AGENDA – CITY COUNCIL MEETING
June 16, 2020
6:30 p.m.

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE – Invocation will be given by the guest of Sixth Ward Councilmember Will Forgrave

3. ROLL CALL.

4. ADOPTION OF AGENDA.

5. PRESENTATIONS/PROCLAMATIONS.
   A. Proclamation designating the month of June as “LGBTQ Pride Month” in the City of Jackson.
   
   B. Presentation by Charter Review Committee Chairman Daniel Greer of the Jackson Charter Review Committee’s completed work and recommendation of City Charter Revisions.

6. PUBLIC HEARINGS.

7. CITIZEN COMMENTS. (3-Minute Limit)

8. PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES. (Accept & Place on File).

9. CONSENT CALENDAR.
   A. Minutes of the Regular Meeting of May 26, 2020:
      Approve the minutes of the regular City Council meeting of May 26, 2020.
B. Minutes of the Special Meeting of May 27, 2020:
Approve the minutes of the regular City Council Meeting of May 27, 2020.

C. Water and Wastewater Treatment Chemicals
Recommendation: Award the various water and wastewater treatment chemical purchases, as presented via the annual supply bid.

D. Corrective Resolutions-Special Assessment Roll Nos. 3412 and 3417
Recommendation: Consideration of a Corrective Resolution for Special Assessment Roll Nos. 3412 and 3417.

E. Special Event Application for Advancing Kingdom Tribe’s Worship in the Park
Recommendation: Approve a request from the Advancing Kingdom Tribe to host Worship in the Park.

F. Approve a Resolution declaring June 2020 as LGBTQ Pride Month
Recommendation: Approve a Resolution declaring June 2020 as LGBTQ Pride Month in the City of Jackson.

G. Commission Endorsement and Approval of E. High Street Black Lives Matter Mural
Recommendation: Endorse and approve the East High Street Black Lives Matter Mural as recommend by the City of Jackson Public Arts Commission and moved to Council for final approval.

H. Approval of the Black Lives Matter Mural on Washington Street for June 19, 2020
Recommendation: Approval of a Black Lives Matter Mural on West Washington Street for June 19, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for final approval.

I. Approve a Resolution declaring Racism as Public Health Crisis
Recommendation: Approve a Resolution declaring Racism as Public Health Crisis in Jackson County

10. OTHER BUSINESS.

A. Second Reading and Final Adoption Ordinance 2020-06
Recommendation: Adopt Ordinance No. 2020-06 amending Chapter 28 of the City of Jackson, Michigan Code of Ordinances, to modify the regulations for medical marihuana facilities and adult-use marihuana establishments.
B. Second Reading and Final Adoption Ordinance 2020-07

11. NEW BUSINESS.

A. Charter Review Committee Recommendations
Recommendation: Consider proposed Charter Amendments as recommended by the City of Jackson Charter Review Committee.

B. Adoption of an Ordinance to amend Section 15-45 Article 3 of Chapter 15 of the Jackson Code of Ordinances (First Reading)
Recommendation: Adopt an Ordinance amending Section 15-45 Article 3 of Chapter 15 Code of Ordinances to make the ordinance consistent with state law regarding emancipated minors.

C. Approve a Resolution for Reduction of Fine Amount in Previously Entered AHB Judgements
Recommendation: Approve a Resolution authorizing a reduction of the amount of a fine in a previously entered Administrative Hearings Bureau judgment if all costs are contemporaneously paid by July 31, 2020.

D. Adoption of Amendments to Chapter 14 of Jackson Code of Ordinances (First Reading)
Recommendation: Approve amendments to Chapter 14, of the Jackson Code of Ordinances.

E. Approve a Resolution to amend various budgets for the 2019/20 Fiscal Yr.
Recommendation: Approve a Resolution to amend the various budgets for Fiscal year 2019/20.

F. Approve a Resolution to increase the Water and Sewer Rate
Recommendation: Approve the 2020/21 Water and Sewer Rate Resolution.

G. Easement with Consumers Energy for Property on Louis Glick and Mechanic Street
Recommendation: Approve an Easement for property needed at Louis Glick and Mechanic Street between the City of Jackson and Consumers Energy, authorize the Mayor to sign the Easement.

H. Change Order 3 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.
Recommendation: Approve Balancing Change Order 3 to the 2019 Michigan
Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $179,722.81 to add the reconstruction of the first alley east of Mechanic Street between Cortland Street and Michigan Avenue and authorize the Interim City Manager and City Engineer to execute the appropriate document.

I. Change Order 4 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.
Recommendation: Approve Balancing Change Order 4 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $32,730.84 to add the items for the completion of the gateway landscaping treatment within the Cooper Street roundabout on the south side of Highway I-94 and authorize the Interim Manager and City Engineer to execute the appropriate document.

J. Approve Amendments to Chapter 22, Sec. 22-8 Special Assessments, to amend the special assessment objection procedure (First Reading)
Recommendation: Consider First Reading of amendment to Chapter 22, Section 22-8, Special Assessments, to provide that city-initiated special assessments not be approved without six of seven City Council Members voting affirmatively, if those parcels/lots who would bear more than 50% of the cost of the assessment and who constitute more than 50% of the parcels within the district object in writing.

K. Approve Amendments to Chapter 22, 22-9 Special Assessments, to amend the special assessment billing to be included on the ad valorem property tax bill (First Reading)
Recommendation: Consider First Reading of amendment to Chapter 22-9, Special Assessments, to provide that special assessment billings be included on the ad valorem property tax bill.

L. FY 19/20 Jackson Police Department Budget Amendment
Recommendation: Approve the budget amendment for Jackson Police Department FY 19/20

M. Consideration of a Resolution for Partial Street Vacation
Recommendation: On October 15, 2019 Council received a petition circulated by Kenjuan Petty of 1127 S. Brown St, to vacate a portion of Gettysburg Avenue. The City of Jackson Planning Commission considered the matter on June 3, 2020 and a motion to approve the request failed. I recommend consideration of the resolution. Your consideration and concurrence is appreciated.

N. Renewal of Liability and Property Insurance with Michigan Municipal League Liability & Property Pool
Recommendation: Approve the Renewal of the City of Jackson’s Liability and Property Insurance Through the Michigan Municipal League’s Liability & Property Pool in the Amount of $567,883.00, and Authorize the City Attorney to Take Any Actions Necessary to Effectuate the Policy

12. CITY COUNCILMEMBER’S COMMENTS

13. MANAGER’S COMMENTS.

14. ADJOURNMENT.
June 16, 2020

Honorable Mayor and City Council,

On behalf of the Jackson City Charter Review Committee, as its Chair, it is my honor to present to you our attached Final Report and Charter Amendment recommendations.

The City of Jackson Charter Review Committee is a volunteer Advisory Body, appointed by the Mayor and City Council every ten years, to review the City’s Charter, looking for sections that need updating. The Committee can only recommend Charter Amendments to the City Council, which would need a two-thirds majority vote (5 of 7) to place the matter before the voters. The Charter Review Committee has no power of its own to amend the City Charter. Only a majority vote of the people can amend the Charter.

While this will conclude the Committee’s work, I could only wish that we had not experienced some unforeseen circumstances that delayed us unexpectedly for several months, stalling out after our May 2019 meeting.

Our first task when we first came together in February of 2018, was to consider whether a review of the Charter would suffice or whether a complete revision process was necessary. The Committee’s decision, based on the fact that our Charter was fully revised by the electorate in 1997, was to embark on a review process.

We then decided to allow members of the Committee to bring up items that they felt we should discuss, rather than going line-by-line, section-by-section, through the Charter.

At this point, the Committee decided there were 3 items that they desired to bring to the Council right away, so that they could be considered to be placed on the November 2018 election ballot. One item was to bring the Charter into compliance with State Law regarding residency requirements for appointed officials, another was related to litigation and the third was regarding whether the Treasurer would remain elected or become an appointed position. These items were brought to the Council in July of 2018. The Council took no action on the Treasurer recommendation and placed the other two items on the ballot. Unfortunately, voters did not approve either Charter Amendment. It is the opinion of several members of the Charter Review Committee, including myself, that the Council’s limited effort to inform the public about the measures led to their defeat. I would like to emphasize that if you decide to place any of these recommendations before the voters, it is the Committee’s opinion, that you must make
a definitive effort to inform the public. You are allowed to do so by State Law. You can expend funds to do so, also, as long as you do not take a side, for or against.

After these three recommendations were sent to Council by the Committee, we decided to compile a list recommendations and bring them to the Council all at the same time, as had been done in the previous Charter Review process in 2008.

We were all set to resume meetings in March when the Covid19 Pandemic raised its ugly head and all City meetings were postponed indefinitely. Thankfully, the Governor’s executive order No. 2020-75 allowed for conducting City business through virtual meetings. I want to thank the Council for requesting our recommendation for the filling of vacancies of elected positions in April of this year, as this caused us to explore conducting meetings virtually and helped us get the ‘ball over the goal line’.

So, before you are our recommendations. You have the authority to do with them as you wish. By no means are you obligated to place them on the ballot or even consider them, for that matter. You may choose to alter them before voting to place them on the ballot. You could place some on this year’s ballot or hold some or all of them for another election in the future. The City Council has the authority to come up with your own Charter Amendments at any time, without a Charter Review Committee in place. Having served 20 years as Third Ward Council Member, it is my opinion that you may not want to overwhelm the electorate with too many Charter Amendments at one time. I would, however, on behalf of the Committee, ask two things of you: #1) acknowledge the diversity, knowledge and dedication of the Jackson Charter Review Committee by considering all of our recommendations & #2) thank the Committee for their service, discharge us from our duties and disband the Charter Review Committee until it is due to meet again for another review in 2027, per the City Charter, Section 21.1. Before adjourning without day, the Committee decided to prioritize our top three recommendations. They are as follows: Filling of Vacancies of Elected offices, Changing from Odd-Year Elections to Even-Year Elections & Passage of Ordinances. If you refer to the List of Recommendations, these three are at the top. The remainder of the recommendations are considered “tied for a close fourth place’, meaning they are still important in the Committee’s opinion, but suggested for a possible future ballot. It is also important to note that our City Attorney and outside Legal Counsel have been given the task of making de minimis editorial changes to the recommendations.

I would like to offer that if, in the case that you decide to put any of these recommendations before the voters, that I or some of the Committee members may be willing to assist in informing the public of the rationale, if you so desire.

In closing, it has been my honor and privilege to serve our fair City in this capacity and I thank my fellow Committee members for their knowledge and input, the City staff members and outside legal counsel that assisted us, as well as our Honorable Mayor and City Council for the opportunity to do so.
May you and your families stay healthy and safe through this Covid19 Pandemic. I trust that you will continue to conduct your duties in the best interest of all of us taxpayers through these difficult and trying times.

Best Regards,

Daniel P. Greer
Chair
Jackson Charter Review Committee
CALL TO ORDER:

The Jackson City Council met virtually, in accordance with State of Michigan Executive Order No. 2020-75, and was called to order at 6:32 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Council joined in the Pledge of Allegiance. Councilmember Laura Dwyer Schlecte offered a reminder for everyone to stay calm and remember there are two sides to every story.

ROLL CALL:

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexanders, Laura Dwyer Schlecte, and Will Forgrave.

Absent: none.

Also present: Interim City Manager Jonathan Greene, City Assessor Jason Yoakam, City Attorney Matthew Hagerty, City Clerk Andrea Muray, Assistant City Manager Shane LaPorte, Director of Police and Fire Services Elmer Hitt, Director of Neighborhood and Economic Operations Jennifer Morris, Director of Finance Phil Hones, Director of Parks and Recreation Kelli Hoover, Executive Director of Downtown Development Authority Cory Mays, City Engineer Jon Dowling, Public Information Officer Aaron Dimick, and Neighborhood Outreach Coordinator John Willis.

ADOPTION OF AGENDA:

Motion was made by Councilmember Schlecte, seconded by Mayor Dobies to adopt the agenda with the amendment of moving the Public Hearings after New Business in the agenda. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, and Schlecte (3). Nays: Councilmember Dancy, Alexander, and Forgrave (3). Motion failed.
Motion was made by Councilmember Dancy, seconded by Councilmember Alexander to adopt the agenda as presented. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, and Forgrave (5). Nays: Councilmember Schlecte (1). Motion carried.

PRESENTATIONS/PROCLAMATIONS: none.

PUBLIC HEARINGS.

Recess as a City Council and convene as a Board of Review.

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to recess as a City Council and convene as a Board of Review. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

A. Public Hearing on the Special Assessment Roll No. 3412 for the Reconstruction of Water Main on Franklin Street from Brown St. to West Ave.

Nancy Tumlinson (407 S Brown), Scott and Katherine Damich (1300 W Franklin), John C. Page (1102 W Franklin), Donald Wegrzyn (411 S Wisner), Pat Strine (1004 W Franklin), Barbara Tomb (906 W Franklin), Trever West (912 W Franklin), Nicholas and Grace Greiner (411 S Grinnell), Chris and Susan Hoover (901 W Franklin), Janet Hughes (1001 W Franklin), Shannon Signor (1011 W Franklin), Stephen Rajzer (1109 W Franklin), Candice Dunnigan (1205 W Franklin), Philip Weed (1305 W Franklin), Scott Hirko (1309 W Franklin), Anthony Whyte and Nanette Muntin (1401 W Franklin), Robert and Kathleen Walsh (1409 W Franklin), Thomas Devine (1503 W Franklin), Wiliam Willson (1509 W Franklin), and Emily Kiellhorn (1515 W Franklin) sent in correspondence concerning the special assessment.

1. Resolution confirming Roll No. 3412

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to adopt the resolution with the change in the 5th paragraph, 2nd line, “July 1, 2020” to “December 1, 2020”. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, and Schlecte (4). Nays: Councilmembers Dancy and Forgrave (2). Motion carried.
B. Public Hearing on Special Assessment Roll No. 3417 Reconstruction of Water and Sewer Main on Martin Luther King Jr. Dr., from Morrell St. to Mason St.

1. Resolution Confirming Roll No. 3417

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to confirm the roll revising the resolution to match the same one done on the previous roll, due date to be by December 1. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, and Schlecte (4). Nays: Councilmembers Dancy and Forgrave (2). Motion carried.

C. Public Hearing on Special Assessment Roll No. 4293 Delinquent Miscellaneous 101 General Fund Accounts Receivable.

Correspondence from Christopher Newman (800 N Elm Ave) was submitted concerning the special assessment.

1. Resolution Confirming Roll No. 4293

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to confirm the roll. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

D. Public Hearing on Special Assessment Roll No. 4294 Delinquent Miscellaneous 252 Building Department Fund Accounts Receivable.

No correspondence was submitted concerning Special Assessment Roll No. 4294.

1. Resolution Confirming Roll No. 4294

Motion was made by Councilmember Dancy, seconded by Councilmember Forgrave to confirm the roll. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.
E. Public Hearing on Special Assessment Roll No. 4295 Delinquent Miscellaneous 641 Public Works Fund Accounts Receivable.

Randy Fitton (809 Greenwood Ave), Karen Harren (1004 Pigeon), and Angie Soltis (403 McKinley St) sent in correspondence concerning the special assessment.

1. Resolution Confirming Roll No. 4295

   Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to confirm the roll. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

Adjourn as a Board of Review and reconvene as a City Council:

   Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to adjourn as a Board of Review and reconvene as City Council. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.


Mary Carey, Mary Hamilton, and Delia Johnson sent in correspondence to be read during the hearing.

1. Adopt the Resolution of Certifications, and authorize the Mayor to sign Form SF-424, the Certifications, and any other documentation required for submittal to HUD

   Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to adopt the Resolution of Certifications and authorize the Mayor to sign Form SF-424, the Certifications, and any other documentation required for submittal to HUD. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

CITIZEN COMMENTS:

City Clerk Andrea Muray read into the record the citizen comments that were submitted.
PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

A. Accept and place on File the CDBG and HOME Financial Summaries
   **Recommendation**: Accept and place on file the CDBG and HOME Financial Summaries through April 30, 2020.

   Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to accept and place on file. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of May 12, 2020:
   Approve the minutes of the regular City Council meeting of May 12, 2020.

B. Special Event Application for the Country Boots and Bands Locash Concert
   **Recommendation**: Approve a request from Country Boots and Bands to conduct The Locash Concert on Saturday, August 29, 2020 at the Michigan Theatre of Jackson.

C. Special Event Application for the Junior Achievement Grand Prix
   **Recommendation**: Approve a request from Junior Achievement of the Michigan Edge, Inc. to conduct the Junior Achievement Grand Prix on Friday, August 28, 2020 in downtown Jackson.

D. Application for Safer Grant
   **Recommendation**: Authorize Director Hitt to apply for SAFER Grant

   Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the consent calendar. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

OTHER BUSINESS:

A. Adopt Ordinance No. 2020-05, amending the Marihuana Uses Ordinance (Second Reading/Final Adoption)
   **Recommendation**: Adopt Ordinance No. 2020-05 amending Article XVIII of Chapter 16 of the City of Jackson, Michigan Code of Ordinances, to amend the requirements for medical marihuana facilities and adult-use marihuana establishments.
Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the final adoption of Ordinance No. 2020-05. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Schlecte, and Forgrave (5). Nays: Councilmember Dancy (1). Motion carried.

NEW BUSINESS:

A. Introduce the Ordinance in First Reading, and forward to Second Reading amendments to the definitions and setback requirements for Cyberschools and co-location for comparable uses.
Recommendation: Approve first reading and advance for second read/final approval the attached Ordinance amendments to chapter 28, Article I, Sec. 28-5 and Article V, Sec. 28-140 of the Code of Ordinances.

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the first reading and forward to a second reading. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (5). Nays: Councilmember Dancy (1). Motion carried.

B. Approve a Resolution to extend NOORP Registration Deadline
Recommendation: Approve a Resolution authorizing the Department of Neighborhood and Economic Operations to extend the Non-Owner Occupied Residential Property registration deadline under Section 14-9 of the City Code from July 1, 2020 to September 11, 2020.

Motion was made by Councilmember Schlecte, seconded by Councilmember Dancy to approve the resolution to extend the NOORP registration deadline. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

C. Approve a Resolution from Workers Memorial Park
Recommendation: Approve a Resolution for Workers Memorial Park as supported and moved to Council by the City of Jackson Parks and Recreation Commission on Wednesday, May 6, 2020.

