credits for one or more of the following owner actions:
- Residential Property: Flat Rate 100~~50~~%
  - Storm Water Quantity: 37.5 to 100~~75~~%
  - Education: 25%
  - Direct Discharge: Maximum of 100~~75~~%
- (4) The Administrator shall define criteria for determining additional credits that lands dedicated for public use may receive. Such credits are appropriate because most of the City's drainage system lies within public rights of way, sharing that property with public roads and other public and private utility systems. Public roads and other surfaces within these rights of way discharge storm water to the storm water system and are subject to storm water user fees like every other property within the City. Lands dedicated for public use are eligible for credits if they provide one or more of the following services to the storm water utility:
- a. Use of the roadway for conveyance and storage of storm water during major storm events that exceed the capacity of the underground storm drainage system.
  - b. Use of right-of-way for retrofit of storm water quality control system required under NPDES permits issued to the City.
  - c. Access to the storm water system for operation and maintenance activities, restrict traffic on the roadway.
  - d. Reduced pavement life when storm water system repairs require open cut excavation of the roadway.
  - e. Education provided by storm inlet labeling, stream crossing signage, and other educational signs placed within the right-of-way.

#### Sec. 27-189. EXEMPTIONS

No public or private property located within the City limits of the City of Jackson shall be exempt from storm water user fees. ~~with the exception of public road rights of way that have been conveyed to and accepted for maintenance by the State of Michigan, Jackson County, or the City of Jackson, and which are available for use in common by the general public for motor vehicle transportation. This exemption shall not apply to internal site roadways within public facilities; to private roads or drives; or to internal roads, drives, and parking areas in privately owned property.~~



**CITY CLERK'S OFFICE**  
Lynn Fessel, City Clerk

---

**CITY COUNCIL MEETING**  
June 26, 2012

DATE: June 15, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Final Adoption of Ordinance No. 2012.15

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.15  
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.**

Attached please find Ordinance No. 2012.15 approved by the City Council on June 12, 2012. Requested action is adoption of the Ordinance.

C: City Manager  
Deputy City Manager  
City Attorney

ORDINANCE 2012.15

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, On January 10, 2012, the Jackson City Council adopted Ordinance 2012.1, 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 2012.1 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. 2012.1 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.



161 W. Michigan Avenue - Jackson, MI 49201  
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING  
JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer

SUBJECT: Contract Award Request – Hibbard Street

**MOTION: CONSIDERATION OF THE REQUEST TO APPROVE THE BID AWARD TO JULE SWARTZ & SONS EXCAVATING, JACKSON, MI FOR A TOTAL COST OF \$366,659.43, FOR THE HIBBARD STREET REPAVING, STORM SEWER AND WATER MAIN REPLACEMENT CONTRACT, AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE PURCHASING AGENT AND THE CITY ENGINEER.**

On June 18, 2012, bids were opened in the Purchasing Department for the Hibbard Street Repaving, Storm Sewer and Water Main Replacement contract. This project will repave Hibbard Street from the Wildwood Avenue to the railroad right-of-way. Water main will be replaced and new storm sewer will be constructed from Wildwood to the north side of the railroad. Storm sewer construction is proposed to correct drainage problems on Hibbard Street and Alma Place north of the railroad. Sanitary sewer and sidewalk repairs are also included. The engineer's estimate for the work is \$394,693.75. Bids were received as follows:

Jule Swartz & Sons Excavating, Jackson, MI	\$366,659.43
Bailey Excavating, Inc., Jackson, Mi	\$415,019.40
Concord Excavating, Concord, MI	\$449,641.84

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Engineering that the Hibbard Street Repaving, Storm Sewer and Water Main Replacement contract be awarded to Jule Swartz & Sons Excavating of Jackson, Michigan, at their low bid of \$366,659.43, and the Mayor and the City Clerk be authorized to sign the contract documents. This project will be paid from Local Street funds, New Water Main Construction funds and Sanitary Sewer Replacement funds.

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

RTM:sms

C: Randall T. McMunn, P.E., Assistant City Engineer  
Lynn Fessel, Purchasing Agent  
Shelly Allard, Purchasing Coordinator  
Lucinda Schultz, Accounting Manager



## Department of Public Works

521 Water Street - Jackson, MI 49203  
Telephone: (517) 788-4170 — Facsimile: (517) 788-4639

### CITY COUNCIL MEETING JUNE 26, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Patrick Burtch, Deputy City Manager  
Jon H. Dowling, P.E., City Engineer

SUBJECT: Jackson County Drain Commissioner Invoices – Storm Water

**MOTION: APPROVE PAYMENT OF TWO INVOICES FROM THE JACKSON COUNTY DRAIN COMMISSIONER FOR JACKSON URBANIZED AREA PHASE II IMPLEMENTATION ASSISTANCE, IN THE AMOUNT OF \$28,294.83, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER.**

The Department of Public Works requests City Council approval to pay invoices received from the Jackson County Drain Commissioner. Public Works received an invoice dated January 27, 2012 for \$14,147.42 and a second invoice dated, February 27, 2012 in the amount of \$14,147.41, for a total of \$28,294.83 for both invoices. On the second invoice, dated February 27<sup>th</sup>, it is noted that (amount paid to date is \$14,147.42) notwithstanding that, no funds have been disbursed to date. This dollar amount was entered on the invoice by the County, with the assumption that the January 27<sup>th</sup> payment would be made before the February payment was due.

The City's legal advisors on the storm water lawsuit with the County originally advised that we hold on paying these invoices. At the end of May, the legal advisors agreed that we should pay these invoices that represent the City's share for implementation of the storm water permit.

Jackson County, the City of Jackson, Blackman, and Leoni Townships have a Michigan Departmental of Environmental Quality (MDEQ) NPDES General Permit No. MIG619000, for permit coverage of Storm Water Discharges from Municipal Separate Storm Sewer Systems (MS4s) subject to Watershed Plan Requirements. These communities are working together and in accordance with the USEPA Clean Water Act, MDEQ Clean Michigan Initiatives and the Intergovernmental Public Act 200 Resolution dated October 22, 2002. This year's cost of contracted services for Phase II Implementation is \$78,634.50. The total list of entities contributing to these expenses includes the following:

Blackman Township	\$19,234.98
City of Jackson	\$28,294.83
Leoni Township	\$11,217.56
Jackson County Drain Commissioner	\$10,000.00
Jackson County Road Commission	\$ 8,887.13
G.R.E.A.T	<u>\$ 1,000.00</u>
Total:	\$78,634.50

I am requesting authorization to make payment for services totaling \$28,294.83. Funds are available in the Projected Budget 2011-2012, Storm Water Utility Fund for these expenditures.

c: Laurence R. Shaffer, City Manager  
Lucinda Schultz, Accounting Manager

Geoffrey W. Snyder  
**COUNTY DRAIN COMMISSIONER**

County Tower Building

Jackson, Michigan 49201

Mon.-Fri. 8-5

517 / 788-4398

**INVOICE**

January 27, 2012

John Dowling  
City of Jackson  
Department of Public Works  
521 Water Street  
Jackson, MI 49203

RE: JACKSON URBANIZED AREA PHASE II IMPLEMENTATION  
ASSISTANCE (ASTI Contract 12')

<b>CONTRIBUTION OF PROJECT</b>	
<b>ASTI</b>	<b>\$ 26,535.23</b>
<b>BLUE SEA</b>	<b>281.82</b>
<b>GRAND RIVER GAUGE</b>	<b>1,477.78</b>
<b>TOTAL AMOUNT DUE</b>	<b><u>\$ 28,294.83</u></b>
<b>AMOUNT PAID TO DATE</b>	<b>\$ 0.00</b>
<b>AMOUNT DUE IN FEBRUARY</b>	<b>\$ 14,147.42</b>

Please make check payable to the Jackson County Drain Commission (Upper Grand River Phase II Project).

**RECEIVED**

Thank You.

FEB 08 2012

ENG/DPW  
CITY OF JACKSON

Geoffrey W. Snyder  
**COUNTY DRAIN COMMISSIONER**

County Tower Building

Jackson, Michigan 49201

Mon.-Fri. 8-5

517 / 788-4398

# INVOICE

February 27, 2012

John Dowling  
City of Jackson  
Department of Public Works  
521 Water Street  
Jackson, MI 49203

RE: JACKSON URBANIZED AREA PHASE II IMPLEMENTATION  
ASSISTANCE (ASTI Contract 12')

**CONTRIBUTION OF PROJECT**

ASTI	\$ 26,535.23
BLUE SEA	281.82
GRAND RIVER GAUGE	1,477.78

**TOTAL AMOUNT DUE** \$ 28,294.83

**AMOUNT PAID TO DATE** \$ 14,147.42

**AMOUNT DUE IN MARCH** \$ 14,147.41

Please make check payable to the Jackson County Drain Commission (Upper Grand River Phase II Project).

Thank You.



# 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 26, 2012

**TO:** Honorable Mayor and City Councilmembers

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

**SUBJECT:** Request to Award an Annual Contract to Board Up Vacant Structures

### MOTION

**Waive minor irregularity in the bid and award the contract to board up vacant structures to the low bidder, The Grab-Bar Pro, LLC, for a period of one year.**

In order to supplement City of Jackson's workforce, the Community Development Department's Chief Building Official solicited bids from private contractors for boarding up open and accessible vacant structures. Through the normal bid processes under the Purchasing guidelines, four contractors submitted sealed bids on June 18, 2012. The low bidder was a Jackson-based company The Grab-Bar Pro, LLC as demonstrated on the attached bid tabulation.

In reviewing the submitted bid documents, it was discovered the acknowledgement of Addendum No. 1 was missing and the Non-Collusion Affidavit of Prime Bidder was unsigned by The Grab-Bar Pro's founding member, Randal Stockard. It is believed these were merely oversights on Mr. Stockard's part as all other documents requiring a signature were executed. In the bid package, Page IB 3 of 3, Section 5(B) states:

"The City Council reserves the right to reject any and all bids and to waive minor irregularities and/or technicalities in the bids."

The Purchasing Coordinator discussed the missing and unsigned documents with the City Attorney who advised that City Council could waive the missing and unsigned forms as an irregularity. Should City Council award the bid to The Grab-Bar Pro as recommended, we will require the Affidavit to be completed, signed and made part of the bid and contract documents.



# BID TABULATION FOR BOARDUPS OF VACANT STRUCTURES JUNE 19, 2012, 2:00 PM

ITEM NO	DESCRIPTION	UNIT PRICE (per occurrence)	UNIT PRICE (per occurrence)	UNIT PRICE (per occurrence)	UNIT PRICE (per occurrence)
		The Grab Bar Pro LLC 2720 Brookside Blvd. Jackson, MI 49203	Harrison Builders 916 Homewild Ave. Jackson, MI 49201	Concept Construction 1619 Cascade Ct. Jackson, MI 49203	BBEK Construction LLC 2850 Alliance Dr. Suite M Waterford, MI 48328
1	Standard Response Board/Otherwise Secure first opening	57.00	60.00	85.00	250.00
2	Board each additional, same trip, lower-floor	22.00	55.00	55.00	65.00
3	Board each additional, same trip, upper-floor.	25.00	60.00	60.00	85.00
4	Remove/Replace existing door latch set, keyed alike	20.00	75.00	85.00	150.00
5	Install hasp on existing door & jamb.	10.00	50.00	30.00	95.00
6	Other work* (minor demo., carpentry, etc.) Labor @ \$/hr. <b>This rate is a total hourly cost for all labor required to complete the project. Estimates must be submitted to and approved by the Chief Building Official or his/her representative prior to beginning work.</b> Contractor invoice will include itemized list of necessary materials and equipment showing reasonable costs for same.	28.00	25.00	65.00	55.00
7	Priority Request Surcharge (Respond within 4 hours of request)	20.00	35.00	125.00	375.00



# City of Jackson

## Department of Personnel & Labor Relations

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Crystal Y. Dixon, Director

CITY COUNCIL MEETING  
June 26, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Crystal Y. Dixon, City/County Director of Human Resources *CYD*

SUBJECT: Request to Amend Personnel Policy (City Ombudsman part-time position)

MOTIONS: **#1. To amend the Personnel Policy Relating to the Restructuring of the City Manager's Office as follows: Amend Section VI-2. A. by adding class title City Ombudsman, Class Grade 11.**

**#2. To approve the reclassification of Frank Weathers from the title of Community Relations Liaison to City Ombudsman effective July 1, 2012.**

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**Background Information:**

The City Manager's Office desires to restructure to ensure efficient services to the citizens of the City of Jackson, Michigan. Therefore, the above motions are requested to support delivery of those services. The job description is enclosed and a separate budget amendment is being submitted for your consideration. Thank you.