Motion was made by Councilmember Forgrave, seconded by Councilmember Schlecte to approve the resolution. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, and Forgrave (5). Nays: Councilmember Alexander (1). Motion carried.
D. Introduce and approve the City of Jackson Clean Air Ordinance (First Reading)
   Recommendation: Approve the Clean Air Ordinance as Supported and moved to Council by City of Jackson Parks and Recreation Commission.

   Motion was made by Councilmember Forgrave, seconded by Councilmember Schlecte to approve the Clear Air Ordinance and move to a seconded reading. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, and Forgrave (5). Nays: Councilmember Alexander (1). Motion carried.

E. Approve a Resolution of a contract with the Michigan Department of Transportation for Martin Luther King, Jr. Drive from Morrell St. to Mason St.
   Recommendation: Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for street reconstruction on Martin Luther King, Jr. Drive from Morrell Street to Mason Street, and authorize the Mayor and City Clerk to execute the appropriate documents.

   Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve the resolution. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

F. Approve Contract Award for Street Reconstruction on Franklin Street to Bailey Excavating, Inc. of Jackson, Michigan
   Recommendation: Approve an award for the contract for the Street Reconstruction project for Franklin Street, from Brown Street to West Avenue to Bailey Excavating, Inc. of Jackson, Michigan at a cost of $1,651,145.35, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorization for the City Attorney to make minor revisions if needed.

   Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve the contract award. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

G. Approve a Resolution authorizing the levy of a millage in the amount of 1.9996 mills on parcels in the DDA District for fiscal year 2020-2021
   Recommendation: Approve a resolution from the Downtown Development Authority authorizing the levy of a millage in the amount of 1.9996 mills on parcels in the DDA District for fiscal year 2020-2021.
Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the DDA Fiscal Year 2020-2021 Budget. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

H. Downtown Development Authority Budget, Fiscal Year 2020-2021
Recommendation: Approve the Downtown Development Authority 2020-2021 FY budget.

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the Downtown Development Authority 2020-2021 FY Budget. Vote – Yeas: Mayor Dobies Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

I. Approve a Resolution authorizing the Department of Neighborhood Economic Operations to modify enforcement fees for refuse and motor vehicles
Recommendation: Approve a Resolution authorizing the Department of Neighborhood and Economic Operations to temporarily modify the ordinance enforcement fees in connection with violations of Chapter 12 for refuse and Chapter 17 for unregistered, dismantled, partially dismantled or inoperable motor vehicles until September 11, 2020.

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to approve the resolution. Vote – Yeas: Mayor Dobies Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

J. Establish and approve a temporary polling location for Ward 1
Recommendation: Establish, by vote of the Council, a temporary polling location for Ward 1, for the 2020 August Primary Election.

Motion was made by Councilmember Robinson, seconded by Councilmember Forgrave to establish Second Missionary Baptist Church as the temporary polling location for the 1st Ward for the 2020 August Primary Election. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.
K. Approve amendments to the City of Jackson Purchasing Policy to include bidding process for the sale of City owned Homes and Vacant Lot Sales process

**Recommendation:** Accept and approve the amendments to the City of Jackson Purchasing Policy to include a standardize process for the sale of City Property.

Motion was made by Councilmember Robinson, seconded by Councilmember Forgrave to accept and approve the amendments to the City of Jackson Purchasing Policy. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

*A recess was taken from 8:21-8:26 p.m.*

L. Termination of lease between the City of Jackson and Jackson School of The Arts for property at 145 W. Cortland St., commonly referred to as The Masonic Temple Building.

**Recommendation:** Terminate the Lease between the City of Jackson and Jackson School of the Arts for property at 145 W. Cortland St., commonly referred to as the Masonic Temple Building

Motion was made by Councilmember Forgrave, seconded by Mayor Dobies to table indefinitely. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

M. Amendment to the Special Assessment Ordinance

**Recommendation:** To have the City Attorney prepare a revision to the Special Assessment Ordinance to have Special Assessments billed on Property Tax Bills. The revised version of the Ordinance will be placed on the June 16, 2020 City Council Meeting for a first reading.

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to direct the City Attorney to prepare a revision to the Special Assessment Ordinance to have special assessments billed on property tax bill and have the revised version of the ordinance be placed on the June 16, 2020 City Council Meeting for a first reading. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Schlecte, and Forgrave (5). Nays: Councilmember Alexander (1). Motion carried.
N. Approve a Resolution to adopt the Annual City of Jackson Budget Recommendation: Approve a resolution adopting the annual City of Jackson budget for fiscal year 2020-2021.

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the resolution adopting the Fiscal Year 2020-2021 City of Jackson Budget. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

O. Amendment to the City of Jackson FY 2020-2021 Budget Recommendation: Amend the City of Jackson FY 2020-2021.

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the amendment to the FY 2020-2021 City of Jackson Budget. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

CITY COUNCILMEMBER'S COMMENTS:

Mayor Dobies, Councilmembers Robinson, Alexander, Schlecte, Forgrave offered comments. Councilmember Dancy declined to offer comments.

MANAGER’S COMMENTS:

Interim City Manager Jonathan Greene offered comments.

ADJOURNMENT:

No further business being offered, a motion to adjourn was made by Councilmember Alexander, seconded by Councilmember Forgrave. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 8:55 p.m.
CALL TO ORDER:

The Jackson City Council met in special session, in compliance with the State of Michigan Executive Order 2020-75, and was called to order at 6:01 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE:

Council joined in the Pledge of Allegiance.

ROLL CALL:

Present: Mayor Derek J. Dobies, Councilmembers Arlene Robinson, Freddie Dancy, Jeromy Alexander, Laura Dwyer Schlecte, and Will Forgrave.

Absent: none.

Also present: Interim City Manager Jonathan Greene, City Attorney Matthew Hagerty, and City Clerk Andrea Muray, Assistant City Manager Shane LaPorte, and Public Information Officer Aaron Dimick.

ADOPTION OF AGENDA:

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to adopt the agenda. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, and Forgrave (6). Nays: none. Motion carried.

INTERVIEW OF 5TH WARD CITY COUNCILMEMBER CANDIDATES:

6:05 P.M. INTERVIEW PETER BORMUTH

Council conducted the interview and the meeting continued.

A recess was taken from 6:46-6:49

6:49 P.M. INTERVIEW KAREN BUNNELL

Council conducted the interview and the meeting continued.
A recess was taken from 7:19-7:23

7:23 P.M. INTERVIEW SUSAN MURDIE

CITIZEN COMMENTS:

All citizen comments submitted were read into the record by City Clerk Andrea Muray.

CONSIDERATION OF CANDIDATES:

Mayor Dobies opened nominations. Councilmember Alexander nominated Susan Murdie. Councilmember Forgrave nominated Karen Bunnell. Nominations were closed after no other candidates were nominated.

Discussion followed. Motion was made by Councilmember Alexander to appoint Susan Murdie to the 5th Ward vacancy. The motion died from lack of support.

Motion was made by Councilmember Forgrave, seconded by Mayor Dobies to appoint Karen Bunnell to the 5th Ward vacancy. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Schlecte, and Forgrave (4). Nays: Councilmembers Dancy and Alexander (2). Motion carried.

ADJOURNMENT:

No further business being offered, a motion to adjourn was made by Councilmember Dancy, supported by Councilmember Alexander. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 8:07 p.m.
MEMO TO: Jonathan Greene Interim City Manager
FROM: Michael Osborn Acting DPW Director
DATE: June 16, 2020
SUBJECT: Water and Wastewater treatment chemicals.

Recommendation:

Award the various water and wastewater treatment chemical purchases, as presented via the annual supply bid.

Your consideration and concurrence is appreciated.
MEMO TO: Jonathan Greene, Interim City Manager
FROM: Michael Osborn, Acting DPW Director
DATE: June 16, 2020

RECOMMENDATION:

The City of Jackson issued requests for water and wastewater treatment chemical bids on April 20, 2020. These chemicals are used in the treatment processes at both the water and wastewater plants, and the amounts are for continuous supply over the next fiscal year.

<table>
<thead>
<tr>
<th>Item</th>
<th>Supplier</th>
<th>Price/Unit</th>
<th>Quantity/Unit</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lime</td>
<td>Graymont</td>
<td>$143.90</td>
<td>3,320 tons</td>
<td>$477,748.00</td>
</tr>
<tr>
<td>Ferric Chloride</td>
<td>PVS Technologies</td>
<td>$592.00</td>
<td>50 tons</td>
<td>$29,600.00</td>
</tr>
<tr>
<td>Hydrofluosilic Acid</td>
<td>Univar</td>
<td>$350.00</td>
<td>57 tons</td>
<td>$19,950.00</td>
</tr>
<tr>
<td>Liquid Caustic Soda</td>
<td>Alexander Chemical Co.</td>
<td>$279.80</td>
<td>15 tons</td>
<td>$4,197.00</td>
</tr>
<tr>
<td>Chlorine</td>
<td>JCI Jones Chemical</td>
<td>$364.00</td>
<td>55 tons</td>
<td>$20,020.00</td>
</tr>
<tr>
<td>Soda Ash</td>
<td>Haviland Products Co.</td>
<td>$344.00</td>
<td>200 tons</td>
<td>$68,800.00</td>
</tr>
<tr>
<td>Phosphate</td>
<td>Carus LLC</td>
<td>$83.50</td>
<td>331 cwt</td>
<td>$27,638.50</td>
</tr>
<tr>
<td>Calcium Hypochlorite Tablets</td>
<td>Elhorn Co.</td>
<td>$118.00</td>
<td>30 pails</td>
<td>$3,540.00</td>
</tr>
<tr>
<td>Ferrous Chloride</td>
<td>Kemira Water Solutions</td>
<td>$0.421</td>
<td>182,500 gallons</td>
<td>$76,832.50</td>
</tr>
</tbody>
</table>

The annual treatment chemical purchases are included in the approved 2020-2021 water and wastewater treatment budgets.

Given the fluctuations from year to year in chemical costs, our projection have been sufficient. The lime, sodium hypochlorite, ferric chloride, and hydrofluosilic acid were bid through our consortium with the Lansing Board of Water and Light, Ann Arbor, and various other communities. The remaining chemicals were bid through the City of Jackson Purchasing Department.

I recommend the award of various water and wastewater treatment chemical purchases, as presented via the annual supply bid.
MEMO TO: Mayor and City Councilmembers  
FROM: Andrea Muray, City Clerk  
DATE: June 16, 2020  
SUBJECT: Corrective Resolutions – Special Assessment Roll Nos. 3412 and 3417  

Recommendation:  
Consideration of a Corrective Resolution for Special Assessment Roll Nos. 3412 and 3417.

Attached are corrective resolutions for Special Assessment Roll Nos. 3412 and 3417.

On May 26, 2020 a resolution approving the confirmation of Special Assessment Roll Nos. 3412 and 3417 were adopted. The language in both resolutions was amended to change the date payment could be paid without interest in one paragraph of the resolution. These corrective resolutions would change the date in the subsequent paragraph that makes mention of July 1, 2020.

Attached are the resolutions as presented, as amended/adopted, and the proposed corrective resolution.

I recommend approval of the resolutions. Your consideration and concurrence is appreciated.
RESOLUTION
STREET RECONSTRUCTION AND WATER MAIN REPLACEMENT ON FRANKLIN STREET

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction and water main replacement on Franklin Street, from Brown Street to West Avenue which assessments were by him placed on Assessment Roll No. 3412 in the amount of $502,927.21 and reported to the City Council as its meeting held on the 26th day of May, 2020; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday May 26, 2020, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessment as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3412 shall be divided into 10 equal installments, the first of which shall be payable by July 1, 2020 without interest charge; and the remaining installments, plus a 1.20% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020.

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

I, Andrea Muray, 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 sitting as a Board of Review on the 26th day of May, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 27th day of May 2020.

________________________________________________
Andrea Muray, City Clerk

_________________________________________________
Derek J. Dobies, Mayor
RESOLUTION

STREET RECONSTRUCTION AND WATER MAIN REPLACEMENT ON FRANKLIN STREET

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction and water main replacement on Franklin Street, from Brown Street to West Avenue which assessments were by him placed on Assessment Roll No. 3412 in the amount of $502,927.21 and reported to the City Council as its meeting held on the 26th day of May, 2020; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday May 26, 2020, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessment as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3412 shall be divided into 10 equal installments, the first of which shall be billed on December 1, 2020 without interest charge; and the remaining installments, plus a 1.20% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020.

* * * * *

State of Michigan 
County of Jackson) ss
City of Jackson 

I, Andrea Muray, 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 sitting as a Board of Review on the 26th day of May, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 27th day of May 2020.

________________________________________________
Andrea Muray, City Clerk

________________________________________________
Derek J. Dobies, Mayor
CORRECTIVE RESOLUTION – SPECIAL ASSESSMENT ROLL NO. 3412

BY THE CITY COUNCIL:

WHEREAS, the City Council and Assessor did sit as a Board of Review on May 26, 2020 to hear objections and suggestions by interested parties to Assessment Roll No. 3412; and

WHEREAS, each and all of the special assessments as contained in said roll were confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk was directed to make certificates of the determination and attach the same to said roll and turn said roll over to the City Treasurer for collection; and

WHEREAS, City Council, by vote, determined the special assessment contained in Roll No. 3412 shall be divided into 10 equal installments, the first of which shall be payable by December 1, 2020 without interest charge, by amending the fifth paragraph in the proposed resolution; and

WHEREAS, the proposed resolution, in the 6th paragraph, stated “BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020”; and

WHEREAS, the 6th paragraph of the adopted resolution is not consistent with the vote by Council;

NOW, THEREFORE, BE IT RESOLVED, that language in the 6th paragraph of said resolution be amended to state, “BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to December 1, 2020”.

BE IT FURTHER RESOLVED that City Council directs the City Clerk to draft a new resolution reflecting all changes to be signed and kept on file.

* * * * *

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

I, Andrea Muray, 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 16th day of June, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 17th day of June 2020.

________________________________________
Andrea Muray, City Clerk

________________________________________
Derek J. Dobies, Mayor
RESOLUTION
STREET RECONSTRUCTION AND WATER AND SEWER MAIN REPLACEMENT

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction and water and sewer main replacement on S. Martin Luther King Jr. Drive, from Morrell Street to Mason Street which assessments were by him placed on Assessment Roll No. 3417 in the amount of $180,334.67 and reported to the City Council as its meeting held on the 26th day of May, 2020; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday May 26, 2020, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessment as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3417 shall be divided into 10 equal installments, the first of which shall be payable by July 1, 2020 without interest charge; and the remaining installments, plus a 1.30% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020.

*   *   *   *   *

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

I, Andrea Muray, 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 sitting as a Board of Review on the 26th day of May, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 27th day of May 2020.

________________________________________________
Andrea Muray, City Clerk

_________________________________________________
Derek J. Dobies, Mayor
RESOLUTION
STREET RECONSTRUCTION AND WATER AND SEWER MAIN REPLACEMENT

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction and water and sewer main replacement on S. Martin Luther King Jr. Drive, from Morrell Street to Mason Street which assessments were by him placed on Assessment Roll No. 3417 in the amount of $180,334.67 and reported to the City Council as its meeting held on the 26th day of May, 2020; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday May 26, 2020, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessment as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3417 shall be divided into 10 equal installments, the first of which shall be payable by December 1, 2020 without interest charge; and the remaining installments, plus a 1.30% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020.

*    *    *    *   *

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

I, Andrea Muray, 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 sitting as a Board of Review on the 26th day of May, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 27th day of May 2020.

________________________________________________
Andrea Muray, City Clerk

________________________________________________
Derek J. Dobies, Mayor
CORRECTIVE RESOLUTION – SPECIAL ASSESSMENT ROLL NO. 3417

BY THE CITY COUNCIL:

WHEREAS, the City Council and Assessor did sit as a Board of Review on May 26, 2020 to hear objections and suggestions by interested parties to Assessment Roll No. 3417; and

WHEREAS, each and all of the special assessments as contained in said roll were confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk was directed to make certificates of the determination and attach the same to said roll and turn said roll over to the City Treasurer for collection; and

WHEREAS, City Council, by vote, determined the special assessment contained in Roll No. 3412 shall be divided into 10 equal installments, the first of which shall be payable by December 1, 2020 without interest charge, by amending the fifth paragraph in the proposed resolution; and

WHEREAS, the proposed resolution, in the 6th paragraph, stated “BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2020”; and

WHEREAS, the 6th paragraph of the adopted resolution is not consistent with the vote by Council;

NOW, THEREFORE, BE IT RESOLVED, that language in the 6th paragraph of said resolution be amended to state, “BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to December 1, 2020”.

BE IT FURTHER RESOLVED that City Council directs the City Clerk to draft a new resolution reflecting all changes to be signed and kept on file.

* * * * *

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

I, Andrea Muray, 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 16th day of June, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 17th day of June 2020.

________________________________________
Andrea Muray, City Clerk

________________________________________
Derek J. Dobies, Mayor
MEMO TO: Mayor and City Council Members  
FROM: Jonathan Greene, City Manager  
DATE: June 16, 2020  
SUBJECT: Special Event Application for the Advancing Kingdom Tribe’s Worship in the Park

Recommendation:

Approve a request from the Advancing Kingdom Tribe to host Worship in the Park on June 21-21, July 11-2, and August 15-16, 2020 in Horace Blackman Park.

Attached are memos from Cory Mays, regarding the Special Event Application for the Advancing Kingdom Tribe’s Worship in the Park events.

I recommend approval of the special event application for the Advancing Kingdom Tribe’s Worship in the Park events. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Cory L. Mays, Executive Director, DDA
DATE: June 16, 2020

RECOMMENDATION: Approve a request from the Advancing Kingdom Tribe to host Worship in the Park on June 21-21, July 11-2, and August 15-16, 2020 in Horace Blackman Park.

SUMMARY: Family-friendly event with a DJ booth celebrating with worship and dancing.

---

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.

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>APPROVAL</th>
<th>DENIAL</th>
<th>ECONOMIC IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDA</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Fire</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Neighborhood &amp; Economic Operations</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Parks &amp; Recreation</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Police</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Public Works</td>
<td>X</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**TOTAL** $0.00

---

CONDITIONS & CONSIDERATIONS

Electricity needed

---

INSURANCE STATUS

On file and current (approved by the city attorney’s office)

---

ATTACHMENTS: Special Event Application: Worship in the Park
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 60 calendar days before the first day of the event.