Enclosure

Title: **City Ombudsman (part-time)**

General Summary:

Under the direction of the City Manager, performs highly responsible administrative and staff work. Considerable independent judgment is exercised. Acts as the City's liaison with community members and groups. Assists the City Manager and other departments by performing and/or overseeing the investigation and response to citizen complaints, conducting special studies, advising the Manager regarding community concerns and performing related work as required. Performs and coordinates a variety of community outreach activities. May represent the City on boards and commissions, as assigned. Acts as staff to the Human Relations Commission.

Essential Duties and Responsibilities:

1. Serves as the city's ombudsman to the community; interacts effectively with individuals from a variety of backgrounds in a positive productive manner; acts as a facilitator between the business community and city service providers; facilitates flow of information between business community and city staff.
2. Meets with a variety of internal staff to participate and may be asked to provide input into the development and/or modification of policies and procedures; works with city staff to ensure timely resolution to citizen complaints.
3. Reviews adequacy of existing customer service provided by the city and identifies gaps in existing work processes and systems; provides service delivery approaches to meet or exceed the demands of citizens.
4. Prepares, reviews, and/or approves a variety of forms, lists, correspondence and various other documents associated with the daily responsibilities of this position, including the Annual Report of the City of Jackson; maintains files and administrative records.
5. Maintains a comprehensive, current knowledge and awareness of applicable laws/regulations; reads professional literature; maintains professional affiliations; attends workshops and training sessions as appropriate.
6. Manages and administers the relocation program for individuals displaced as a result of condemnation; develops relationships with various housing agencies to provide both short and long-term housing for individuals displaced as a result of residential property declared unsafe, unsanitary or deficient as defined by the city's ordinance.
7. Presents at public functions, including public speaking; provides information on city activities to the media, including preparation of press releases, maintaining a web site, providing community updates and appearing on local television to keep the community informed on a variety of city affairs.
8. Receives and takes action on citizen complaints and concerns
9. Serves as city government representative on variety of boards and commissions, as required.
10. May provide support to the Neighborhood and Economic Operations department to inform the community regarding the use of CDBG and HOME funds.
11. Assists and advises departments regarding community outreach and similar opportunities.
12. Performs related work as required.

City Ombudsman (part-time), Page 2

The above statements are intended to describe the general nature and level of work being performed by individuals assigned this classification. Such statements are descriptive and explanatory but not restrictive. They are not to be construed as an exhaustive list of all job duties performed by personnel so classified. The listing of particular examples of duties does not preclude the assignment of other tasks of related kind or character or of lesser skills.

Minimum Qualifications and/or Requirements:

Must have either: (1) a Bachelor's Degree with courses in public or business administration, urban planning or related field, plus five years of progressively responsible professional experience in areas of work related to the essential functions of this job at the departmental/division management level, or (2) any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities for this job.

Must be able to explain and interpret City ordinances, rules, regulations, policies and labor agreements to individuals and groups. Must be able to plan, formulate and execute policies and programs. Must be able to apply administrative concepts and methods to different organizational situations and needs. Must be able to analyze a variety of administrative, operational and fiscal problems and to make sound recommendations for solution. Must be able to express ideas effectively, both orally and in writing. Must be able to take and give direction efficiently and effectively. Must be able to service the public with honesty and integrity, in full accord with the letter and spirit of the City of Jackson ethics and conflict of interest policies. Must be able to maintain effective working relationships and communicate tactfully with general public, City staff, and government officials. Must be resourceful and demonstrate initiative. Must be able to work outside the standard business day.

The successful candidate will have a valid Michigan driver's license and good driving record at the time of hire and for as long as the employee is required to provide personal transportation to other work sites.

In addition to the above requirements, all City positions require: the ability to read, write, speak and understand the English language as necessary for their position; the ability to follow written and oral instructions; and the ability to get along with other employees and members of the public. City employees are also expected to possess and maintain a record of orderly law-abiding citizenship, sobriety, integrity and loyalty as it pertains to and reflects upon their employment with the City; and must be physically and mentally able to perform the essential duties of their position without excessive absences. City employees are required to establish residency within 20 miles of the city limits within 12 months of hire and maintain throughout employment.

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to orally communicate in person and by telephone, read regular and small print, sit, use limited mobility in an office setting, use manual dexterity to use a personal computer, and use sight to read and prepare documents and reports. The typical work environment of this job is a business office setting where the noise level is quiet or moderate. The employee must be able to periodically do a considerable amount of walking outside. The employee must be able to enter, exit and operate a motor vehicle.