Event Name: Worship In The Park

Sponsoring Organization’s Legal Name: Advancing Kingdom Tribe

Organization Address: P.O. Box 1583, Jackson MI 49204

Tax I.D. Number: 83-4091045

Event Organizer: Patricia Budd/Karen Hukill   Title: Apostles of Jesus Christ

Phone (work): (517) 812-8483

Phone (during event): (517) 812-8483

Agent’s Address: Patricia Budd/Karen Hukill

Agent’s E-Mail: patriciabudd@sbcglobal.net

Address: 164 N. State St., Michigan Center MI 49254

Organization Address: 442 Wildwood, Jackson MI 49201

Please give a brief description of the proposed special event: We will set up a DJ Booth and play music and worship and dance.

Event Day(s) and Date(s): (June 20 - 21, 2020), (July 11 - 12, 2020) (August 15 - 16, 2020)

Set-Up Date & Time: Day of event - 10th, 11th, 15th   Tear-Down Date & Time:

Day event ends - 1st, 12th, 16th

Event Location: Withington Park
ANNUAL EVENT: Is this event expected to occur next year? (circle one) [YES] NO
How many years has this event occurred? First year

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time:

RESERVED PARKING: Are you requesting reserved parking? (circle one) [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

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

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 ______________________

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. All noise generated by entertainment must be in compliance with the City Noise Ordinance.

ATTENDANCE: What is the expected (estimated) attendance for this event? 50 People

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

RESTROOMS: 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 restroom 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.

**ELECTRICAL POWER:** Will the Event require electrical power?  
Yes  No

If yes, please explain the electrical requirements.

We need electric for the DJ Equipment, speakers, etc.

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.

**INSURANCE:** All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for liability policy must be provided at least two (2) weeks prior to scheduled Council approval.

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

1. I am the person with authority to act on behalf of the sponsoring organization.

2. I have submitted all required documents in support of the Special Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event Application.

4. Only the activities listed on the application will be permitted at the event. If additional activities are added, I will immediately contact the City of Jackson. I understand that the approval of my application may be withdrawn or additional requirements made.

5. 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 and the Downtown Development Authority as additional named insured parties on the policy.
6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City’s review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization may be billed for City services, and that failure to clean up and repair damage will be considered for future applications.

9. 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.

10. By signing this Special Event Application, I declare I am 21 years of age or older.

11. If required to provide liability insurance, I will add the City of Jackson and the Downtown Development Authority as additional insureds on the sponsoring organization’s liability policy.

12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Jackson its officer, employees and agents, by reason of any damage to property, bodily injury, or death, sustained by any person whomsoever, and which damage, injury or death arises out of or is incident to or in any way connected with or related to the special event.

5/12/2020

[Signature]

Date

Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY 161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201
In response to the current Covid-19 pandemic, and in consideration of any current/pending Executive Orders, federal/state/local guidelines, or other world health organization or other community health agency recommendations, please provide a Covid-19 contingency plan with your completed Special Event Application. Responses to the following questions are required, and we encourage you to submit additional documentation outlining your plan should you feel a more detailed plan is necessary.

Please provide a description of any necessary safety measures (both for attendees and event organizers) you plan to enact:

**Organizers will sanitize surfaces every couple of hours.**

**We will provide hand sanitizer for attendees.**

---

Please provide an outline of your procedures for handling sick attendees and volunteers, and a description of your chain of command for notifying interested parties regarding possible infection:

**We will have a thermometer to take their temperatures if we feel it is necessary.**

**We will request that sick attendees wear a mask and gloves.**

**We will provide masks and gloves.**

**We will pray for the sick.**

**Volunteers will be notified so that everyone can implement safety.**

---

Please provide an explanation of your plans to strictly adhere to any current executive orders or other federal/state/local guidelines:

**We will post what the current Federal, State, and Local guidelines are at the time of the event.**

**We will follow what the guidelines are at the time of the event.**
In response to the current Covid-19 pandemic, and in consideration of any current/pending Executive Orders, federal/state/local guidelines, or other world health organization or other community health agency recommendations, please provide a Covid-19 contingency plan with your completed Special Event Application. Responses to the following questions are required, and we encourage you to submit additional documentation outlining your plan should you feel a more detailed plan is necessary.

Please provide a description of any necessary safety measures (both for attendees and event organizers) you plan to enact:

**Organizers will sanitize surfaces every couple of hours.**

**We will provide hand sanitizer for attendees.**

Please provide an outline of your procedures for handling sick attendees and volunteers, and a description of your chain of command for notifying interested parties regarding possible infection:

**We will have a thermometer to take their temperatures if we feel it is necessary.**

**We will request that sick attendees wear a mask and gloves.**

**We will provide masks and gloves.**  
**We will pray for the sick.**

**Volunteers will be notified so that everyone can implement safety.**

Please provide an explanation of your plans to strictly adhere to any current executive orders or other federal/state/local guidelines:

**We will post what the current Federal, State, and Local guidelines are at the time of the event.**  
**We will follow what the guidelines are at the time of the event.**
## Certificate of Liability Insurance

**Producer:** Barker Weber Insurance Agency, Inc.  
2501 Spring Arbor Rd.  
Jackson, MI 49203

**Insured:** Advancing Kingdom Tribe  
PO Box 1583  
Jackson, MI 49204

### Coversages

<table>
<thead>
<tr>
<th>INSR LTR</th>
<th>INSURED</th>
<th>TYPE OF INSURANCE</th>
<th>ADOC INS</th>
<th>SUBR</th>
<th>WWD</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF</th>
<th>POLICY EXP</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Y</td>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td></td>
<td></td>
<td></td>
<td>21M5A379398</td>
<td>05/19/2019</td>
<td>05/19/2020</td>
<td>EACH OCCURRENCE $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>DAMAGE TO RENTED PREMISES (Ea occurrence) $300,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MED EXP (Any one person) $10,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PERSONAL &amp; ADV INJURY $1,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>GENERAL AGGREGATE $3,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PRODUCTS - COMP/OP AGG $3,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>OTHER: $</td>
</tr>
</tbody>
</table>

### Authorization Representative

City of Jackson & the Downtown Development Authority is listed as additional insured for worship services held by Advancing Kingdom Tribe in city parks over the summer.

### Certificate Holder

Fax #: (877) 509-5874  
City of Jackson & Dowtown Development Authority  
161 W. Michigan Ave.  
Jackson, MI 49201

**Cancellation**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**Authorized Representative**

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD.
MEMO TO:  City Councilmembers  
FROM:  Mayor Derek Dobies  
DATE:  June 16, 2020  
SUBJECT:  Resolution Declaring the Month of June as LGBTQ Pride Month  

Recommendation:  Approve the attached resolution declaring the month of June 2020 as LGBTQ Pride Month in the City of Jackson.

Your concurrence is appreciated

Attachment
WHEREAS, Jackson is a city that is rich in diversity and community and this diversity is demonstrated to all who live, work, and visit our city; and
WHEREAS, the residents of Jackson value this diversity and celebrate the rich variation of persons in our city; and
WHEREAS, the residents of Jackson benefit from the multiple talents, viewpoints, and cultural backgrounds of all of its residents; and
WHEREAS, the residents of Jackson firmly believe in a society that values the freedom, worth, and dignity of each human being; and
WHEREAS, the City of Jackson accepts and welcomes people of diverse backgrounds and believes a diverse population leads to a more vibrant community; and
WHEREAS, the residents of Jackson understand and appreciate the cultural, civic, and economic contributions of the gay, lesbian, bisexual, and transgender communities to the greater community of the city; and
WHEREAS, the City of Jackson supports the rights of every citizen to experience equality and freedom from discrimination; and
WHEREAS, all people regardless of age, gender identity, race, color, religion, marital status, national origin, sexual orientation, gender identity, or physical challenges have the right to be treated on the basis of their intrinsic value as human beings; and
WHEREAS, in support of the City’s commitment the Jackson Non-Discrimination Ordinance was approved by City Council on February 8, 2017 making these rights the law of the city; and
WHEREAS, last June marked the 50th anniversary of the Stonewall riots in New York City, and the birth of an activist movement; and
WHEREAS, June is recognized and celebrated as LGBT Pride Month throughout the country and worldwide; and
WHEREAS, while we acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and
NOW, THEREFORE, BE IT RESOLVED by the Community City Council, that the members of this legislative body declare June 2020 as Lesbian, Gay, Bisexual, Transgender, and Queer Pride Month in the City of Jackson, and
BE IT FINALLY RESOLVED, that we pledge to continue our efforts in creating and maintaining a city that provides equal opportunity, fair treatment, and human dignity for all people.

*****

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

I, Derek Dobies, Mayor 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 16th day of June, 2020.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan on this 16th day of June, 2020.

________________________
Derek Dobies, Mayor
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: June 16, 2020

SUBJECT: Endorse and approve the East High Street Black Lives Matter Mural

______________

Recommendation:

Endorse and approve the East High Street Black Lives Matter Mural as recommend by the City of Jackson Public Arts Commission and moved to Council for final approval.

Attached is a memo from Kelli Hoover, Director of Parks, Recreation and Cemeteries regarding the Black Lives Matter mural.

We recommend approval of the Black Lives Matter Mural on East High Street. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Kelli Hoover, Director Parks, Recreation and Cemeteries
DATE: June 16, 2020
RECOMMENDATION: Endorse and approve the East High Street Black Lives Matter Mural as recommend by the City of Jackson Public Arts Commission and moved to Council for final approval.

SUMMARY

During the Jackson Public Arts Commission on June 15, 2020 a motion was made by Councilperson Laura Schlecte to endorse and approve a onetime Black Lives Matter Mural on East High Street near Elnora Moorman Plaza with any possible maintenance to be discussed at a future date and moved to City Council for the June 16, 2020 meeting for final approval. Motion was seconded by Mia Porter Williams and the motion passed unanimously.

HISTORY, BACKGROUND and DISCUSSION

The East High Street Black Lives Matter Mural was a community led event and painted on Sunday, June 14, 2020.
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: June 16, 2020

Recommendation:

Approval of a Black Lives Matter Mural on West Washington Street for June 19, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for final approval.

Attached is a memo from Kelli Hoover, Director of Parks, Recreation and Cemeteries regarding the Black Lives Matter Mural.

We recommend approval of the Black Lives Matter Mural on West Washington Street for June 19, 2020. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Kelli Hoover, Director Parks, Recreation and Cemeteries
DATE: June 16, 2020
RECOMMENDATION: Approval of a Black Lives Matter Mural on West Washington Street for June 19, 2020 as approved by the City of Jackson Public Arts Commission and moved to Council for final approval.

SUMMARY

During the Jackson Public Arts Commission on June 15, 2020 a motion was made by Commissioner Angela Edward to approve a onetime Black Lives Matter Mural on W. Washington Street with any possible maintenance to be discussed at a future date and moved to City Council for the June 16, 2020 meeting for final approval. Motion was seconded by Kaiti McDonough and the motion passed unanimously.

HISTORY, BACKGROUND and DISCUSSION

The West Washington Black Lives Matter Mural is a community led event and organized by Lana King and Tricia Chamberlain. They are planning their event from 1:00-8:00 pm Friday, June 19, 2020.

Information
- 1 time mural of the outline of Black Lives Matter will be painted on W. Washington Street.
- City will provide the paint, barricades and stage.
- The committee will have an event on a later date to bring in artists to fill in the letters.
MEMO TO: City Councilmembers

FROM: Mayor Dobies

DATE: June 16, 2020

SUBJECT: Approve a Resolution Declaring Racism as Public Health Crisis

Recommendation: Approve a Resolution declaring Racism as Public Health Crisis in Jackson County.

Your concurrence is appreciated.

DD
RESOLUTION 2020- ___

Declaration of Racism is a Public Health Crisis

WHEREAS, race is a social construct with no biological basis; and

WHEREAS, racism is a social system with multiple dimensions, including individual racism, which is internalized or interpersonal; and

WHEREAS, systemic racism, which is institutional or structural, is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, systemic racism unfairly disadvantages some individuals and communities, unfairly advantages other individuals and communities, and depletes the strength of the whole society through the waste of human resources; and

WHEREAS, racism is rooted in the foundation of America. From the time chattel slavery began in the 1600s, to the Jim Crow era, declaration of the war on drugs that eventually led to the mass incarceration of Black people, racism has remained a presence in American society while subjecting Black people to hardships and disadvantages in every aspect of life; and

WHEREAS, racism, including implicit and conscious bias, causes persistent racial discrimination in Criminal Justice, Social Capital, Voter Suppression, Education, Transportation, Employment, Food Access, Mental Health and Health Behaviors, Socioeconomic Status, Environmental Exposure, Access to Health Services, Housing, and Public Safety; and

WHEREAS, historical racism in Michigan has impacted Black Michiganders including Black City of Jackson residents. As early as 1870, Jackson County citizens voted against a state measure giving Blacks the right to vote. More recent, discriminatory housing practices in the 20th century, known as redlining, along with the deed restrictions prohibiting Black people from living in areas like Ward 6 and, throughout the 20th century, black residents, who were once distributed throughout many parts of the city, began to be confined mostly to Ward 1; and

WHEREAS, Black citizens across the state of Michigan have been limited to areas with restricted access to healthy foods, disproportionate amount of convenience and liquor stores, clean water, and other essential resources, leading to a variety of other health issues, including reduced life expectancy, higher rates of infant and maternal mortality, and higher rates of lead poisoning; and

WHEREAS, for more than 400 years, racism has existed in America. However, in the 21st century, we are now seeing an increased incidence of police brutality, the result of racism and the disproportionate impact on Black people during the COVID-19 pandemic. Black people are dying in larger-than-expected, record numbers from both; and

WHEREAS, older adults and people of any age who have serious underlying medical conditions are at higher risk for severe illness from COVID-19, Black people have higher incidence of chronic illnesses than other races causing them to die from COVID-19 at higher rates than white people. In Jackson
WHEREAS, Black people are disproportionately suffering in-part due to long standing, unaddressed health disparities as well as systemic racism and other socioeconomic inequities. Indicators of health disparities include Black infant mortality, which is 12.7% compared to White infant mortality at 5.3%; prevalence of diabetes; and many Black residents state that they lack access to health care; and

WHEREAS, more than 100 studies have linked racism to worse health outcomes, and there is clear data to illustrate that racism negatively impacts the lives of Black people in the City of Jackson. The current COVID-19 crisis and ongoing protests against police brutality have helped to highlight now, more than ever, that racism, not race, causes disparities for Black Americans; and

WHEREAS, the privileges that other Americans experience often inhibit them from fully understanding how racism impacts Black people in America - for example the performance of simple tasks like driving while Black, walking/running in neighborhoods, wearing a hoodie, going to the store, eating ice cream in your own home, or just going to a park all come with certain risk not experienced by others. Concerned parents prepare their Black youth at an early age by having “The Talk” with their children in order to attempt to protect them; and

WHEREAS, the American Public Health Association, National Association of County and City Health Officials, and the American Academy of Pediatrics have declared racism as a public health crisis, this Council believes that now is the time to do the same. The disparities caused by racism that we have outlined in this resolution represent a public health crisis which affects us all; and

WHEREAS, we as a governmental body have a responsibility to ensure an optimal quality of life for all of our Black City of Jackson residents; now

THEREFORE BE IT RESOLVED, that the Jackson City Council hereby declares racism as a public health crisis in the City of Jackson that affects all members of our society on a local, state, and national level and demands action from all levels of government and society; and

BE IT FURTHER RESOLVED, that the City of Jackson recommits its full attention to improving the quality of life and health of our Black City of Jackson residents; and

BE IT FURTHER RESOLVED, that the Jackson City Council advocates for relevant policies that improve health in the Black community, and support local, state, and federal initiatives that advance social justice, while also encouraging individual member advocacy to dismantle systemic racism; and

BE IT FURTHER RESOLVED, that the City of Jackson will assess our current and proposed ordinances, and internal policies and procedures, as well as their implementation, to ensure racial equity is a core element of our government, communicate the results of assessment, and determine the appropriate interval for reassessment; and

BE IT FURTHER RESOLVED, that the City of Jackson Human Relations Commission will engage residents, businesses and nonprofits to achieve community-centered solutions that address the legacy of racial injustices faced by Black communities, and identify specific activities to increase diversity and to
incorporate anti-racism principles across membership, leadership, staffing and contracting in the City of Jackson; and

**BE IT FURTHER RESOLVED,** that the City of Jackson will support on-going racial equity training with the goal of reaching all City of Jackson leadership and staff and encourage racial equity training among all community partners, grantees, vendors and contractors; and

**BE IT FURTHER RESOLVED,** that this City Council urges other governmental bodies to declare racism as a public health crisis and to immediately take steps to intentionally address and support methods that will strategically reduce the long-term impact and public health disparities of systemic racism; and

**BE IT FURTHER RESOLVED,** that the Jackson City Council requests that the City Clerk forward copies of this resolution to the Governor of the State of Michigan, Jackson County’s State Legislative delegation, and the Jackson County Board of Commissioners.

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

I, Derek Dobies, Mayor 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 16th day of June, 2020.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan on this 16th day of June, 2020.

Derek Dobies, Mayor
MEMO TO: Honorable Mayor and City Councilmembers

FROM: Andrea Muray, City Clerk

DATE: June 16, 2020

SUBJECT: Second Reading and Final Adoption of Ordinance 2020-06

RECOMMENDATION:

Adopt Ordinance No. 2020-06 amending Chapter 28 of the City of Jackson, Michigan Code of Ordinances, to modify the regulations for medical marihuana facilities and adult-use marihuana establishments.

Attached is Ordinance No. 2020-06. Ordinance 2020-06 was considered for approval and moved for 2nd reading by the Council at the May 26, 2020 City Council Meeting.

I recommend approval of Ordinance No. 2020-06. Your consideration and concurrence is appreciated.

C: Jonathan Greene, Interim City Manager
 ORDINANCE 2020 - ___
An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to modify the regulations for medical and adult use marihuana facilities for the health, safety and welfare of the citizens of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:
Section 1. Purpose. To modify the zoning regulations for medical and adult use marihuana facilities for the health, safety and welfare of the citizens of Jackson.

Section 2. That Chapter 28 of the Code of Ordinances of the City of Jackson, Michigan, and the same hereby is, amended to read as follows:

ARTICLE I. IN GENERAL
Sec. 28-5. - Definitions¹.