Approved by the City Manager: \_\_\_\_\_  
Laurence R. Shaffer

\_\_\_\_\_  
Date

Approved by the City/County  
Director of Human Resources: \_\_\_\_\_  
Crystal Y. Dixon

\_\_\_\_\_  
Date

# RESOLUTION

**BY THE CITY COUNCIL :**

**WHEREAS**, the City Manager wishes to provide funds in the City Manager's Activity Budget for the part- time position of City Ombudsman, and

**WHEREAS**, the funding for this part-time position will require an estimated \$ 50,787, and

**WHEREAS**, funding for this position will come from unappropriated fund surplus;

**NOW, THEREFORE, BE IT RESOLVED**, that the 2012/13 Budget be amended as follows:

## GENERAL FUND

		<u>Decrease</u>		<u>Increase</u>
<b>REVENUES :</b>				
101-000-699.000	Appropriation from Fund Balance	\$	-	\$ 50,787
		<u>\$</u>	<u>-</u>	<u>\$ 50,787</u>
 <b>EXPENDITURES :</b>				
101-172-000-707.000	City Manager - Wages-Temporary	\$	-	\$ 46,800
101-172-000-715.000	City Manager - Employers FICA			3,580
101-172-000-724.000	City Manager - Unemployment			342
101-172-000-724.001	City Manager - Workers Compensation			65
		<u>\$</u>	<u>-</u>	<u>\$ 50,787</u>

\*\*\*\*\*

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 26<sup>th</sup> day of June, 2012.

**IN WITNESS WHEREOF**, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan, on this 27<sup>th</sup> day of June, 2012.

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

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

**AN ORDINANCE TO ESTABLISH COMPENSATION RATES FOR CERTAIN APPOINTED OFFICIALS OF THE CITY OF JACKSON**

**THE CITY OF JACKSON ORDAINS:**

Section 1: Definition. For purposes of this ordinance, the term “Administrative and Supervisory Employees” shall mean the City Assessor of the City of Jackson.

Section 2: As of July 1, 2012, the Administrative and Supervisory Employee shall be compensated on the basis of the annual salary rates shown on the attached “Schedule II, Administrative and Supervisory Employees City Assessor Pay Rates,” according to the employee’s appropriate step rate within the Class Grade assigned the individual’s classification title under the Personnel Policy.

Section 3: Eligible employees must be actively employed by the City of Jackson thirty (30) days from the date of final adoption of this ordinance to be eligible for the new salary rate adjustment. The salary rate adjustments shall be retroactive to July 1, 2012. Employees whose wages are “red-circled” in accordance with Article XI – Compensation, Section XI-1 Salary Schedules of the Personnel Policy shall not receive annual increases granted by City Council ordinances for compensation to employees.

Section 4: Repeal. Ordinance 476 is hereby repealed as of July 1, 2012.

Section 5: This ordinance shall take effect thirty (30) days from the date of final adoption.

\*\*\*\*\*

Adopted:

APPENDIX A-2

SCHEDULE H  
 ADMINISTRATIVE AND SUPERVISORY EMPLOYEES  
 CITY ASSESSOR  
 PAY RATES

EFFECTIVE JULY 1, 2012 - 2.0%

Class	Pay Grade	Minimum									Maximum
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	
City	Annual	63,658	66,088	68,606	71,222	73,938	76,758	79,685	82,726	85,879	89,156
Assessor	Bi-Wkly	2,448.38	2,541.85	2,638.70	2,739.32	2,843.77	2,952.23	3,064.80	3,181.78	3,303.05	3,429.08
	Hourly	30.6048	31.7731	32.9838	34.2415	35.5472	36.9028	38.3100	39.7723	41.2881	42.8635

DRAFT 6.2012

ADDENDUM TO EMPLOYMENT AGREEMENT

THIS ADDENDUM, made on this 29<sup>th</sup> day of Nov., 2011, by and between the City of Jackson, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "the City"), as Employer, and Lynn Fessel, 2203 Creglow Drive, Jackson, Michigan 49203 (hereinafter referred to as "Mrs. Fessel"), as Employee.

WITNESSETH:

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

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

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

- 1) Paragraph 2, **SALARY**, shall be amended as follows: As payment for her services as City Clerk and Purchasing Agent/Supervisor of City Hall and Grounds, Mrs. Fessel will be placed, as a guide, on the Administrative and Supervisory Compensation Schedule, Class Grade 18, Step 9. Effective December 2, 2011, the City will pay Mrs. Fessel the base salary of Eighty-Eight Thousand Six-Hundred Ninety-One Dollars (\$88,691.00) which is equal to a Class Grade 18, Step 9 per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid.
- 2) Except as modified herein, the Agreement between the parties shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum this 29<sup>th</sup> day of November, 2011.

In the presence of:

Marian K. Hawn  
Carmen Ryan

THE CITY OF JACKSON

By Karen F. Dunigan  
Karen F. Dunigan, Mayor

Lynn Fessel  
Lynn Fessel

## EMPLOYMENT AGREEMENT

THIS AGREEMENT, made on this 24<sup>th</sup> day of February, 2004, between *the City of Jackson*, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "*the City*"), as Employer, and *Lynn Fessel*, of 2203 Creglow Drive, Jackson, Michigan 49203 (hereinafter referred to as "*Mrs. Fessel*"), as Employee.

### WITNESSETH:

WHEREAS, the City desires to retain Mrs. Fessel as City Clerk in exchange for compensation and other benefits referred to herein; and

WHEREAS, the City and Mrs. Fessel wish to enter into an employment agreement, setting forth the terms and conditions of employment;

NOW, THEREFORE, the City and Mrs. Fessel do hereby agree that the terms of employment for Mrs. Fessel shall be as set forth below in this Agreement.

1) **TERMS AND DUTIES.** Mrs. Fessel shall serve as the City Clerk for the City of Jackson for a term beginning on January 1, 2004, and ending on June 30, 2007. Mrs. Fessel's powers and duties as City Clerk shall generally be as outlined in Section 11.4 of the City Charter, which provides:

The City Clerk shall be the Clerk of the City Council, the chief elections and voter registration officer of the City, and the custodian of City records and the City seal. The Clerk shall administer the oath of office to all appointed and elected City officials.

It is further understood that such other duties and responsibilities shall be performed as may be assigned from time to time by the City Council or as may be required from time to time by federal or state law, or by City ordinance.

2) **SALARY.** As payment for her services as City Clerk, the City will pay Mrs. Fessel the base salary of Sixty-Two Thousand Seven-Hundred Forty-Eight Dollars (\$62,748.00) per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid; provided, however, that the City Council shall review this compensation prior to June 30, 2005, and, based on her performance, Council may adjust her salary.