Unless context indicates otherwise, the following words and phrases used in this chapter have these meanings:

Co-location of one (1) medical and one (1) adult use marihuana facilities means that comparable medical and adult uses may be combined in the same suite and not considered a secondary license as regulated in Sec. 28-140 of the Code.

Cyber School means a full time instructional program of virtual courses for pupils that may or may not require attendance at a physical school location.

School means a public or private licensed pre-school, or a public, private, or charter elementary, middle, junior high, or high school, vocational school, secondary school, community college, or other institution of higher education.

Virtual course means a course of study that is capable of generating a credit or a grade and that is provided in an interactive learning environment in which the majority of the curriculum is delivered using the internet and in which publics are separated from their instructor or teacher of record by time or location, or both.

ARTICLE V. - DEVELOPMENT APPROVAL PROCEDURES
Sec. 28-140. - Additional development requirements for certain permitted uses.

¹ The definitions in this Ordinance are in addition to the existing definitions in Section 28-5 of the City of Jackson Code of Ordinances. This ordinance does not alter or delete any existing Code definition.
The following minimum nondiscretionary standards must be met for the permitted uses specified in this section:

(2) **Medical and adult use marihuana facility use setbacks.** Medical and adult use marihuana facilities, excluding transport facilities, must comply with the following use setback requirements:

a. Setback of one thousand (1,000) feet of any public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;

b. Setback of five hundred (500) feet of the physical location of any cyber school as defined in Sec. 28-5 and as measured from door to door.

cb. Setback of one thousand (1,000) feet of a park and/or playground;

d. Setback of one thousand (1,000) feet of a housing facility owned by a public housing authority;

ed. Setback of one thousand (1,000) feet of a day care facility, including any and all accessory uses/facilities.

fe. Setback of five hundred (500) feet of a substance abuse treatment, rehabilitation, or prevention facility as defined and licensed by the Department of Licensing and Regulatory Affairs (LARA).

gf. Setback of two hundred and fifty (250) feet of a residentially zoned parcel;

hg. Setback of five hundred (500) feet of a church or other house of worship that has received tax exempt status from the City Assessor;

jh. Up to two (2) facilities may be located within five hundred (500) feet of another medical or adult use marihuana business establishment as measured from the closest building line unless co-location has been approved by the City as per Sec. 28-140(3);

ji. Setback one hundred (100) feet of a public or private youth center, swimming pool, or video arcade facility;

kj. All distances shall be measured from property line to property line except as noted in subsection (2)b and (2)jh. above;

lk. For parcels upon which the use setbacks extend inside the property lines, the building setbacks (see Sec. 28-74 and Sec. 28-75) shall be measured from said use setback instead of the property line. The remaining portion of the parcel that lies within the required use setback must be returned to its natural state (no structures shall remain). All other Chapter 28 (zoning) requirements shall apply; and.
All other applicable Chapter 28 regulations shall apply to such uses.

(3) Medical and adult use marihuana facility co-location. Medical and adult use marihuana facilities may co-locate in the same suite provided they are under the same ownership structure and each complies with the respective zoning and licensing requirements as outlined in the applicable City and State laws/rules. However, only up to two (2) comparable medical and adult uses may co-locate under one (1) City license.

Section 3. This Ordinance takes effect on the date that the companion licensing ordinance amendments go into effect.
ORDINANCE 2020 - 06

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to modify the regulations for medical and adult use marihuana facilities for the health, safety and welfare of the citizens of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose. To modify the zoning regulations for medical and adult use marihuana facilities for the health, safety and welfare of the citizens of Jackson.

Section 2. That Chapter 28 of the Code of Ordinances of the City of Jackson, Michigan, and the same hereby is, amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 28-5. - Definitions\(^1\).

Unless context indicates otherwise, the following words and phrases used in this chapter have these meanings:

*Co-location of one (1) medical and one (1) adult use marihuana facilities* means that comparable medical and adult uses may be combined in the same suite and not considered a secondary license as regulated in Sec. 28-140 of the Code.

*Cyber School* means a full time instructional program of virtual courses for pupils that may or may not require attendance at a physical school location.

*School* means a public or private licensed pre-school, or a public, private, or charter elementary, middle, junior high, or high school, vocational school, secondary school, community college, or other institution of higher education.

*Virtual course* means a course of study that is capable of generating a credit or a grade and that is provided in an interactive learning environment in which the majority of the curriculum is delivered using the internet and in which publics are separated from their instructor or teacher of record by time or location, or both.

ARTICLE V. - DEVELOPMENT APPROVAL PROCEDURES

Sec. 28-140. - Additional development requirements for certain permitted uses.

\(^1\) The definitions in this Ordinance are in addition to the existing definitions in Section 28-5 of the City of Jackson Code of Ordinances. This ordinance does not alter or delete any existing Code definition.
The following minimum nondiscretionary standards must be met for the permitted uses specified in this section:

(2) **Medical and adult use marihuana facility use setbacks.** Medical and adult use marihuana facilities, excluding transport facilities, must comply with the following use setback requirements:

a. Setback of one thousand (1,000) feet of any public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;

b. Setback of five hundred (500) feet of the physical location of any cyber school as defined in Sec. 28-5 and as measured from door to door.

c. Setback of one thousand (1,000) feet of a park and/or playground;

d. Setback of one thousand (1,000) feet of a housing facility owned by a public housing authority;

e. Setback of one thousand (1,000) feet of a day care facility, including any and all accessory uses/facilities.

f. Setback of five hundred (500) feet of a substance abuse treatment, rehabilitation, or prevention facility as defined and licensed by the Department of Licensing and Regulatory Affairs (LARA).

g. Setback of two hundred and fifty (250) feet of a residentially zoned parcel;

h. Setback of five hundred (500) feet of a church or other house of worship that has received tax exempt status from the City Assessor;

i. Up to two (2) facilities may be located within five hundred (500) feet of another medical or adult use marihuana business establishment as measured from the closest building line unless co-location has been approved by the City as per Sec. 28-140(3);

j. Setback one hundred (100) feet of a public or private youth center, swimming pool, or video arcade facility;

k. All distances shall be measured from property line to property line except as noted in subsection (2)b and (2)i. above;

l. For parcels upon which the use setbacks extend inside the property lines, the building setbacks (see Sec. 28-74 and Sec. 28-75) shall be measured from said use setback instead of the property line. The remaining portion of the parcel that lies within the required use setback must be returned to its natural state (no structures shall remain). All other Chapter 28 (zoning) requirements shall apply; and
m. All other applicable Chapter 28 regulations shall apply to such uses.

(3) Medical and adult use marihuana facility co-location. Medical and adult use marihuana facilities may co-locate in the same suite provided they are under the same ownership structure and each complies with the respective zoning and licensing requirements as outlined in the applicable City and State laws/rules. However, only up to two (2) comparable medical and adult uses may co-locate under one (1) City license.

Section 3. This Ordinance takes effect on the date that the companion licensing ordinance amendments go into effect.
The foregoing Ordinance 2020-06 was adopted by the Jackson City Council on the 16th day of June, 2020 and a summary was published on June 21, 2020.

________________________________
Andrea Muray, City Clerk

________________________________
Derek J. Dobies, Mayor
MEMO TO: Honorable Mayor and City Councilmembers  
FROM: Andrea Muray, City Clerk  
DATE: June 16, 2020  
SUBJECT: Second Reading and Final Adoption of Ordinance 2020-07

RECOMMENDATION:

Adopt Ordinance No. 2020-07 amending Section 18-250 through 18-258, Article 10, Chapter 18 of the City of Jackson, Michigan Code of Ordinances, to regulate tobacco products in public places.

Attached is Ordinance No. 2020-07. Ordinance 2020-07 was considered for approval and moved for 2nd reading by the Council at the May 26, 2020 City Council Meeting.

I recommend approval of Ordinance No. 2020-07. Your consideration and concurrence is appreciated.

C: Jonathan Greene, Interim City Manager
ORDINANCE NO. 2020-07
“Clean Air Ordinance”

An Ordinance amending Section 18-250 through Section 18-258 of Article 10 of Chapter 18 of the Code of Ordinances of the City of Jackson, Michigan to regulate tobacco products in public places.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

CHAPTER 18 - OFFENSES

ARTICLE X. - OFFENSES AGAINST PUBLIC HEALTH

DIVISION 1. - CLEAN AIR ORDINANCE

Sec. 18-250. - Title.

Division 1 of this Article shall be known as the "Clean Air Ordinance" of the City of Jackson.

Sec. 18-251. - Tobacco free areas.

(a) Purpose. The purpose of this Ordinance is to protect the public health and welfare by regulating tobacco in work sites, public places and certain other areas.

(b) Findings.

(1) The United States Surgeon General has determined that:

(a) Secondhand smoke exposure causes disease and premature death in people who do not smoke; and

(b) Children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome, acute respiratory problems, ear infections and asthma attacks; exposure of adults to secondhand smoke has adverse effects on the cardiovascular system and causes heart disease and lung cancer; and

(c) There is no risk-free level of exposure to secondhand smoke.

(2) It is also found that tobacco smoke is a major contributor to indoor air pollution.

(3) People who are at special risk from secondhand smoke include infants, children, teens, pregnant women, elderly people, non-smokers with long-term exposure to secondhand smoke, individuals with cardiovascular disease, and individuals with impaired respiratory function. Establishing smoke-free workplaces is the most effective way to ensure that exposure to secondhand smoke does not occur in the workplace.

(4) The U.S. Food and Drug Administration (FDA) considers e-cigarettes to be a tobacco product and has not approved e-cigarettes as a quit tobacco device. The FDA has
reported finding ingredients of e-cigarette cartridges to contain levels of cancer-causing and toxic chemicals.

(5) The World Health Organization warns that nicotine exposure, whether through inhalation, ingestion, or skin contact, can be hazardous to the health and safety of children, young people, pregnant women, nursing mothers, people with heart conditions, and the elderly.

(6) The Michigan Department of Health and Human Services indicates that e-cigarettes are not a safe alternative to other forms of tobacco.

(7) The U.S. Department of Health and Human Services, Centers for Disease Control and Prevention has found that smokeless tobacco causes leukoplakia, a disease causing white patches to form in the user's mouth that can become cancerous; and smokeless tobacco products are known to cause lung, larynx, esophageal, and oral cancer.

(8) The National Institutes of Health has recognized the carcinogens NNN and NNK are found in the saliva of those who use chewing tobacco.

(9) The Mayo Clinic has recognized that the candy-like appearance or flavors of smokeless tobacco products make them attractive to children and ingestion of these products can cause nicotine poisoning.

(10) Effects of nicotine poisoning in children may include nausea, vomiting, weakness, convulsions, unresponsiveness, impaired breathing and death. Saliva spit from smokeless tobacco contains nicotine, as well as infectious bacteria and diseases.

(11) Smoking and use of other tobacco products in parks sends a deleterious health message to youth and a public health approach to tobacco addiction should include preventing initiation of use, facilitating cessation, and promoting abstinence from all tobacco products by current users.

(c) Definitions.

(1) Business means any sole proprietorship, partnership, joint venture, corporation or other for-profit or not-for-profit entity, including but not limited to any retail establishment, where goods are sold or services are delivered.

(2) Business vehicle means a car, bus, van or other motorized unit which is owned or leased by an employer for the use of employees.

(3) Employee means any person who is employed by any employer, whether for wages, profit, or on a volunteer basis.

(4) Employer means any person or business, including any governmental entity that has one or more employees besides the owner of the Business.

(5) E-Cigarette means an electronic, noncombustible device that employs a heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form and the use or inhalation of which simulates smoking. This term shall include any device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other such product name or descriptor.
(6) *Enclosed area* means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passageways) which extend from the floor to the ceiling, including all of the space inside.

(7) *Food service establishment*. The term "food service establishment" has the same meaning as it does in the Michigan Public Health Code, 1978 PA 368, as amended, and includes bars. When a portion of a facility is licensed as a food service establishment, then only that portion of the facility shall be considered a food service establishment under this ordinance.

(8) *Public place* means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to any business, retail store, food service establishment, health facility, manufacturing facility, convention hall, meeting hall, sports arena, theater, gymnasium, health spa, swimming pool, roller rink, ice rink, bowling alley, laundromat, professional office, school, or public building.

(9) *Smoking* means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, e-cigarette, pipe, weed, plant or related substance or product, except as part of a religious ceremony or observance.

(10) *Tobacco product* means a preparation of tobacco to be inhaled, chewed, sucked or placed in a person's mouth, including e-cigarettes.

(11) *Worksite* means any enclosed area under the control of an employer which employees frequent during the course of their employment, including but not limited to: work areas, common areas, lounges, restrooms, lobbies, conference rooms, classrooms, cafeterias and hallways. A private residence is not a "worksite" unless it is used as a child care, adult day care or health care facility.

(d) *Prohibitions*. Smoking is prohibited in all enclosed areas of all of the following places and sites:

(1) Worksites;

(2) Public places;

(3) Buses, taxicabs, and other means of public transit and including bus shelters;

(4) Business vehicles that are occupied by more than one person;

(5) Semi-private rooms of health facilities;

(6) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities;

(7) Public places where bingo games are held;

(8) Hotels and motels and other lodging facilities;

(9) Any facility, site or vehicle where the owner, operator, or manager of such facility, site or vehicle has prohibited smoking and has posted that prohibition prominently in writing or has given actual notice of the prohibition to the person who is smoking or who is intending to smoke.
(e) **Responsibility.** Both the person who is smoking and the employer, owner, operator, or manager of the area in which smoking is prohibited is responsible for violations of this Ordinance.

(f) **Outside smoking.** Smoking is prohibited within 20 feet of entrances, outdoor seating, open windows and ventilation systems of all places where smoking is otherwise prohibited by this Ordinance. This prohibition shall not apply to persons who pass by such an entrance, open window, or ventilation system while traveling on a public street or sidewalk. All receptacles for extinguishing smoking materials shall be placed outside of the no smoking area.

(g) **Exemptions.** The following areas are exempt from the requirements of this Ordinance:

1. Private residences and private vehicles, except when used or in connection with the child care, health care facility or adult day care facility;
2. Tobacco specialty stores;
3. Ella Sharp Park Golf Course, except that the stipulations for outside smoking apply to the Ella Sharp Park Golf Course clubhouse.

(h) **Non-retribution.** It shall be unlawful for any person or employer to discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because that person seeks enforcement of this Ordinance.

(i) **Other laws.** This Ordinance shall not be interpreted or construed to permit smoking where it is otherwise restricted or prohibited by other applicable laws or public health regulations.

---

**Sec. 18-252. - Restriction on Smoking and Use of Tobacco Products and E-Cigarettes in City Parks.**

(a) **Definitions.** The definitions contained in Section 18-151(c) shall apply to this subsection.

(b) **Smoking and use of a tobacco product, including e-cigarettes, is prohibited in public parks and cemeteries owned or operated by the City of Jackson.** A person shall not smoke or use tobacco products, including e-cigarettes, in any park or cemetery owned or operated by the City of Jackson. All parks and cemeteries owned or operated by the City of Jackson shall be so posted.

(c) **Violations and penalties.** A person who violates this section shall be subject to any one or more of the following:

1. Being asked to stop smoking or using tobacco products;
2. Being asked to leave the premises;
3. If he or she refuses to either extinguish/cease using their smoking or use of tobacco products, or leave the premises, they shall be responsible for a municipal civil infraction and subject to the civil fines set forth in Section 18-256 of this Code.

---

**Sec. 18-253. - Owner May Designate Establishment to be Nonsmoking.**

Notwithstanding any other provision of this ordinance, any owner of any establishment or facility, or a designated representative of the owner of any establishment or facility, may declare that entire establishment or facility to be a non-smoking establishment.
Sec. 18-254. - Responsibilities of Employers.

(a) It shall be the responsibility of employers to provide a smoke-free worksite as set forth in this ordinance.

(b) Upon the effective date of this ordinance, each employer having an enclosed place of employment shall adopt, implement, make known and maintain a written smoking policy. The policy shall contain, at a minimum, the following wording and requirements:

Smoking is prohibited in all enclosed areas within this worksite that are open to the public. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, employer owned or leased vehicles, and all other enclosed facilities.

(c) The smoking policy shall be communicated to all current employees prior to its effective date, and at the time of employment for all other employees.

(d) All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

Sec. 18-255. - Posting of Signs.

(a) As of the effective date of this ordinance, "This Building is Smoke-Free" signs, "No Smoking" signs, the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) or other appropriate signs shall be clearly, sufficiently and conspicuously posted in every establishment or facility where smoking is prohibited by this ordinance, or at the direction of the owner. The signage shall be posted by the owner, operator, manager or other person having control of such establishment or facility.

(b) Every public place where smoking is prohibited shall have signs conspicuously posted at every entrance clearly stating that smoking is prohibited.

(c) All ashtrays or ash receptacles shall be removed from any area where smoking is prohibited by this ordinance by the owner, operator, manager or other person having control of such area.

Sec. 18-256. - Violation deemed civil infraction/penalty.

Any person who violates any provision of this article shall be deemed to have committed a civil infraction and may be ordered to pay a civil fine of not more than one hundred dollars ($100.00), plus costs.

Sec. 18-257. - Severability.

If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.
Sec. 18-258. - Effective Date.

This ordinance shall be effective 90 days after adoption.

The foregoing Ordinance 2020-07 was adopted by the Jackson City Council on the 16th day of June, 2020 and a summary was published on June 21, 2020.

________________________________
Andrea Muray, City Clerk

________________________________
Derek J. Dobies, Mayor
MEMO TO: Mayor and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: June 16, 2020
SUBJECT: Charter Review Committee Recommendations

Recommendation: Consider proposed Charter Amendments as recommended by the City of Jackson Charter Review Committee.

Please find attached a Department Report and correspondence from Charter Review Committee Chairman Daniel Greer, along with proposed recommendations.

Your consideration and concurrence is appreciated.
DEPARTMENT REPORT

MEMO TO: Honorable Mayor Dobies and City Councilmembers

FROM: Matthew M. Hagerty, City Attorney

DATE: June 16, 2020

RECOMMENDATION: Consider Recommendations from the City of Jackson Charter Review Committee for Inclusion of Proposed Charter Amendments on the November 2020 Ballot

SUMMARY

The City of Jackson Charter Review Committee (CRC) held its final meeting on June 4, 2020, completing its list of recommendations to City Council for consideration and potential placement on the November, 2020 ballot. It was the consensus of the CRC that their top three (3) recommendations be submitted to the electorate on the November ballot. Included herewith, is the list of recommended City Charter revisions proposed by the CRC, along with correspondence from CRC Chairman Daniel Greer, explaining the CRC’s process; timeline; and completed work product.