3) **ADDITIONAL COMPENSATION.** As additional compensation for her services, Mrs. Fessel shall also receive the following:

- a) Payment of dues and expenses related to Mrs. Fessel's participation in any professional organization, including workshops, educational and professional conferences. These expenses will be delineated and approved in advance by the City Council, or submitted as part of the budget process.
  - b) The City's existing vacation policies relative to general salaried employees shall apply to Mrs. Fessel.
  - c) Mrs. Fessel will continue to participate in the City's general employees' retirement fund.
  - d) Mrs. Fessel will receive all other benefits provided to other City employees who are administrative, non-union personnel, including health care, sick leave, insurance, education benefits, holidays or other benefits provided to that category of employees. In addition, she will be eligible to receive special health care benefits upon her separation from City service pursuant to Ordinance No. 458, adopted October 22, 2002.
- 4) **RESIDENCY.** It is understood and agreed that Mrs. Fessel shall maintain her residence within twenty (20) miles of the City limits of the City of Jackson, Michigan, during her entire tenure of office.

This residency requirement shall be defined as follows:

The establishment and occupancy of a dwelling unit within twenty (20) miles of the geographic boundary of the City of Jackson; the maintenance of this dwelling as your primary residence at which you eat your meals, receive your mail, sleep, maintain your voter registration, driver's license address, tax address, and in all manners maintain as your normal residence.

- 5) **TERMINATION.** Should the City terminate Mrs. Fessel's employment, all compensation and benefits provided under this contract, to its ending effective date, shall be paid to Mrs. Fessel. The City also agrees that if Mrs. Fessel's contract is not renewed, she shall be given at least 90 days notification of that non-renewal. Additionally, upon resignation or termination, Mrs. Fessel shall receive payment for her accrued, unused sick leave up to a maximum of 90 days, and all accrued, unused vacation leave.
- 6) **AT WILL EMPLOYMENT.** Mrs. Fessel and the City agree that the employment of Mrs. Fessel shall be "at will", and may be terminated by either party, at any time, with or without cause, upon ninety (90) days written notice directed to their respective addresses as set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 25<sup>th</sup> day of February, 2004, with an effective date of January 1, 2004.

In the presence of :

Sharon K. Hahn

\_\_\_\_\_

**THE CITY OF JACKSON**

By Martin J. Griffin  
Martin J. Griffin, Mayor

By \_\_\_\_\_

In the presence of :

Jan J. Turner

Lynn Fessel  
Lynn Fessel

ADDENDUM TO EMPLOYMENT AGREEMENT

THIS ADDENDUM, made this 29<sup>th</sup> day of November by and between the *City of Jackson*, a Michigan municipal corporation, with offices located at 161 W. Michigan Ave. Jackson, MI 49201 (hereinafter referred to as "*the City*"), as Employer, and *David Taylor*, 119 S Grinnell Street, Jackson, MI 49203 (hereinafter referred to as "*Mr. Taylor*"), as Employee,

WITNESSETH:

WHEREAS, The City and Mr. Taylor entered into a certain Employment Agreement dated September 23, 2009 ("Agreement"); and

WHEREAS, the City and Mr. Taylor wish to make certain modifications to the Agreement as provided herein.

NOW THEREFORE, the City and Mr. Taylor hereby agree that the agreement shall be modified as follows:

- 1) Paragraph 2, **Salary**, As payment for his services as City Assessor, the City will pay Mr. Taylor the base salary of Seventy Eight thousand, One Hundred and Twenty Two dollars (78,122) per year, starting date for this adjustment shall be 12/2/11, this sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid; provided, however, that the City Council shall review this compensation prior to June 30, 2012 and based on his performance, Council may adjust his salary. Should the City grant other non-union employees a cost of living pay raise for the 2012 2013 budget year Mr. Taylor would also get that raise.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum this 30<sup>th</sup> day of November, 2011.

In the presence of:

Sharon K. Haas

Sybil Lessel

THE CITY OF JACKSON

By Karen F. Dunigan  
Karen F. Dunigan, Mayor

David Taylor  
David Taylor

## EMPLOYMENT AGREEMENT

**THIS AGREEMENT**, made on this 23<sup>rd</sup> day of September, 2009, between the *City of Jackson*, a Michigan Municipal corporation with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "*the City*"), as Employer, and *David Taylor* of 119 S Grinnell St, Jackson, Michigan 49203 (hereinafter referred to as "*Mr. Taylor*"), as Employee.

### WITNESSETH:

**WHEREAS**, the city desires to retain Mr. Taylor as City Assessor in exchange for compensation and other benefits referred to herein: and

**WHEREAS**, the City and Mr. Taylor, wish to enter into an employment agreement, setting forth the below in this Agreement.

**NOW, THEREFORE**, the City and Mr. Taylor do hereby agree that the terms for employment for Mr. Taylor shall be set forth below in this Agreement.

1) **TERMS AND DUTIES**. Mr. Taylor shall serve as the City Assessor for the City of Jackson for a term beginning on August 15, 2009 and ending on June 30, 2012. Mr. Taylor's powers and duties as City Assessor shall be generally be as outlined in Section 11.6 of the City Charter, which provides:

The City Assessor shall have all power vested in, and shall be charged with, all duties imposed upon Assessing officers by statute. The Assessor shall prepare all regular and special assessment rolls in the manner prescribed by this charter, by ordinance, and by statute.

It is further understood that such other duties and responsibilities shall be performed as may be assigned from time to time by the City Council or as may be required from time to time by federal or state law, or by City ordinance.

2) **SALARY**. As payment for his services as City Assessor, the City will pay Mr. Taylor the base salary of Seventy Five thousand Two Hundred and Fifty Three dollars (75,253) per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid; provided, however, that the City Council shall review this compensation prior to June 30, 2010 and based on his performance, Council may adjust his salary. Should the City grant other non-union employees a 3% pay raise for the 2009 2010 budget year Mr. Taylor would also get that raise. Compensation would also be retroactive to start date of August 15, 2009.

3) **ADDITIONAL COMPENSATION.** As additional compensation for his services, Mr. Taylor shall also receive the following:

- a) Payment of dues and expenses related to Mr. Taylor's participation in any professional organization, includes workshops, educational and professional conferences. These expenses will be delineated and approved in advance by the City Council, or submitted as part of the budget process.
- b) The City's existing vacation policies relative to general salaried employees shall apply to Mr. Taylor.
- c) Mr. Taylor will continue to participate in the City's general employees' retirement fund.
- d) Mr. Taylor will receive all other benefits provided to other City employees who are administrative, non union personnel, including health care, sick leave, insurance, education benefits, holiday or other benefits provided to that category of employees. In addition he will be eligible to receive special health care benefits upon his separation from City service pursuant to Ordinance No. 458, adopted October 22, 2002.

4) **RESIDENCY.** It is understood and agreed that Mr. Taylor shall maintain his residence within twenty (20) miles of the City limits of the City of Jackson, Michigan, during his entire tenure of office.

This residency requirement shall be defined as follows:

The establishment and occupancy of a dwelling unit within twenty (20) miles of the geographic boundary of the City of Jackson; the maintenance of this dwelling as your primary residence at which you eat your meals, receive your mail, sleep, maintain your voter registration, drivers license address, tax address, and in all manners maintain as your normal residence.

5) **TERMINATION.** Should the City terminate Mr. Taylor's employment, all compensation and benefits provided under this contract, to its ending effective date, shall be paid to Mr. Taylor. The City also agrees that if Mr. Taylor's contract is not renewed, he shall be given at least 90 days notification of that non-renewal. Additionally, upon resignation or termination, Mr. Taylor shall receive payment for his accrued, unused sick leave up to 90 days, and all accrued, unused vacation leave.

6) **AT WILL EMPLOYMENT.** Mr. Taylor and the City agree that the employment of Mr. Taylor shall be "at will", and may be terminated by either party, at any time, with or without cause, upon ninety (90) days written notice directed to their respective addresses as set forth herein.

IN WITENSS WHEREOF, the parties hereto have executed this Agreement this 23<sup>rd</sup> day of September 2009

In the presence of:

THE CITY OF JACKSON

Mark H. Has

By Jerry F. Ludwig  
Jerry Ludwig, Mayor

\_\_\_\_\_

By \_\_\_\_\_

In the presence of:

Sheresa G. Feiter

David Taylor  
David Taylor

**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**

MEMORANDUM

December 2, 2011

TO: Lynn Fessel, City Clerk

FROM: Julius A. Giglio, City Attorney 

RE: Addendum to Employment Agreement

In reference to the above-captioned matter, attached please find an original fully executed Addendum to Employment Agreement, dated November 29, 2011. Please file this Addendum pursuant to normal procedures.

If you have any questions, please contact me.

JG/dn

Enc.

cc w/enc.: Crystal Dixon, Personnel Director  
Phil Hones, Finance Director

ADDENDUM TO EMPLOYMENT AGREEMENT

THIS ADDENDUM, made on this 29<sup>th</sup> day of November, 2011, by and between *the City of Jackson*, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "*the City*"), as Employer, and *Julius A. Giglio*, of 8780 Churchill Road, Jackson, Michigan 49201 (hereinafter referred to as "*Mr. Giglio*"), as Employee.

WITNESSETH:

WHEREAS, the City and Mr. Giglio entered into a certain Employment Agreement dated June 30, 2005 ("Agreement"); and

WHEREAS, the City and Mr. Giglio have made amendments to the Agreement through previous Addendums; and

WHEREAS, the City and Mr. Giglio wish to make certain additional amendments to the Agreement as provided herein.

NOW, THEREFORE, the City and Mr. Giglio hereby agree that the Agreement shall be amended as follows:

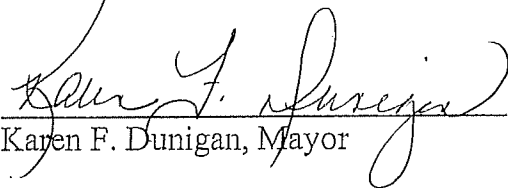
- 1) Paragraph 2, SALARY, shall be amended to read as follows: Effective December 2, 2011, as payment for his services as City Attorney, the City will pay Mr. Giglio the base salary of One Hundred Ten Thousand Six Hundred Sixteen and 00/100 Dollars (\$110,616.00) per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other city employees are paid.

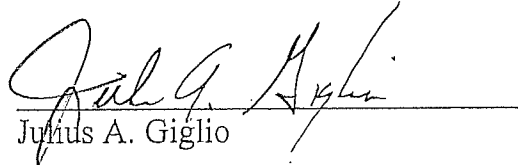
2) Except as modified herein, the Agreement between the parties, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum this 29<sup>th</sup> day of November, 2011, with an effective date of December 2, 2011.

THE CITY OF JACKSON

By:

  
\_\_\_\_\_  
Karen F. Dunigan, Mayor

  
\_\_\_\_\_  
Julius A. Giglio

## EMPLOYMENT AGREEMENT

THIS AGREEMENT, made on this 28th day of January, 2004, between *the City of Jackson*, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "*the City*"), as Employer, and *Julius A. Giglio*, of 8780 Churchill Road, Jackson, Michigan 49201 (hereinafter referred to as "*Mr. Giglio*"), as Employee.

### WITNESSETH:

WHEREAS, the City desires to retain Mr. Giglio as City Attorney in exchange for compensation and other benefits referred to herein; and

WHEREAS, the City and Mr. Giglio wish to enter into an employment agreement, setting forth the terms and conditions of employment;

NOW, THEREFORE, the City and Mr. Giglio do hereby agree that the terms of employment for Mr. Giglio shall be as set forth below in this Agreement.

1) TERM AND DUTIES. Mr. Giglio shall serve as the City Attorney for the City of Jackson for a term beginning on July 1, 2004 and ending on June 30, 2006. Mr. Giglio's powers and duties as City Attorney shall generally be as outlined in Section 11.7 of the City Charter, which provides:

The attorney shall serve as chief legal advisor to the Council, Mayor, Manager, and all City departments, commissions, boards, authorities, offices and agencies. The attorney shall review all ordinances and shall review and approve all contracts or other legal documents before they are entered into by the City. The attorney shall also prosecute all violations of City ordinances, represent the City in all legal proceedings, and perform any other duties the Council shall prescribe.