HISTORY, BACKGROUND AND DISCUSSION

As set forth in the Chairman’s Report, it is the consensus of the CRC; my office; and special legal counsel Peter Letzmann, that no more than three (3) proposed Charter Amendments be placed in the November ballot. The reason is twofold: First, including too many revisions simultaneously may be considered a Charter Amendment (as opposed to revision) and entail a more lengthy and rigorous legal review process by the State of Michigan, which may delay any approvals beyond the time for inclusion on the November, 2020 ballot. Second, including too many proposed revisions may confuse and/or overwhelm the voters resulting in no proposed amendments getting adopted by a vote of the people. As stated in the Chairman’s report, Council is free to consider and adopt the proposed recommendations, make their own recommendations, or consider none at all. It is important, however, that any final recommendations (whether they concur with or differ from the CRC’s), be made by motion at the June 16th Council Meeting. Upon the three recommendations being approved by Council motion, my office will prepare formal “draft” Resolutions for preliminary review by the Attorney General’s Office. Thereafter, the final Resolutions for Council vote (requiring a 3/5 majority) will be presented at the July City Council Meeting for final adoption. The approved Resolutions will then be submitted to Lansing as required by statute with required correspondence from the
City Clerk for final sign-off by the Attorney General’s Office, as well as by Gov. Whitmer. **August 11, 2020 at 4:00 p.m. is the deadline by which the approved Resolutions and ballot language must be submitted by the City Clerk to Jackson County for the November 2020 ballot.** It is therefore very important that the final Resolutions be approved at the July City Council Meeting.

**POSITION**

In accordance with the CRC’s recommendations, the City Attorney’s Office requests that City Council vote to approve its “top 3” City Charter Amendments for inclusion on the November, 2020 ballot at the June 16, 2020 City Council Meeting. Of course, any of the other recommended charter amendments can be placed on a future ballot for consideration and adoption by the voters of the City of Jackson at Council’s direction.

**ATTACHMENTS:**  
*Proposed Charter Review Committee Recommendations and Committee Chairman Correspondence*
PROPOSED CHARTER AMENDMENTS

JACKSON CHARTER REVIEW COMMITTEE TOP THREE RECOMMENDED CHARTER REVISIONS:

#1 - FILLING OF VACANCIES IN OFFICE

CURRENT CHARTER LANGUAGE:

Section 7.10. - Filling Vacancies.

Except in case of recall, the council shall by majority vote fill all vacancies in elective offices of the city, except the office of mayor. Vacancies occurring in any office appointed by the council shall be filled by a vote of a majority of the council.

PROPOSED REDLINED CHARTER LANGUAGE:

Section 7.10 – Filling Vacancies

Except in case of recall, the council by majority vote fill all vacancies in elective offices of the city, except the office of mayor. Vacancies occurring in any office appointed by the council shall be filled by a vote of a majority of the council. or as otherwise provided in this charter, vacancies in elective office of the city, except in the office of the Mayor, shall be filled by a vote of the electors at the next general election for which the candidate has an opportunity to participate in a city wide primary election. The City Council shall appoint an interim councilmember or treasurer within 60 days of the vacancy who shall serve until the election of a new councilmember or treasurer.
PROPOSED CHARTER LANGUAGE (FINAL):

Except in case of recall, or as otherwise provided in this charter, vacancies in elective office of the city, except in the office of the Mayor, shall be filled by a vote of the electors at the next general election for which the candidate has an opportunity to participate in a city wide primary election. The City Council shall appoint an interim councilmember or treasurer within 60 days of the vacancy who shall serve until the election of a new councilmember or treasurer.

#2. ADJUSTING TERMS OF OFFICE TO EVEN YEAR ELECTIONS

CURRENT CHARTER LANGUAGE:

Section 6.5. - City Primary Elections.

(1) A citywide and/or ward primary election for the nomination of candidates for elective city offices shall be held on the first Tuesday after the first Monday of August in all odd-numbered years. A primary election shall be held when three (3) or more candidates file nominating petitions for the same office. The city primary election shall be conducted in the same manner as a general city election.

(2) The two candidates for each elective city office receiving the greatest number of votes in the primary election shall be placed on the general city election ballots as candidates for the office to which they were nominated.

Section 6.6. - General City Elections.

(1) A general city election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year.

(2) The candidate receiving the greatest number of votes for an office at the election shall be deemed elected to that office.

Section 7.1. - Elected Officials.
The officials of the city shall be the mayor, members of the council, and the treasurer. Officials shall take office at 10 a.m. on the first day of December following their election.

(1) The mayor shall be nominated and elected at large for a term of two years.

(2) [There shall be elected] three City Council members, one in each wards 2, 4 and 6 for a term of two years, and three City Council members in Wards 1, 3 and 5 for a term of four years.

(3) The treasurer shall be nominated and elected at large for a term of four years. In each succeeding odd-year election, the Mayor shall be elected for a two year term and City Council members shall be elected to four year terms to the seats which have terms expiring.

PROPOSED REDLINE REDCHART LANGUAGE:

Section 6.5. - City Primary Elections.

(1) A citywide and/or ward primary election for the nomination of candidates for elective city offices shall be held on the first Tuesday after the first Monday of August in all odd-even-numbered years. A primary election shall be held when three (3) or more candidates file nominating petitions for the same office. The city primary election shall be conducted in the same manner as a general city election.

(2) The two candidates for each elective city office receiving the greatest number of votes in the primary election shall be placed on the general city election ballots as candidates for the office to which they were nominated.

Section 6.6. - General City Elections.

(1) A general city election shall be held on the first Tuesday after the first Monday in November of each odd-even-numbered year.

(2) The candidate receiving the greatest number of votes for an office at the election shall be deemed elected to that office.
Section 7.1. - Elected Officials.

The officials of the city shall be the mayor, members of the council, and the treasurer. Officials shall take office at 10 a.m. on the first day of December following their election.

(1) The mayor shall be nominated and elected at large for a term of two years.

(2) [There shall be elected] three City Council members, one in each wards 2, 4 and 6 for a term of two years, and three City Council members in Wards 1, 3 and 5 for a term of four years.

(3) The treasurer shall be nominated and elected at large for a term of four years. In each succeeding odd year election, the Mayor shall be elected for a two year term and City Council members shall be elected to four year terms to the seats which have terms expiring, except that the elected Mayor in 2021 shall be elected to a term of one year; those elected members of City Council in 2021 and 2023 shall serve a term of three years; and the elected Treasurer in 2023 shall serve a term of three years.

PROPOSED CHARTER LANGUAGE (FINAL):

Section 6.5. - City Primary Elections.

(1) A citywide and/or ward primary election for the nomination of candidates for elective city offices shall be held on the first Tuesday after the first Monday of August in all even-numbered years. A primary election shall be held when three (3) or more candidates file nominating petitions for the same office. The city primary election shall be conducted in the same manner as a general city election.

(2) The two candidates for each elective city office receiving the greatest number of votes in the primary election shall be placed on the general city election ballots as candidates for the office to which they were nominated.

Section 6.6. - General City Elections.

(1) A general city election shall be held on the first Tuesday after the first Monday in November of each even-numbered year.
The candidate receiving the greatest number of votes for an office at the election shall be deemed elected to that office.

Section 7.1. - Elected Officials.

The officials of the city shall be the mayor, members of the council, and the treasurer. Officials shall take office at 10 a.m. on the first day of December following their election.

1. The mayor shall be nominated and elected at large for a term of two years.

2. [There shall be elected] three City Council members, one in each wards 2, 4 and 6 for a term of two years, and three City Council members in Wards 1, 3 and 5 for a term of four years.

3. The treasurer shall be nominated and elected at large for a term of four years. In each succeeding even-year election, the Mayor shall be elected for a two year term and City Council members shall be elected to four year terms to the seats which have terms expiring, except that the elected Mayor in 2021 shall be elected to a term of one year; those elected members of City Council in 2021 and 2023 shall serve a term of three years; and the elected Treasurer in 2023 shall serve a term of three years.

#3 PASSAGE OF ORDINANCES
SECTION 9.5 – PASSAGE OF ORDINANCES

CURRENT CHARTER LANGUAGE:

Section 9.5 – Passage of Ordinances.

No ordinance shall be finally passed at the same meeting at which it is introduced, unless declared to be an emergency ordinance.

PROPOSED REDLINED CHARTER LANGUAGE:

No ordinance shall be finally passed at the same meeting at which it is introduced, unless declared to be an emergency ordinance. An ordinance must be placed on a council agenda for a first reading of the ordinance by
the council and advanced by the council vote to a second reading. The ordinance must be placed on the agenda and approved at a subsequent meeting in order to be effective, unless it is declared an emergency ordinance.

**PROPOSED CHARTER LANGUAGE (FINAL):**

An ordinance must be placed on a council agenda for a first reading of the ordinance by the council and advanced by the council vote to a second reading. The ordinance must be placed on the agenda and approved at a subsequent meeting in order to be effective, unless it is declared an emergency ordinance.

**REMAINING PROPOSED CHARTER AMENDMENTS IN CHRONOLOGICAL ORDER**

**PROPOSED NEW CHARTER SECTION: Section 2.19 Penalties**

Unless otherwise specified, any person violating any provisions of this charter shall be deemed guilty of a misdemeanor and upon conviction, shall be subject to a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than 90 days or for both such fine and imprisonment.

**Section 5.3 – - Other Requirements for Nominating Petitions.**

**CURRENT LANGUAGE:**

Section 5.3. - Other Requirements for Nominating Petitions.

(1) It shall be unlawful for an elector to sign petitions for more than one candidate for the same city office.
(2) Candidates for mayor and city treasurer shall submit a valid nominating petition with a minimum of 100 and a maximum of 150 signatures of qualified electors of the City of Jackson.

(3) Candidates for the council shall submit a valid nominating petition with a minimum of 50 and a maximum of 75 signatures of qualified electors from the ward from which nomination is sought.

(4) The clerk shall validate all nominating petitions for elective city office. The clerk shall, within five (5) business days, notify a candidate when a nominating petition does not meet the requirements of this article.

(5) When a candidate files a nominating petition, the candidate shall file an affidavit provided by the clerk in which the candidate attests to:
   A. Identity
   B. Residency in the city or ward
   C. Status as not in default to the city.

(6) A person circulating nominating petitions for a candidate shall be a registered elector of the city.

RED-LINED PROPOSED LANGUAGE:

Section 5.3. - Other Requirements for Nominating Petitions.

(1) It shall be unlawful for an elector to sign petitions for more than one candidate for the same city office.

(2) Candidates for mayor and city treasurer shall submit a valid nominating petition with a minimum of 100 and a maximum of 200 signatures of qualified electors of the City of Jackson.

(3) Candidates for the council shall submit a valid nominating petition with a minimum of 50 and a maximum of 75–100 signatures of qualified electors from the ward from which nomination is sought.

(4) The clerk shall validate all nominating petitions for elective city office. The clerk shall, within five (5) business days, notify a candidate when a nominating petition does not meet the requirements of this article.

(5) When a candidate files a nominating petition, the candidate shall file an affidavit provided by the clerk in which the candidate attests to:
   A. Identity
B. Residency in the city or ward
C. Status as not in default to the city.

(6) A person circulating nominating petitions for a candidate shall be a registered elector of the city.

PROPOSED LANGUAGE:

Section 5.3. - Other Requirements for Nominating Petitions.

(1) It shall be unlawful for an elector to sign petitions for more than one candidate for the same city office.

(2) Candidates for mayor and city treasurer shall submit a valid nominating petition with a minimum of 100 and a maximum of 200 signatures of qualified electors of the City of Jackson.

(3) Candidates for the council shall submit a valid nominating petition with a minimum of 50 and a maximum of 100 signatures of qualified electors from the ward from which nomination is sought.

(4) The clerk shall validate all nominating petitions for elective city office. The clerk shall, within five (5) business days, notify a candidate when a nominating petition does not meet the requirements of this article.

(5) When a candidate files a nominating petition, the candidate shall file an affidavit provided by the clerk in which the candidate attests to:
   A. Identity
   B. Residency in the city or ward
   C. Status as not in default to the city.

(6) A person circulating nominating petitions for a candidate shall be a registered elector of the city.

Section 7.5 – Appointive Officers*
*Previously placed on 2018 ballot and failed

CURRENT LANGUAGE:

Section 7.5 – Appointive Officers
The council shall appoint the manager, the clerk, the attorney and the assessor, who shall each appoint a deputy. All other department heads shall be appointed by the manager subject to council confirmation. All persons appointed under this section by the council shall be residents of the city or shall become residents, within 12 months from the date of appointment, and shall continue such residency for the entire tenure of their appointments. The manager shall appoint persons to all positions for which no other method of appointment is provided in this charter. All persons appointed under this section shall hold indefinite terms. Officers appointed by the council shall serve at the pleasure of the council.

**RED-LINED PROPOSED LANGUAGE**

Section 7.5 – Appointive Officers

The council shall appoint the manager, the clerk, the attorney and the assessor, who shall each appoint a deputy. All other department heads shall be appointed by the manager subject to council confirmation. All persons appointed under this section by the council shall be residents of the city or shall become residents, within 12 months from the date of appointment, and shall continue such residency for the entire tenure of their appointments. The manager shall appoint persons to all positions for which no other method of appointment is provided in this charter. All persons appointed under this section shall hold indefinite terms. Officers appointed by the council shall serve at the pleasure of the council.

**PROPOSED LANGUAGE:**

Section 7.5 – Appointive Officers

The council shall appoint the manager, the clerk, the attorney and the assessor, who shall each appoint a deputy. All other department heads shall be appointed by the manager subject to council confirmation. The manager shall appoint persons to all positions for which no other method of appointment is provided in this charter. All persons appointed under this section shall hold indefinite terms. Officers appointed by the council shall serve at the pleasure of the council.

**Sec. 10.2 – Right of Referendum**

**CURRENT LANGUAGE:**
Section 10.2. - Right of Referendum.

(1) An ordinance shall be suspended and of no effect if, after its passage and prior to its taking effect, petitions protesting same are filed with the clerk signed by a number of qualified electors of the city equal to at least ten (10) percent of the total vote for all candidates for mayor in the last preceding election. This section shall not prevent an emergency ordinance from going into effect. The council, upon validation of the petitions by the clerk, shall either:

(a) Repeal the ordinance in its entirety; or
(b) Submit the ordinance to a vote of the electors of the city either at the next general city election, or at a special election. An election must be held not later than ninety (90) days from the date of the filing of the petitions.

(2) The ordinance shall not be effective unless a majority of the electors voting on it shall vote in its favor.

(3) An emergency ordinance shall be subject to a referendum in the same manner as other ordinances, except that it shall be effective at the time indicated in the ordinance. The ordinance shall be repealed if a majority of the electors voting on the issue vote against it.

**RED-LINED PROPOSED LANGUAGE:**

Section 10.2. - Right of Referendum.

(1) An ordinance shall be suspended and of no effect if, after its passage and prior to its taking effect, petitions protesting same are filed with the clerk signed by a number of qualified electors of the city equal to at least ten (10) percent of the total vote for all candidates for governor mayor in the last preceding election. This section shall not prevent an emergency ordinance from going into effect. The council, upon validation of the petitions by the clerk, shall either:

(a) Repeal the ordinance in its entirety; or
(b) Submit the ordinance to a vote of the electors of the city either at the next general city election, or at a special election. An election must be held not later than ninety (90) days from the date of the filing of the petitions.

(2) The ordinance shall not be effective unless a majority of the electors voting on it shall vote in its favor.
(3) An emergency ordinance shall be subject to a referendum in the same manner as other ordinances, except that it shall be effective at the time indicated in the ordinance. The ordinance shall be repealed if a majority of the electors voting on the issue vote against it.

PROPOSED LANGUAGE

Section 10.2. - Right of Referendum.

(1) An ordinance shall be suspended and of no effect if, after its passage and prior to its taking effect, petitions protesting same are filed with the clerk signed by a number of qualified electors of the city equal to at least ten (10) percent of the total vote for all candidates for governor in the last preceding election. This section shall not prevent an emergency ordinance from going into effect. The council, upon validation of the petitions by the clerk, shall either:

(a) Repeal the ordinance in its entirety; or
(b) Submit the ordinance to a vote of the electors of the city either at the next general city election, or at a special election. An election must be held not later than ninety (90) days from the date of the filing of the petitions.

(2) The ordinance shall not be effective unless a majority of the electors voting on it shall vote in its favor.

(3) An emergency ordinance shall be subject to a referendum in the same manner as other ordinances, except that it shall be effective at the time indicated in the ordinance. The ordinance shall be repealed if a majority of the electors voting on the issue vote against it.

Section 10.3 – Petition Circulator Residency*
*Previously placed on 2018 ballot and failed

CURRENT LANGUAGE:

Section 10.3 – Petition Circulator Residency

The petition for initiative or referendum shall show the signature of its circulator. The circulator shall be a registered elector of the city* at the time the petition is signed by the circulator. The petition shall also show the ward and street number* of the signers and the date of their signing. Each petition
The sheet shall be circulated by not more than one circulator. The circulator of each petition sheet shall sign an affidavit** that he or she circulated the petition, and that the signatures are believed to be those of qualified electors.

**RED-LINED PROPOSED LANGUAGE**

Section 10.3 – Petition Circulator Residency

The petition for initiative or referendum shall show the signature of its circulator. The circulator shall be a registered elector of the city* at the time the petition is signed by the circulator. The petition shall also show the ward and street number* of the signers and the date of their signing. Each petition sheet shall be circulated by not more than one circulator. The circulator of each petition sheet shall sign an affidavit** that he or she circulated the petition, and that the signatures are believed to be those of qualified electors.

**PROPOSED LANGUAGE:**

Section 10.3 – Petition Circulator Residency

The petition for initiative or referendum shall show the signature of its circulator. The petition shall also show the street number* of the signers and the date of their signing. Each petition sheet shall be circulated by not more than one circulator. The circulator of each petition sheet shall sign an affidavit** that he or she circulated the petition, and that the signatures are believed to be those of qualified electors.

**Section 11.2 – Administrative Officers**

*Previously considered for ballot submittal, not placed on 2018 ballot

**CURRENT LANGUAGE:**

Section 11.2. - Administrative Officers.

The city shall have an administrative service, which shall include a manager, a clerk, a treasurer, an assessor, an attorney, and such other department heads as the council may from time to time authorize by ordinance. The
council may create additional departments, or combine or eliminate
departments in any manner not inconsistent with law, unless otherwise
provided by this charter.

FOR USE WITH TREASURER APPOINTED BY CITY MANAGER:

RED-LINED PROPOSED LANGUAGE

Section 11.2. - Administrative Officers.

The city shall have an administrative service, which shall include a manager,
a clerk, a treasurer, an assessor, an attorney, and such other department
heads as the council may from time to time authorize by ordinance. The
council may create additional departments, or combine or eliminate
departments in any manner not inconsistent with law, unless otherwise
provided by this charter.

FOR USE WITH TREASURER APPOINTED BY CITY COUNCIL:

RED-LINED PROPOSED LANGUAGE

Section 11.2. - Administrative Officers.

The city shall have an administrative service, which shall include a manager,
a clerk, a treasurer, an assessor, an attorney, and such other department
heads as the council may from time to time authorize by ordinance. The
council may create additional departments, or combine or eliminate
departments in any manner not inconsistent with law, unless otherwise
provided by this charter.

FOR USE WITH TREASURER APPOINTED BY COUNCIL:

Section 11.5 – City Treasurer

CURRENT LANGUAGE:

Section 11.5. - City Treasurer.

The treasurer shall be elected by the voters pursuant to this charter. The
treasurer shall appoint, subject to council confirmation, the deputy treasurer.
The treasurer shall have custody of city funds, money and securities, and be
responsible for the deposit and safekeeping of city funds, money and securities. The treasurer shall be the income tax administrator of the city, and shall have all powers for the collection of taxes, including city income taxes, as provided by law.

**RED-LINED PROPOSED LANGUAGE**

Section 11.5 – City Treasurer

The treasurer shall be appointed by council and shall serve at the pleasure of council elected by the voters pursuant to this charter. The treasurer shall appoint, subject to council confirmation, the deputy treasurer. The treasurer shall have custody of city funds, money and securities, and be responsible for the deposit and safekeeping of city funds, money and securities. The treasurer shall be the income tax administrator of the city, and shall have all powers for the collection of taxes, including city income taxes, as provided by law.

**PROPOSED LANGUAGE:**

Section 11.5 – City Treasurer

The treasurer shall be appointed by the city manager after consultation with the city council. The treasurer shall not be considered an administrative officer and shall be deemed an employee of the City supervised by the City Manager. As the City Manager directs, the treasurer shall have custody of city funds, money and securities, and be responsible for the deposit and safekeeping of city funds, money and securities, and be responsible for the deposit and safekeeping of city funds, money and securities, and shall report the same in detail to the City Manager. The treasurer shall be the income tax administrator of the city, and shall have all powers for the collection of taxes, including city income taxes, as provided by law. The treasurer shall perform such other duties as may be prescribed for him or her by this Charter or by the City Manager.

**Section 21.1 Charter Review Committee**
CURRENT LANGUAGE:

Section 21.1. - Charter Review.

A charter review committee of at least seven members, none of whom shall be elected or appointed officials, shall be appointed by the council ten years after this charter is adopted, and each ten years thereafter. The committee shall examine the charter and may recommend to the council either initiation of the charter revision process, or any specific amendments which appear to the committee to be necessary or desirable.

RED-LINED PROPOSED LANGUAGE

Section 21.1. - Charter Review.

A charter review committee shall be appointed by the council in January of every tenth year after 2017. of at least seven members, none of whom shall be elected or appointed officials, shall be appointed by the council ten years after this charter is adopted, and each ten years thereafter. The procedure for selection of the members of the charter review committee shall be by resolution of the council, provided however that no elected or appointed officials may be members of the committee. The Committee may have a maximum of one non-resident of the City. The committee shall examine the charter and may recommend to the council either initiation of the charter revision process, or any specific amendments which appear to the committee to be necessary or desirable.

PROPOSED LANGUAGE:

A charter review committee shall be appointed by the council in January of every tenth year after 2017. The procedure for selection of the members of the charter review committee shall be by resolution of the council, provided however that no elected or appointed officials may be members of the committee. The Committee may have a maximum of one non-resident of the City. The committee shall examine the charter and may recommend to the council either initiation of the charter revision process, or any specific amendments which appear to the committee to be necessary or desirable.

Section 11.4 - City Clerk:
CURRENT LANGUAGE:

Section 11.4. - City Clerk.

The clerk shall be appointed by the council and shall serve at the pleasure of the council. 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, who has been duly sworn in by the mayor, shall administer and record the oath of office for all appointed and elected city officials.

PROPOSED REDLINED LANGUAGE:

Section 11.4 – City Clerk

The clerk shall be appointed by the council and shall serve at the pleasure of the council. 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 be duly sworn in by the mayor, and oaths of office shall be administered and recorded by the office of the city clerk for all appointed and elected city officials. The clerk, who has been duly sworn in by the mayor, shall administer and record the oath of office for all appointed and elected city officials.

PROPOSED LANGUAGE:

The clerk shall be appointed by the council and shall serve at the pleasure of the council. 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 be duly sworn in by the mayor, and oaths of office shall be administered and recorded by the office of the city clerk for all appointed and elected city officials.
MEMO TO: City Councilmembers

FROM: Mayor Dobies

DATE: June 16, 2020

SUBJECT: Adoption of an Ordinance to Amend Section 15-45 Article 3 of Chapter 15 of the Jackson Code of Ordinances (First Reading)

Recommendation: Adopt an Ordinance amending Section 15-45 Article 3 of Chapter 15 Code of Ordinances to make the ordinance consistent with state law regarding emancipated minors

DD
MEMORANDUM

TO: Honorable City Councilmembers
FROM: Honorable Mayor Dobies
DATE: June 16, 2020
SUBJECT: First Reading: Adoption of an Ordinance amending Section 15-45 Article 3 of Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan to make the ordinance consistent with state law regarding emancipated minors.

RECOMMENDATION: Adopt an Ordinance amending Section 15-45 Article 3 of Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan to make the ordinance consistent with state law regarding emancipated minors. Your consideration and concurrence is appreciated.

BACKGROUND: Pursuant to MCL 722.4e, Section 15-45 Article 3 of Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan should be changed to remove exemptions for emancipated minors to make the ordinance consistent with state law. Under this section of state law, emancipated minors have the right to enter into enforceable contracts.

The ordinance proposes a simple strike of part (7) of Section 15-45 of the City Code.

Attached is a redline and clean version of the ordinance.
ORDINANCE 2020 - ___

An Ordinance amending Section 15-45 Article 3 of Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan to make the ordinance consistent with state law regarding emancipated minors

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Sec. 15-45. - Exceptions.

Notwithstanding anything contained in this article, the following shall not be violations of this article:

(1) For a religious organization to restrict the occupancy of any of its housing facilities or accommodations which are operated as a direct part of religious activities to persons of the denomination involved or to restrict employment opportunities for officers, religious instructors and clergy to persons of that denomination. It is also permissible for a religious organization to restrict employment opportunities, educational facilities, housing facilities, and homeless shelters or dormitories that are operated as a direct part of its religious activities to persons who are member of or who conform to the moral tenets of that religious organization.

(2) Standards established for the construction, repair, maintenance, improvement, occupancy, lease or sale of one-family and two-family dwellings that conform to federal and state laws and regulations.

(3) For the owner or operator of a housing facility or place of public accommodation, devoted entirely to the housing and accommodation of individuals of one sex, to restrict occupancy and use on the basis of sex.

(4) To limit occupancy in a housing project or to provide public accommodations or employment privileges or assistance to persons of low income, persons over fifty-five (55) years of age or disabled persons.

(5) To engage in a bona fide effort to establish an affirmative action program to improve opportunities in employment consistent with applicable state of federal law.

(6) To discriminate based on a person's age when such discrimination is required by state, federal, or local law.

(7) To refuse to enter a contract with an emancipated minor.

(8) To refuse to admit to a place of public accommodation serving alcoholic beverages to a person under the legal age for purchasing alcoholic beverages.

(9) To refuse to admit to a place persons under eighteen (18) years of age to a business providing entertainment or selling literature that the operator of said business deems unsuitable for minors.

(10) For an educational institution to limit the use of its facilities to those affiliated with such institution.

(11) To provide discounts on products or services to students, or on the basis of age.

(12) The discriminate in any arrangement for the shared ownership, lease or residency of a dwelling unit.

(13) For a governmental or educational institution to restrict any of its facilities or to restrict employment opportunities based on duly-adopted institutional policies that conform to federal and state laws and regulations.
The restrict participation in an instructional program, athletic event or on an athletic team that conforms to federal and state laws and regulations.

This article shall not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities privileges, advantages or accommodations of the private club or establishment are made available to the customers or patrons of another establishment that is a place of public accommodation or is licensed by the State under Act No. 58 of the Public Act of 1998, being MCLA 436.1101—436.2303, the Michigan Liquor Control Act as amended. This exemption shall not apply to a private club that is otherwise defined as a place of public accommodation in this article. Further, to the extent that the private club permits members to invite guests on the premises, such organization is not exempted as it concerns a member's guest.

To the employment of an individual by one's family.

For an employer offering health or pension plans to provide marital or familial status limitations in such plans provided those limitations conform to state and federal laws, rules and regulations.

To the rental of housing facilities in a building which contains dwelling units for not more than two (2) families living independently of each other if the owner of the building or a member of the owner's family resides in one (1) of the dwelling units, or to the rental of a room or rooms in a single-family dwelling by an individual if the lessor or a member of the lessor's family resides in the dwelling.

To allow use of facilities or services by persons that may be affiliated with, or otherwise supported by, a religious organization, which may espouse policies or practices inconsistent with the general intent of this article.

With respect to gender only, to a private educational institution which provides an education to only persons with one gender.

(Ord. No. 2017-03, § 2, 2-7-17)
ORDINANCE 2020 -

An Ordinance amending Section 15-45 Article 3 of Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan to make the ordinance consistent with state law regarding emancipated minors

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Sec. 15-45. - Exceptions.

Notwithstanding anything contained in this article, the following shall not be violations of this article:

(1) For a religious organization to restrict the occupancy of any of its housing facilities or accommodations which are operated as a direct part of religious activities to persons of the denomination involved or to restrict employment opportunities for officers, religious instructors and clergy to persons of that denomination. It is also permissible for a religious organization to restrict employment opportunities, educational facilities, housing facilities, and homeless shelters or dormitories that are operated as a direct part of its religious activities to persons who are member of or who conform to the moral tenets of that religious organization.

(2) Standards established for the construction, repair, maintenance, improvement, occupancy, lease or sale of one-family and two-family dwellings that conform to federal and state laws and regulations.

(3) For the owner or operator of a housing facility or place of public accommodation, devoted entirely to the housing and accommodation of individuals of one sex, to restrict occupancy and use on the basis of sex.

(4) To limit occupancy in a housing project or to provide public accommodations or employment privileges or assistance to persons of low income, persons over fifty-five (55) years of age or disabled persons.

(5) To engage in a bona fide effort to establish an affirmative action program to improve opportunities in employment consistent with applicable state of federal law.

(6) To discriminate based on a person's age when such discrimination is required by state, federal, or local law.

(7) To refuse to admit to a place of public accommodation serving alcoholic beverages to a person under the legal age for purchasing alcoholic beverages.

(8) To refuse to admit to a place persons under eighteen (18) years of age to a business providing entertainment or selling literature that the operator of said business deems unsuitable for minors.

(9) For an educational institution to limit the use of its facilities to those affiliated with such institution.

(10) To provide discounts on products or services to students, or on the basis of age.

(11) The discriminate in any arrangement for the shared ownership, lease or residency of a dwelling unit.

(12) For a governmental or educational institution to restrict any of its facilities or to restrict employment opportunities based on duly-adopted institutional policies that conform to federal and state laws and regulations.

(13) The restrict participation in an instructional program, athletic event or on an athletic team that conforms to federal and state laws and regulations.

(14) This article shall not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities privileges, advantages or
accommodations of the private club or establishment are made available to the customers or patrons of another establishment that is a place of public accommodation or is licensed by the State under Act No. 58 of the Public Act of 1998, being MCLA 436.1101—436.2303, the Michigan Liquor Control Act as amended. This exemption shall not apply to a private club that is otherwise defined as a place of public accommodation in this article. Further, to the extent that the private club permits members to invite guests on the premises, such organization is not exempted as it concerns a member's guest.

(15) To the employment of an individual by one's family.

(16) For an employer offering health or pension plans to provide marital or familial status limitations in such plans provided those limitations conform to state and federal laws, rules and regulations.

(17) To the rental of housing facilities in a building which contains dwelling units for not more than two (2) families living independently of each other if the owner of the building or a member of the owner's family resides in one (1) of the dwelling units, or to the rental of a room or rooms in a single-family dwelling by an individual if the lessor or a member of the lessor's family resides in the dwelling.

(18) To allow use of facilities or services by persons that may be affiliated with, or otherwise supported by, a religious organization, which may espouse policies or practices inconsistent with the general intent of this article.

(19) With respect to gender only, to a private educational institution which provides an education to only persons with one gender.

(Ord. No. 2017-03, § 2, 2-7-17)
MEMO TO: Mayor and City Councilmembers

FROM: Mark M. Porterfield, Senior Assistant City Attorney

DATE: June 16, 2020

SUBJECT: Reduction of the Amount of a Fine in a Previously Entered Administrative Hearings Bureau Judgment

Recommendation: Approve a Resolution authorizing a reduction of the amount of a fine in a previously entered Administrative Hearings Bureau judgment if all costs are contemporaneously paid by July 31, 2020.

Please find attached a Department Report and a proposed Resolution.

I recommend approval of the above action. Your consideration and concurrence is appreciated.
MEMO TO: Honorable Mayor Dobies and City Councilmembers
FROM: Mark M. Porterfield, Senior Assistant City Attorney
DATE: June 16, 2020
RECOMMENDATION: Approve a Resolution authorizing a reduction of the amount of a fine in a previously entered Administrative Hearings Bureau judgment if all costs are contemporaneously paid by July 31, 2020.

SUMMARY

A reduction in the amount of a fine in a previously entered Administrative Hearings Bureau judgment if all costs are contemporaneously paid by July 31, 2020.

HISTORY, BACKGROUND AND DISCUSSION

Pursuant to the Home Rule City Act, MCL §117.1 et seq., the City of Jackson established an Administrative Hearings Bureau (“AHB”) to seek enforcement of blight violations as defined by the Code of Ordinances for the City of Jackson (the “City Code”). A blight violation includes any violation of the City Code regarding zoning, building or construction, building or property maintenance or condition in buildings or on premises, fire prevention, illegal dumping, refuse, noxious weeds, or abandoned or inoperative vehicles. On providing notice and an opportunity to be heard to persons charged with blight violations, the City is permitted to issue a notice of hearing and violation to the alleged violator (the “respondent”). Pursuant to Michigan Law and the City Code, AHB respondents are provided an adjudicatory hearing presided over by hearings officers. Based on the evidence presented at the hearing, the hearings officer issues a determination as to whether a blight violation exists and impose fines and costs. The determination (judgment) of the hearings officers is in writing and includes findings of facts, a decision, and an order.

Often, a respondent will fail to pay the AHB judgment, thereby necessitating the City to expend time and resources to undergo collection of these amounts. To encourage the voluntary payment of these judgments, the Department of Neighborhood and Economic Operations Department proposes to provide respondents a 90% reduction on the amount of the assessed fine if they also contemporaneously pay all costs and default penalties in full by July 31, 2020.

A typical AHB judgment is comprised of two components — (1) the fine imposed by the hearings officer for an uncorrected blight violation; and (2) costs which are incurred by the City to conduct the Administrative
Hearings Bureau and prosecute the case. The standard amount of the costs included in most AHB judgments is $320.00. These costs are spread among four (4) separate departments: $200.00 for the Administrative Hearings Bureau, $60.00 for the Department of Neighborhood and Economic Operations, $50.00 for the City Attorney’s Office and $10.00 for the State of Michigan as required under MCL §117.4q (13) and MCL §600.181. If a respondent fails to appear at an AHB hearing, a default penalty of $190.00 is also imposed.

The payment reduction would apply to all AHB judgments in the amount of $2,000.00 or less that were entered between January 1, 2016 and December 31, 2019. According to data provided by the Department of Neighborhood and Economic Operations, this proposed payment reduction would be applicable to approximately two hundred and sixty (260) judgments totaling over $500,000.00.

If the temporary payment reduction program is successful, the City will receive payment of all of its costs in many older AHB cases while providing respondents an opportunity to pay off their AHB judgments at a substantially reduced amount.

The reduction would not be applicable to any AHB judgments that are the subject of any litigation previously or currently pending in the Jackson County Circuit Court, Jackson County Probate Court or the 12th District Court.

City staff recommends that the attached resolution be approved to authorize a reduction of the amount of a fine in a previously entered Administrative Hearings Bureau judgment if all costs are contemporaneously paid by July 31, 2020.

ATTACHMENTS: Proposed Resolution
A RESOLUTION AUTHORIZING A REDUCTION OF THE AMOUNT OF A FINE IN A PREVIOUSLY ENTERED ADMINISTRATIVE HEARINGS BUREAU JUDGMENT IF ALL COSTS ARE CONTEMPORANEOUSLY PAID BY JULY 31, 2020

BY THE CITY COUNCIL:

WHEREAS, the Administrative Hearings Bureau was established by the City of Jackson to enforce blight violations under the Jackson Code of Ordinances related to zoning, building or construction, building or property maintenance or condition in buildings or on premises, fire prevention, illegal dumping, refuse, noxious weeds, or abandoned or inoperative vehicles; and,

WHEREAS, the Administrative Hearings Bureau has entered numerous judgments that are still currently unpaid; and,

WHEREAS, to encourage payment of these Administrative Hearing Bureau judgments, the City of Jackson will grant a 90% reduction of the amount of the assessed fine, conditioned on the contemporaneous payment of all costs and default penalties by July 31, 2020; and,

WHEREAS, this resolution is applicable to Administrative Hearings Bureau judgments in the total amount of $2,000.00 or less, that were entered between January 1, 2016 and December 31, 2019, and are not subject of any litigation previously or currently pending in the Jackson County Circuit Court, Jackson County Probate Court or 12th District Court.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jackson City Council hereby authorizes the Department of Neighborhood and Economic Operations to grant a 90% reduction on the amount of the assessed fine contained in an Administrative Hearings Bureau Judgment conditioned on the contemporaneous payment of all costs and default penalties by July 31, 2020.