It is further understood that such other duties and responsibilities shall be performed as may be assigned from time to time by the City Council or as may be required from time to time by federal or state law, or by City ordinance. Mr. Giglio shall not undertake representation of any private individuals or entities, or engage in legal services other than on the City's behalf, without the prior approval of the City Council; provided, however, Mr. Giglio may provide legal advice to members of his family, as long as it does not interfere with his City responsibilities.

Mr. Giglio is required to be and remain a member in good standing of the State Bar of Michigan during the term of his employment.

2) **SALARY.** As payment for his services as City Attorney, the City will pay Mr. Giglio the base salary of Eighty-Six Thousand Two Hundred Fifty One Dollars (\$86,251.00) per year, during the term of this contract, which sum shall be paid in bi-weekly installments, in the same manner as all other City employees are paid; provided, however, that the City Council shall review this compensation prior to June 30, 2005, and, based on his performance, Council may adjust his salary for the second year of his term.

3) **ADDITIONAL COMPENSATION.** As additional compensation for his services, Mr. Giglio shall also receive the following:

- a) An automobile allowance of Four Hundred Dollars (\$400.00) per month.
- b) Payment of dues and expenses related to Mr. Giglio's participation in any professional organization, including workshops, educational and professional conferences. These expenses will be delineated and approved in advance by the City Council, or submitted as part of the budget process.
- c) The City's existing vacation policies relative to general salaried employees shall apply to Mr. Giglio.
- d) Mr. Giglio will continue to participate in the City's general employees' retirement fund.
- e) Mr. Giglio will receive all other benefits provided to other City employees who are administrative, non-union personnel, including health care, sick leave, insurance, education benefits, holidays, or other benefits provided to that category of employees. In addition, he will be eligible to receive special health care benefits upon his separation from City service pursuant to Ordinance No. 458, adopted October 22, 2002.

4) **RESIDENCY.** It is understood and agreed that Mr. Giglio shall maintain his residence within twenty (20) miles of the City limits of the City of Jackson, Michigan, during his entire tenure of office.

This residency requirement shall be defined as follows:

The establishment and occupancy of a dwelling unit within twenty (20) miles of the geographic boundary of the City of Jackson; the maintenance of this dwelling as your primary residence at which you eat your meals, receive your mail, sleep, maintain your voter registration, driver's license address, tax address, and in all manners maintain as your normal residence.

5) **TERMINATION**. Should the City terminate Mr. Giglio's employment, all compensation and benefits provided under this contract, to its ending effective date, shall be paid to Mr. Giglio. In addition, if his employment is terminated by the City, or his contract not renewed, he shall receive 90 calendar days of severance pay. The City also agrees that if Mr. Giglio's contract is not renewed, he shall be given at least 90 days notification of that non-renewal. Additionally, upon resignation or termination, Mr. Giglio shall receive payment for his accrued, unused sick leave up to a maximum of 90 days, and all accrued, unused vacation leave.

6) **AT WILL EMPLOYMENT**. Mr. Giglio and the City agree that the employment of Mr. Giglio shall be "at will", and may be terminated by either party, at any time, with or without cause, upon ninety (90) days written notice directed to their respective addresses as set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 28<sup>th</sup> day of January, 2004, with an effective date of July 1, 2004.

In the presence of:

Sharon K. Hase

Angela Arnold

In the presence of:

Christine J. Reber

THE CITY OF JACKSON

By Martin J. Griffin  
Martin J. Griffin, Mayor

By Lynn Fessel  
Lynn Fessel, City Clerk

Julius A. Giglio  
Julius A. Giglio



**CITY CLERK'S OFFICE**  
Lynn Fessel, City Clerk

---

**CITY COUNCIL MEETING**  
**June 26, 2012**

DATE: June 16, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Addendum to Employment Agreement with the City Clerk

**MOTION: CONSIDERATION OF THE REQUEST FROM THE CITY CLERK TO APPROVE THE ADDENDUM TO HER EMPLOYMENT AGREEMENT**

Attached please find for your consideration an Addendum to my Employment Agreement. My current Agreement expires on June 30, 2012, and I am requesting an extension until November 16, 2012. This will allow me to conduct the November 6 Presidential Election and work with the Board of Canvassers until that Election is certified.

Thank you.

**ADDENDUM TO EMPLOYMENT AGREEMENT**

**THIS ADDENDUM**, made on this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between *the City of Jackson*, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter referred to as "the City"), as Employer, and Lynn Fessel, 2203 Creglow Drive, Jackson, Michigan 49203 (hereinafter referred to as "Mrs. Fessel"), as Employee.

**WITNESSETH:**

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

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

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

- 1) Paragraph 1, **TERMS AND DUTIES**, the first sentence shall be amended as follows: Mrs. Fessel shall serve as City Clerk and Purchasing Agent/Supervisor of City Hall and Grounds for the City of Jackson for a term ending on November 16, 2012.
  
- 2) Except as modified herein, the Agreement between the parties shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Addendum this \_\_\_\_ day of \_\_\_\_\_, 2012.

In the presence of :

\_\_\_\_\_

\_\_\_\_\_

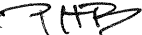
**THE CITY OF JACKSON**

By \_\_\_\_\_  
Martin J. Griffin, Mayor

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

CITY COUNCIL MEETING  
June 26, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Patrick Burtch, Deputy City Manager 

DATE: June 22, 2012

SUBJECT: City Affairs/Rules & Personnel Committee Recommendation

**MOTION: Approve the recommendation of the City Affairs/Rules & Personnel Committee to approve a two (2) percent increase for City Manager Larry Shaffer.**

As indicated in its report the City Affairs Committee/Rules and Personnel Committee voted to recommend Council approve appointed officials receive the same percent raise as non-union employees. The City Manager's request should have been included in that agenda item, and was inadvertently left out. Therefore, I respectfully request your consideration of this item, and apologize for any inconvenience or confusion.