* * * * *

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

I, Andrea Muray, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the _____ day of ________________, 2020.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, on this ___ day of ____________, 2020.

________________________________________
Andrea Muray, City Clerk
MEMO TO: Honorable Mayor Dobies and City Councilmembers

FROM: Mark M. Porterfield, Senior Assistant City Attorney

DATE: June 16, 2020

SUBJECT: First Reading: Adoption of amendments to Chapter 14 of the Jackson Code of Ordinances.

_____________________________________________________

RECOMMENDATION: Approve amendments to Chapter 14, of the Jackson Code of Ordinances.

Your consideration and concurrence is appreciated.
DEPARTMENT REPORT

MEMO TO: Honorable Mayor Dobies and City Councilmembers
FROM: Mark M. Porterfield, Senior Assistant City Attorney
DATE: June 16, 2020

RECOMMENDATION: Approve amendments to Chapter 14 of the Jackson Code of Ordinances.

SUMMARY

The attached proposed amendments to Chapter 14 would update references to the proper city department, delete unused and unnecessary sections, and clarify some sections as needed.

HISTORY, BACKGROUND AND DISCUSSION

Chapter 14 of the Jackson Code of Ordinances addresses housing within the City. It primarily provides for registration of non-owner occupied residential properties, defines minimum housing standards, and permits inspections of residential and non-residential properties.

The attached proposed amendments would amend Sections 14-4, 14-6, 14-8, 14-9, 14-11, 14-12.1, 14-18, 14-29, 14-42, 14-42.2, 14-43, 14-44, 14-45, 14-61, 14-82, 14-101, 14-111, 14-309, 14-402, 14-403, 14-404, 14-406, 14-412, and 14-413.

Attached is a track changes version of the proposed amended sections of the ordinance. A clean version of the amendments is also attached.

The amendments to Sections 14-6, 14-8, 14-42, 14-44, 14-309, 14-402, 14-403, 14-404, 14-412 and 14-413 would update references to the “department of community development” to the “department of Neighborhood and Economic Operations”.

The amendment to Section 14-4 would delete language that provides that the Chief Building Official shall order a property owner to vacate a property or evict a tenant if a property does not have a current property registration. The City has never enforced this section. The City’s Administrative Hearings Bureau provides more appropriate remedies in cases where a property owner does not have a current property registration.

The amendment to Section 14-9 slightly changes the provisions regarding requiring a property owner to register a non-owner occupied residential property every two years. It would add language allowing the City Council to modify the registration deadline, removes the requirement that the registration must be applied for sixty (60) days before the July 1st deadline, deletes the provision regarding registrations related to the last amendment of this section since it is no longer applicable, and removes the provision regarding refuse removal verification by the owner.
The amendment to Section 14-11 adds the option to provide notices to an owner or responsible agent by electronic mail.

The amendment to Section 14-12.1 would add language providing that property subject to transfers to immediate family members would be exempt from the registration and inspection requirements under Chapter 14.

The amendment to Section 14-18 would delete this section in its entirety. Section 14-18 provides for the remedy of abatement of rent to tenants if a property owner does not have a valid, current property registration. A tenant would still retain all remedies provided by Michigan law regarding constructive eviction.

The amendment to Section 14-29 would delete a provision regarding point of sale inspection for all sales of new or rehabilitated properties by the City. The City does not have adequate staff to enforce this provision and it can be appropriately addressed by a third-party inspector retained by the buyer or seller.

The amendment to Section 14-42.2 adds a provision clarifying that an owner can enter into a development agreement with the City to address outstanding violations.

The amendment to Section 14-43 deletes a provision regarding a $10.00 charge for a certificate of compliance since the City does not charge for a certificate of compliance.

The amendment to Section 14-45 extends the time to provide notices of violations to a property owner from five (5) days to fourteen (14) days.

The amendment to Section 14-61 would delete language prohibiting double-keybolt locks. The amendment would also permit windows and doors in sleeping rooms to be acceptable pursuant to the Michigan Rehabilitation Code. The amendment would also delete the provision requiring fire suppression systems in a storage or workshop area larger than one hundred square feet since the corresponding section has also been removed from the Michigan Building Code.

The amendment to Section 14-82 would decrease the minimum temperature for dwellings from seventy (70) degrees to sixty-eight (68) degrees to be consistent with the Michigan Mechanical Code. The amendment would also remove the requirement that dwellings have dedicated circuits for laundry appliances. This requirement is often not practical and not enforced.

The amendment to Section 14-101 adds reference to the Michigan Rehabilitation Code for egress windows. The amendment also removes the requirement that all outside doors must have a screen door regardless of whether the door is used for ventilation purposes.

The amendment to Section 14-111 adds references to the Michigan Rehabilitation Code regarding fire separation doors.

City staff recommends that the attached amendments be approved.
ATTACHMENTS:  Clean Version of Proposed Amendments
Track Changes Version of Proposed Amendments
ARTICLE I. - NON-OWNER OCCUPIED RESIDENTIAL PROPERTY REGISTRY

Sec. 14-1. - Title.

This article shall be known as the "Non-owner Occupied Residential Property Registry."

Sec. 14-4. - Property registration required.

(1) No person shall rent, lease, offer for rent or lease, or allow another person to occupy any non-owner occupied residential dwelling or unit without a property registration issued by the city. In the absence of a current property registration, the chief building official shall order the owner to take immediate legal action as may be required to vacate the premises, including eviction proceedings.

Sec. 14-6. - Application and fees.

An owner of a non-owner occupied residential dwelling or unit shall apply for a property registration on forms provided by the department of community development/neighborhood and economic operations. The owner must pay the required application fees and all outstanding inspection fees and applicable late charges. No application for property registration is valid unless filled out accurately and completely, signed by the owner and the responsible local agent, if applicable, and the proper fees have been paid. It is a violation of this article for an owner to provide inaccurate information on an application for a property registration. A property registration fee once tendered may not be refunded or transferred.

Sec. 14-8. - Amendment of property registration information.

If any information submitted upon the application for issuance of a property registration changes, the owner must notify the department of community development/neighborhood and economic operations within ten (10) days and submit an amended application. Failure to update information within ten (10) days is a violation of this article and subject to late fees.

Sec. 14-9. - Property registration every two years; July 1st registration deadline.

(a) A non-owner occupied residential dwelling or unit must be registered every two (2) years by July 1st of every even number year unless otherwise amended by City Council.

(d) A renewal property registration must be applied for at least sixty (60) days prior to the next July 1st registration deadline provided in subsection (a), unless otherwise provided in this article.

(de) A property registration that was valid prior to the effective date of this amendment [Ordinance No. 2014-16] will continue to be valid for its original two (2) year period. At least sixty (60) days prior to the property registration expiring, the owner of the property shall apply for a renewal property registration. The renewal property registration is only valid until the last day of June before the next July 1st registration deadline provided in subsection (a).

(f) A property that is registered between the effective date of this amendment [Ordinance No. 2014-16] and July 1, 2014 will be considered to be registered for the July 1, 2014 through June 30, 2016 registration period.

(g) Refuse removal verification. At the time of registering the property under this section, the property owner shall sign a verification statement that the property is in full compliance with the requirements of Chapter 12 of the City of Jackson's Code of Ordinances.

Sec. 14-11. - Notice to owner or responsible local agent.

All notices required by chapters 2.5, 4, 5, 12, 13, 14, 17, 26 or 28 [of this Code] concerning a non-owner occupied residential dwelling may be served by either first class mail, certified mail or personal
service upon the owner or upon the responsible local agent, if one has been designated. Electronic mail may also be used to ensure expediency.

Sec. 14-12.1. - Transfer of ownership to in-place tenant.

If the ownership of a non-owner occupied residential dwelling or unit is transferred from a non-occupant owner of the property to an occupant of the property, whether by traditional sale or by land contract, any inspections under the non-owner occupied residential property registry scheduled prior to the transfer of ownership shall continue to be conducted. Both the previous owner and the new owner shall be notified of any such inspection. However, the transfer of properties between immediate family members (father, mother, brother, sister, son, daughter) shall be exempt from the registration and inspection requirements of this Chapter.

Sec. 14-18. - Abatement of rent.

In addition to all other remedies provided for in this chapter, if a summary proceeding action is pending for a non-owner occupied residential dwelling or unit, and when there is no current, valid registration for a non-owner occupied residential dwelling or unit, no rent payments shall be accepted, retained, or recoverable by the owner or lessor of the non-owner occupied residential dwelling or unit for the period of time in which the non-owner occupied residential dwelling or unit was not registered under this article.

ARTICLE II. - MINIMUM HOUSING STANDARDS

DIVISION 1. - GENERALLY

Sec. 14-29. - Applicability.

The provisions of this article shall apply to all existing structures used, designed and constructed for the purpose of or intended to be used for human habitation. The minimum standards required under this Code are designed to prevent fire hazards, structural deterioration, inadequate light, air and heat, and unsanitary and overcrowded conditions which constitute a menace to the safety, health and welfare of the occupants.

This chapter also applies as a point of sale inspection for all sales of new or rehabilitated dwellings for which a Neighborhood Enterprise Zone Act certificate as defined by PA 147 of 1992, as amended, is in effect. Before any sale of such a dwelling, the building inspection division must inspect the dwelling for compliance with all housing, construction, and safety codes. No sale may be finalized until the department of community development issues a certificate of compliance.

DIVISION 2. - ENFORCEMENT

Sec. 14-42. - Inspections.

(2) The chief building official, chief of police and fire official shall inspect buildings and structures regulated by this article. Inspections may be conducted even though a current certificate of compliance is on record with the department of community development.

Sec. 14-42.2. - Reasons for revocation or denial of certificate of compliance.

A certificate of compliance may be denied or revoked by the chief building official for any of the following reasons:

(1) Whenever the city finds that the owner of any non-owner occupied residential dwelling or unit has failed to comply with a notice of violation issued pursuant to chapter 14 of this Code;

(2) If an owner or responsible local agent has refused or failed to allow an inspection of the non-owner occupied residential dwelling or unit by a code enforcement official;
(3) An act, omission or condition exists at a non-owner occupied residential dwelling or unit that is unauthorized or beyond the scope of the property registration granted;

(4) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is prohibited by the provisions of this article or any other city ordinance, regulation or provision, or by any state or federal law;

(5) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is contrary to the public health, safety, and welfare of the citizens of Jackson; or

(6) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is a nuisance as identified in chapter 17 of this Code.

(7) However, the owner may enter into a development agreement with the City to address the outstanding violations within an agreed upon timeframe and ramifications for non-compliance.

Sec. 14-43. - Inspection fees.

(2) The first ten dollars ($10.00) of any initial inspection fee imposed under this section shall be applied toward the issuance of a certificate of compliance required pursuant to PA 167 of 1968, as last amended.

Sec. 14-44. - Violations observed.

When violations of this article are observed, the chief building official or his or her authorized representative shall file a written report of such violations with the department of community neighborhood and economic operations.

Sec. 14-45. - Notices and orders.

Notice of violations of this article and orders for the correction of such violations shall be given to the owner or his or her agent within fourteen-five (145) working days from the date of inspection. Notice shall:

(1) Be in writing.

(2) Identify the property involved, the day of the inspection and the name of the inspector.

(3) Cite the conditions that constitute violations of this article.

(4) State the time allotted for correction of the violations. Emergency hazards shall be corrected immediately. For purposes of this section, the time allotted for correction of nonemergency violations shall be no less than thirty (30) and no more than ninety (90) calendar days.

(5) Inform the owner of his or her right to appeal to the building code board of examiners and appeals.

DIVISION 3. - FIRE SAFETY

Sec. 14-61. - Fire safety regulations.

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

(3) Egress. The owner of every existing dwelling shall be responsible for the safety of all persons in or occupying such premises with respect to the adequacy of means of egress therefrom.

   c. It shall be unlawful to obstruct or reduce in any manner the clear width of any doorway, hallway, passageway or any other exitway required by this article. All egress doors shall be readily openable from the side from which egress is to be made without the use of a key or special knowledge or effort. Double keyed deadbolt locks are strictly prohibited.
d. Every sleeping room shall have at least one (1) window or one (1) door opening directly to
the outside to serve as an emergency exit if the normal avenues of escape are blocked,
which can be opened from the inside without the use of tools and of such size as required
by the Michigan Building Code, or Michigan Residential Code or Michigan Rehabilitation
Code.

(4) **Fire suppression systems.** Automatic fire suppression systems shall be provided in non-fire-rated
storage and workshop areas larger than one hundred (100) square feet in area in multiple-family
or mixed-use residential structures.

DIVISION 5. - INTERIOR STANDARDS

Sec. 14-82. - Basic facilities requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or
dwelling unit for the purpose of living therein which does not comply with the following requirements:

(4) **Heating facilities.** Every dwelling shall have heating facilities which are properly installed, are
maintained in safe and good working condition and are capable of safely and adequately heating
all habitable rooms and bathrooms in every dwelling unit located therein to a temperature of at
least sixty-eight seventy (68°70) degrees Fahrenheit with an outside temperature of ten (10)
degrees below zero, and with the measurement being taken three (3) feet above the floor level in
accordance with the state mechanical code. All gas piping shall be properly supported.

(5) **Electrical system.**

d. A dedicated circuit shall be provided for the laundry appliances. The laundry area shall be
provided with at least one (1) ground fault circuit interrupter duplex receptacle located
adjacent to the laundry appliances and shall be protected by a ground fault circuit interrupter.

DIVISION 6. - MINIMUM STANDARDS FOR LIGHT AND VENTILATION

Sec. 14-101. - Minimum requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or
dwelling unit for the purpose of living therein which does not comply with the following requirements:

(3) **Egress window.** Any room that may be used for sleeping purposes shall be supplied with an
egress window in compliance with the state building code, or the state residential code, or state
rehabilitation code.

(5) **Storm-screen units.** The owner of a dwelling shall be responsible for all storm-screen units.

a. **Doors.** Every uninsulated door opening directly from any dwelling or dwelling unit to the
outdoors that may be used for ventilation purposes shall be supplied with a storm-screen
unit. Every insulated door shall be provided with a screen only. Every hinged screen or storm-
screen door in a dwelling or dwelling unit shall have a self-closing device in good working
condition.

DIVISION 7. - MINIMUM SPACE REQUIREMENTS

Sec. 14-111. - Occupancy requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or
dwelling unit, for the purpose of living therein which does not comply with the following requirements:

(6) **Fire separation walls.** In two-family and multiple-family residential structures, and mixed-use
structures, each dwelling unit shall be completely separated from the adjacent dwelling unit by
fire separation walls and floor/ceiling assemblies in accordance with the state building code, or
the state residential code, or state rehabilitation code. In mixed-use occupancies, the fire
separation rating between residential and non-residential uses shall be in accordance with the state building or rehabilitation code. Attached garages in all dwellings shall be completely separated from the adjacent dwelling by fire separation walls and floor/ceiling assemblies in accordance with the state building code or the state residential code.

ARTICLE V. - NON-RESIDENTIAL BUILDINGS

DIVISION 3. - ENFORCEMENT PROCEDURES

Sec. 14-309. - Procedure for filing an appeal.

Any person wishing to make an appeal must fill out an appeal form setting forth the order of ruling being appealed. The appellant must file the form with the department of community development. The city will send a notice to the appellant regarding the date the appeal will be heard by the building code board of examiners and appeals. Notice of the hearing date will be by regular mail sent to the address stated on the appeal. The standards, procedures and criteria promulgated in section 14-51 of this chapter shall be applicable to appeals heard pursuant to this article.

ARTICLE VI - FORECLOSED, VACANT AND ABANDONED RESIDENTIAL PROPERTY REGISTRY

Sec. 14-402. - Definitions.

Unless the context indicates otherwise, the following words used in this article shall have these meanings:

Securing means taking such measures as may be directed by the department of community development that render the property inaccessible to unauthorized persons, including, but not limited to, the repairing of fences and walls, chaining or padlocking of gates, and repair of doors, windows and other openings.

Sec. 14-403. - Property registration required.

(1) An owner of a foreclosed, vacant or abandoned residential property within the city shall register the structure with the department of community development within fifteen (15) days of the earlier of:
   a. The property becoming subject to foreclosure;
   b. The property becoming a vacant property;
   c. The property becoming an abandoned property; or
   d. Notice being sent to the owner of the structure by the department of community development that the structure has been declared a foreclosed, vacant or abandoned residential property.

(2) An owner of a foreclosed, vacant or abandoned residential property may apply for a registration on forms provided by the department of community development. The owner must pay the required registration fees. No registration is valid unless filled out accurately and completely, signed by the owner, and the proper fees have been paid. A registration fee once tendered may not be refunded or transferred. It is a violation of this article for an owner to provide inaccurate information on an application for a registration.

(3) The registration must contain the following information:
   g. Any additional information required by the department of community development; and
Sec. 14-404. - Amendment of registration information.

If any information submitted upon the application for issuance of a foreclosed, vacant or abandoned residential property registration changes, including a majority change of new members of an owner that is a limited liability company or a change of the majority shareholders in an owner that is a corporation, the owner must notify the department of community development/neighborhood and economic operations within ten (10) days and submit an amended application. There shall be no fee to update information if done within ten (10) days, however failure to update information within ten (10) days shall result in a late charge and is a violation of this article.

Sec. 14-406. - Transfer of ownership.

The seller of a foreclosed, vacant or abandoned residential property must notify the department of community development/neighborhood and economic operations within forty-five (45) days of the sale or transfer and provide the name and address of the purchaser or transferee. The purchaser or transferee must apply for a property registration within forty-five (45) days of the sale or transfer, unless it is intended to be occupied as a single-family owner occupied structure and has filed a principal residence exemption. No refunds or credits of fees will be given when there is a transfer of ownership. If a foreclosed, vacant or abandoned residential structure will be occupied after a sale or transfer of the ownership, a certificate of compliance must first be obtained and all required fees must be paid unless there is a valid, unexpired building permit issued for the property.