Thank you.

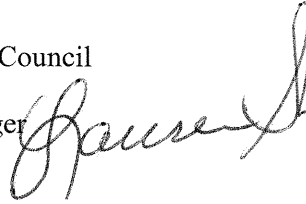
PHB:skh



## 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 Jackson City Council

FROM: Laurence Shaffer, City Manager 

DATE: June 4, 2012

SUBJECT: Employment Agreement – City Manager – Amendment

With the completion of the performance evaluation process, it is appropriate that the Mayor and City Council consider compensation for the City Manager, as defined the Agreement between the City of Jackson and Laurence Shaffer, dated May 10, 2011, paragraph 2. The Mayor and the City Council recently adopted the Fiscal Year 2012-2013 Budget which included a two (2%) percent cost of living increase for all non-union City employees. At its meeting of May 21, 2012, a copy of which is attached, the City Affairs/Rules and Personnel Committee adopted the following motion:

**If non-union employees receive a raise, the appointed officials will also receive a raise-the same percent. The motion was adopted 2-1.**

I have attached a copy of my employment agreement for your review. I would respectfully request that you consider a motion to increase the compensation of the City Manager by two (2%) percent, or an increase of \$2,300.00 per year from an original compensation amount of \$115,000.00 to a new compensation amount of \$117,300.00. The effective date of the increase would be June 1, 2012 to coincide with the date established in paragraph 2 of the Agreement. Thank you.

LS:skh

Attachment

AMENDMENT I  
Laurence Shaffer Contract  
Effective June 1, 2012

2. Compensation

City agrees to pay Mr. Shaffer an annual base salary of \$117,300.00 commencing on June 1, 2012, payable in installments at the same time other employees of the City are paid, as compensation for rendering the above-mentioned services, and such other compensation and benefit increases thereafter as the city Council, from time to time, may approve. It is understood that the City Manager is appointed by the City Council as an "at will" employee for an indefinite time and maybe removed by a majority vote of its members with or without cause, and subject to the conditions of this Agreement and the City Charter.

If Mr. Shaffer desires to voluntarily resign his position, he agrees to give the City Council at least sixty (60) days advance written notice of such resignation.

CITY MANAGER

CITY OF JACKSON

By: \_\_\_\_\_  
Laurence Shaffer

By: \_\_\_\_\_  
Martin J. Griffin, Mayor

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

Approved as to Form:

\_\_\_\_\_  
Julius A. Giglio, City Attorney

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



## **MEMORANDUM**

**DATE:** June 5, 2012

**TO:** Laurence Shaffer, City Manager

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

**SUBJECT:** May Manager's Report

---

Chief Matthew Heins

- Attended:
  - Officer Nat Gross Retirement Reception
  - Discussion with Jeff Mazur
  - Retirement Presentation by LJPR, Inc.
  - Jackson Police Memorial
  - Meeting with Prosecuting Attorney
  - Discussion of JFD ISO Rating Change
  - POLC-S Arbitration Discussion
  - MACP District 8 Election
  - POLC-NS Mediation
  - City Affairs Meeting
  - Meeting with Jeff Veach of The Office Bar
  - CrimeStoppers Board Meeting
  - Presentation on Hybrid Pension Options
  - Meeting with Dorothy Johnson
  - Meeting with Patrick Colligan of The Rocket Nightclub
  - Nuisance Abatement Ordinance Review Meeting
  - Jackson Police Awards Reception
- Appeared on Bart Hawley
- Time Away from Office:
  - 8 hours of holiday
  - 16 hours of vacation
  - 30 hours of sick time
  - 16 hours of personal time

Deputy Chief John Holda

- Attended:
  - 12<sup>th</sup> District Court Law Enforcement Meeting
  - Discussion with Jeff Mazur
  - Website Design Meetings (3)
  - Budget Workshops (2)
  - Safe Communities Meeting
  - Evidence Audit Meetings (2)
  - Department Head Meetings (2)
  - Area Chiefs Meeting
  - Informal Hearings Meeting
  - HRC Meeting
  - City Council Meeting
  - POLC-NS Negotiations (2)
  - Salvation Army Advisory Board Meeting
  - Presentation on Hybrid Pension
  - Jackson Police Awards Reception
- IT:
  - MDC Updates
  - MICR Reporting
  - Radio System/Networking Issue Resolution
  - Reconfigured Service Desk
- Time Away from Office:
  - 16 hours training – MAPERS
  - 8 hours holiday

Lt. Christopher Simpson

- Attended:
  - Graffiti Ordinance Meetings (2)
  - Optimist Respect for Law Luncheon
  - Officer Nat Gross Retirement Reception
  - Discussion with Jeff Mazur
  - Jackson Police Memorial
  - Baker College Advisory Board Meeting
  - Jackson Police Awards Reception
  - Physical Agility Testing
  - Consumers Energy Open House
- Projects
  - Permanent Prescription Drug Box
  - Radio Grant through Homeland Security
  - Two Internships
  - Coordinate Training for Great Northern Sentry Staff
- Time Away from Office:
  - 8 hours holiday
  - 8 hours training – Management Rights

Lt. Elmer Hitt

- Attended:
  - Safety Belt Zone Enforcement Training
  - Optimist Respect for Law Luncheon
  - Hot Air Jubilee Committee Meeting
  - Jackson Police Memorial
  - MPRI Steering Committee Meeting
  - Meeting with Boogie Down Club's president
  - John George Home Board Meeting
  - Jackson Police Awards Reception
  - Quick Clearance Law Workshop at MDOT
  - Meeting with Kelli Hoover regarding Loomis Park
- Other Update Information:
  - Boogie Down Club was ordered to be vacated by Community Development
  - Consumers Energy's Shareholder's Meeting went well with no issues reported
  - 2012 Byrne JAG application submitted; monies received will be used to purchase new duty weapons.
  - Officers worked Safety Belt Enforcement
- Time Away from Office:
  - 8 hours of holiday
  - 16 hours of training – SRT and Management Rights