Sec. 14-412. - Display of property contact information.

Residential properties that are foreclosed, vacant or abandoned shall be posted with a contact number that individuals can call to report problems or concerns to the department of community development/neighborhood and economic operations. The posting shall be no less than 18' x 24," shall be in a font legible from a distance of forty-five (45) feet, and shall contain, along with the contact number of the department of community development/neighborhood and economic operations, the words "TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall also contain the name and contact information of the owner of the property or the responsible local agent, if any, along with the words "IS RESPONSIBLE FOR THE MAINTENANCE OF THIS PROPERTY." The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or secured to the exterior of the building or structure facing the street to the front of the property. Exterior postings must be constructed of and printed with weather resistant materials.

Sec. 14-413. - Fees and charges.

All fees applicable to this article shall be set from time to time by resolution of the city council and shall include at a minimum:

(3) A monthly monitoring fee charged to the owner for periodic inspections by the department of community development/neighborhood and economic operations to assure continuing compliance with this article. A non-refundable payment of the first three (3) months of monitoring fees shall be prepaid by the owner at the time of registration;
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: June 16, 2020

SUBJECT: Approval of a Resolution to amend various budgets for the 2019/20 fiscal year

Recommendation:

Approval of a Budget Resolution amending the following budgets for fiscal year 2019/20:

General Fund:
  City Clerk
  Human Resources
Building Inspection Fund
Housing Code Enforcement Fund
Lead Hazard Control Grant Fund

Attached is a memo from Heather Ehnis, Assistant Finance Director, regarding the various budget amendment requests.

I recommend your approval of this Resolution. Your consideration and concurrence is appreciated.

JG

Attachments
MEMO TO: Jonathan Greene, Interim City Manager
FROM: Heather Ehnis, Assistant Finance Director
DATE: June 16, 2020
RECOMMENDATION: Approval of the Resolution to amend the fiscal year 2019/20 City Clerk and Personnel activities, Building Inspection Fund, Housing Code Enforcement Fund, and Lead Hazard Control Grant Fund

SUMMARY
The City Clerk and Personnel General fund activities, Building Inspection fund, Housing Code Enforcement fund, and Lead Hazard Control Grant fund expenditures are expected to exceed the approved budget for fiscal year 2019/20. A Budget Resolution is necessary to amend the budgeted expenditures.

BUDGETARY CONSIDERATIONS
This is an amendment to the fiscal year 2019/20 budget to increase expenditures. Funding for the increased expenditures is supported by current year revenues.

HISTORY, BACKGROUND and DISCUSSION
City Council previously approved the budgets for fiscal year 2019/20. The budgets require an amendment to reflect increased expenditures to remain in compliance with the Adopted Budget and the State Budget Act.

Each year when the May financial statements are available, budgets for the current fiscal year are reviewed in early June to determine if estimated expenditures will exceed budgeted amounts. As the current fiscal year budget is amended annually in May by City Council through the budget process and resolution, it is not possible to include any necessary adjustments found during this review in that resolution.

DISCUSSION OF THE ISSUE
CITY CLERK
The City Clerk department experienced an increase in personnel expenditures requiring a budget amendment to this activity. An increase to salaries and wages in the amount of $22,500 is requested to eliminate this deficit.
PERSONNEL
As a result of a termination and increased contractual services, the Personnel department requires a budget amendment in the amount of $80,000 to avoid a deficit at the end of the fiscal year.

NEIGHBORHOOD & ECONOMIC OPERATIONS
Due to significantly reduced revenues as a result of the COVID-19 pandemic, the Housing Code Enforcement fund requires a budget amendment to increase the contribution from the Building Inspection fund in the amount of $96,300 to avoid a deficit at the end of the fiscal year. This amendment will have no effect on the General fund.

Also, the Lead Hazard Control Grant fund requests an additional $10,070 to the contribution from the General fund. The increase is necessary to offset an increase in homeowner rehabilitation expenditures and close-out the grant.
RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City adopted the 2019/20 Budget on May 26, 2020; and

WHEREAS, various departments anticipate expenditures to exceed amounts currently budgeted in the General Fund for fiscal year 2019/2020; and

WHEREAS, the Neighborhood & Economic Operations Department anticipates expenditures for the Building Inspection Fund, Housing Code Enforcement Fund, and the Lead Hazard Control Grant Fund budgets will exceed amounts currently budgeted for fiscal year 2019/20; and

WHEREAS, sufficient funds exist in the General Fund and Building Inspection Fund to offset the increased expenditures;

NOW, THEREFORE, BE IT RESOLVED, that the fiscal year 2019/20 budget be amended as follows:

### GENERAL FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-000-000-699.000 Appropriation from General Fund</td>
<td>$112,570</td>
<td></td>
</tr>
</tbody>
</table>

### BUILDING INSPECTION FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>249-371-000-995.251 Contribution - Housing Code Enforcement Fund</td>
<td>$96,300</td>
<td></td>
</tr>
</tbody>
</table>

### HOUSING CODE ENFORCEMENT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>251-000-000-699.249 Contribution - Building Inspection Fund</td>
<td>$96,300</td>
<td></td>
</tr>
</tbody>
</table>

### LEAD HAZARD CONTROL GRANT FUND

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>282-000-000-699.101 Contribution - General Fund</td>
<td>$10,070</td>
<td></td>
</tr>
</tbody>
</table>
## EXPENDITURES:

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>282-258-000-818.293 Cont. Serv. - Homeowner Rehabilitation</td>
<td>$10,070</td>
<td>$0</td>
</tr>
</tbody>
</table>

$10,070

State of Michigan  
County of Jackson  
City of Jackson  

I, Andrea Muray, 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 by the Jackson City Council on June 16, 2020.

**IN WITNESS WHEREOF,** I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan, on this 17th day of June, 2020.

________________________________________  City Clerk
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: June 16, 2020
SUBJECT: Water and Sewer Rate Increase

Recommendation:

Approve the 2020/21 Water and Sewer Rate Resolution.

Attached is a memo from Mike Osborn, Acting Director of Public Works, with the rate resolution requesting an increase of six-percent (6%) in water rates and an increase of three-percent (3%) in sewer rates for the 2020/21 fiscal year.

I recommend approval of the water and sewer rate resolution as presented. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Mike Osborn, Acting Director of Public Works
DATE: May 26, 2020
RECOMMENDATION: Approval of the 2020/21 Water and Sewer Rate Resolution

SUMMARY
The City of Jackson Water System is requesting a six-percent (6%) increase in water rates and a three-percent (3%) increase in sewer rates for the fiscal year 2020/2021. The resulting water and sewer rates have been meticulously calculated to provide adequate funding for the water and sewer systems, including treatment facilities, collection and distribution systems and capital improvement projects. The proposed rate schedule provides for capital funding while maintaining secure balances in the water and sewer operation and maintenance funds.

BUDGETARY CONSIDERATIONS
This increase was calculated based on the 2020/21 proposed budgets from each Water Department Fund activity and the Water Asset Management Plan Reserve Funding, completed by Fishbeck, Thompson, Carr & Huber in the fall of 2019. These revenues will be used to address current and future system requirements, including water and sewer work under the streets, as well as treatment plant and pumping station improvements. The postponement of projects such as our MXU program for monthly remote meter reading, building projects at the treatment plant and the hiring of vacant positions along with a slight reduction in chemical costs aided in the reduction of the Water Fund expenses by an additional $510,000.

HISTORY, BACKGROUND and DISCUSSION
The City of Jackson water and sewer rates were last adjusted in fiscal year 2019/2020 with the elimination of the tiered rate structure increasing our revenue by an estimated $1,282,070. This adjustment in the 2019/2020 rates will enable us to forego a larger rate increase and continue to sustain our current and future water system requirements. While we have slightly rising operation and maintenance costs, capital costs also continue to increase, capital costs include water main improvements, sewer main improvements, water and sewer pumping station upgrades, water tower maintenance and water and wastewater treatment plant upgrades and improvements.

DISCUSSION OF THE ISSUE
The only method of funding water and sewer system operations and capital improvements is through water and sewer system user fees, and in order to keep up with system costs, including capital improvement costs, it can become necessary to increase user fees accordingly. Consideration must be given to the age and condition of the City’s existing infrastructure, and the costs related to maintaining and improving the same

POSITIONS
It is recommended to approve the proposed water and sewer rate resolution as presented for the 2020/21 fiscal year.

ATTACHMENTS
Projected Bills for Sample Residential Users - 5/8" Meter (100% City Rate)
Quarterly Increase and Annual Increase include the increase of 6% in Water Rates and 3% in Sewer Rates

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2019/20</th>
<th>2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1-Person (monthly equivalent)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing Charge</td>
<td>1.47</td>
<td>1.55</td>
</tr>
<tr>
<td>Readiness Charge</td>
<td>7.22</td>
<td>7.65</td>
</tr>
<tr>
<td>Commodity Charge</td>
<td>8.70</td>
<td>9.22</td>
</tr>
<tr>
<td>Commodity - Lead</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total Water</td>
<td>$17.38</td>
<td>$18.43</td>
</tr>
<tr>
<td>Sewer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing Charge</td>
<td>2.40</td>
<td>2.48</td>
</tr>
<tr>
<td>Readiness Charge</td>
<td>1.92</td>
<td>1.98</td>
</tr>
<tr>
<td>Commodity Charge</td>
<td>5.73</td>
<td>5.90</td>
</tr>
<tr>
<td>Total Sewer</td>
<td>$10.06</td>
<td>$10.35</td>
</tr>
<tr>
<td>Total Bill</td>
<td>$27.44</td>
<td>$28.78</td>
</tr>
<tr>
<td>Quarterly Bill</td>
<td>82.32</td>
<td>86.35</td>
</tr>
<tr>
<td>Quarterly Increase</td>
<td>4.03</td>
<td></td>
</tr>
<tr>
<td>Annual Increase</td>
<td></td>
<td>16.12</td>
</tr>
</tbody>
</table>

| **2-Person (monthly equivalent)** |         |         |
| Water       |         |         |
| Billing Charge | 1.47   | 1.55   |
| Readiness Charge | 7.22  | 7.65   |
| Commodity Charge | 19.72 | 20.91  |
| Commodity - Lead | 0.00  | 0.00   |
| Total Water  | $28.41 | $30.12 |
| Sewer       |         |         |
| Billing Charge | 2.40   | 2.48   |
| Readiness Charge | 1.92  | 1.98   |
| Commodity Charge | 13.00 | 13.38  |
| Total Sewer  | $17.32 | $17.83 |
| Total Bill   | $45.73 | $47.95 |
| Quarterly Bill | 137.18 | 143.85 |
| Quarterly Increase | 6.66  |        |
| Annual Increase |        | 26.65  |
Projected Bills for Sample Residential Users - 5/8" Meter (100% City Rate)
Quarterly Increase and Annual Increase include the increase of 6% in Water Rates and 3% in Sewer Rates

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>2019/20</th>
<th>2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-Person (monthly equivalent)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing Charge</td>
<td>1.47</td>
<td>1.55</td>
</tr>
<tr>
<td>Readiness Charge</td>
<td>7.22</td>
<td>7.65</td>
</tr>
<tr>
<td>Commodity Charge</td>
<td>28.26</td>
<td>29.97</td>
</tr>
<tr>
<td>Commodity - Lead</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total Water</td>
<td>$36.95</td>
<td>$39.18</td>
</tr>
<tr>
<td>Sewer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing Charge</td>
<td>2.40</td>
<td>2.48</td>
</tr>
<tr>
<td>Readiness Charge</td>
<td>1.92</td>
<td>1.98</td>
</tr>
<tr>
<td>Commodity Charge</td>
<td>18.63</td>
<td>19.17</td>
</tr>
<tr>
<td>Total Sewer</td>
<td>$22.95</td>
<td>$23.62</td>
</tr>
<tr>
<td>Total Bill</td>
<td>$59.90</td>
<td>$62.80</td>
</tr>
<tr>
<td>Quarterly Bill</td>
<td>179.70</td>
<td>188.40</td>
</tr>
<tr>
<td>Quarterly Increase</td>
<td>8.70</td>
<td></td>
</tr>
<tr>
<td>Annual Increase</td>
<td>34.81</td>
<td></td>
</tr>
</tbody>
</table>

| 4-Person (monthly equivalent) | | |
| Water | | |
| Billing Charge | 1.47 | 1.55 |
| Readiness Charge | 7.22 | 7.65 |
| Readiness - Lead | 0.00 | 0.00 |
| Commodity Charge | 38.81 | 41.16 |
| Commodity - Lead | 0.00 | 0.00 |
| Total Monthly Water | $47.50 | $50.36 |
| Sewer | | |
| Billing Charge | 2.40 | 2.48 |
| Readiness Charge | 1.92 | 1.98 |
| Commodity Charge | 25.59 | 26.33 |
| Total Sewer | $29.91 | $30.78 |
| Total Monthly Bill | $77.40 | $81.15 |
| Quarterly Bill | 232.21 | 243.44 |
| Quarterly Increase | 11.22 | |
| Annual Increase | 44.89 | |
RESOLUTION

BY THE CITY COUNCIL:

BE IT RESOLVED by the City Council, on June 16, 2020, pursuant to the authority conferred upon it by the Charter of the City of Jackson, Chapter 27, Article IV, Section 27-107 and 27-108 and Article VI, Section 27-186 of the City Code, that the rate schedules for FY 2020-21 for all user charges billed by the City of Jackson Utility Billing Office shall be effective for all water and wastewater billings after July 1, 2020, as follows:

1. Utility bills for water and wastewater shall be based on quarterly and/or monthly meter readings and billed quarterly and/or monthly.

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

<table>
<thead>
<tr>
<th>District</th>
<th>Read &amp; Billing</th>
<th>Due Date</th>
<th>Past Due &amp; Final Notice</th>
<th>Non-Pay** Shut-off</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>January</td>
<td></td>
<td>February 20</td>
<td>March</td>
<td>April 7</td>
</tr>
<tr>
<td>April</td>
<td></td>
<td>May 20</td>
<td>June</td>
<td>July 7</td>
</tr>
<tr>
<td>July</td>
<td></td>
<td>August 20</td>
<td>September</td>
<td>October 7</td>
</tr>
<tr>
<td>October</td>
<td></td>
<td>November 20</td>
<td>December</td>
<td>January 7</td>
</tr>
<tr>
<td>No. 2</td>
<td></td>
<td>February 20</td>
<td>April</td>
<td>May 7</td>
</tr>
<tr>
<td>February</td>
<td></td>
<td>March 20</td>
<td>July</td>
<td>August 7</td>
</tr>
<tr>
<td>May</td>
<td></td>
<td>June 20</td>
<td>October</td>
<td>November 7</td>
</tr>
<tr>
<td>August</td>
<td></td>
<td>September 20</td>
<td>January</td>
<td>February 7</td>
</tr>
<tr>
<td>November</td>
<td></td>
<td>December 20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 3</td>
<td></td>
<td>March 20</td>
<td>April</td>
<td>June 7</td>
</tr>
<tr>
<td>March</td>
<td></td>
<td>April 20</td>
<td>May</td>
<td>September 7</td>
</tr>
<tr>
<td>June</td>
<td></td>
<td>July 20</td>
<td>August</td>
<td>December 7</td>
</tr>
<tr>
<td>September</td>
<td></td>
<td>October 20</td>
<td>November</td>
<td>March 7</td>
</tr>
<tr>
<td>December</td>
<td></td>
<td>January 20</td>
<td>February</td>
<td></td>
</tr>
<tr>
<td>No. 4</td>
<td>Monthly</td>
<td>Monthly</td>
<td>Monthly</td>
<td>Monthly</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>**(60 days past due)</td>
</tr>
</tbody>
</table>

**Non-pay shutoffs will begin after the 6th day of the month or after the bill is thirty (30) days past due. (See paragraph 11 of this resolution.)
INSIDE THE CITY WATER RATES FOR
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS

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

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

      FY 2020/21
      $4.66 per bill

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

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.25159</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.37736</td>
</tr>
<tr>
<td>1&quot;</td>
<td>0.62894</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>1.25788</td>
</tr>
<tr>
<td>2&quot;</td>
<td>2.01262</td>
</tr>
<tr>
<td>3&quot;</td>
<td>3.77367</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>4.40261</td>
</tr>
<tr>
<td>4&quot;</td>
<td>6.28944</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>7.54733</td>
</tr>
<tr>
<td>6&quot;</td>
<td>12.57886</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>15.72358</td>
</tr>
<tr>
<td>8&quot;</td>
<td>20.12619</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>36.47871</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Commodity Rates</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Rates shown per 100 cu.ft.)</td>
<td>FY 2020/21</td>
</tr>
<tr>
<td>All Consumption</td>
<td>$3.33</td>
</tr>
</tbody>
</table>
ANNUAL CHARGES FOR
UNMETERED FIRE LINE SERVICES

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

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>2” or smaller</td>
<td>34.68</td>
</tr>
<tr>
<td>4”</td>
<td>69.37</td>
</tr>
<tr>
<td>6”</td>
<td>138.72</td>
</tr>
<tr>
<td>8”</td>
<td>173.41</td>
</tr>
<tr>
<td>Over 8”</td>
<td>208.09</td>
</tr>
</tbody>
</table>

This service is available to metered water customers only.

OUTSIDE THE CITY WATER RATES

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

a. Charges as are required above for ready-to-serve fire sprinkler connections or other unmetered fire service connections shall be the same regardless of whether the property is inside or outside the City limits; and

b. Single rate charges shall apply to any publicly owned facilities operated within a public park, a portion of which is within the City’s borders.
6. City wastewater service charges shall be based upon the following schedules:

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

   **FY 2020/21**
   $7.43 per bill

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

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge</th>
<th>OCDR*</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.06501</td>
<td>0.13004</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.09753</td>
<td>0.19505</td>
</tr>
<tr>
<td>1&quot;</td>
<td>0.16254</td>
<td>0.32508</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>0.32508</td>
<td>0.65015</td>
</tr>
<tr>
<td>2&quot;</td>
<td>0.52012</td>
<td>1.04025</td>
</tr>
<tr>
<td>3&quot;</td>
<td>0.97525</td>
<td>1.95046</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>1.13777</td>
<td>2.27556</td>
</tr>
<tr>
<td>4&quot;</td>
<td>1.62539</td>
<td>3.25077</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>1.95046</td>
<td>3.90093</td>
</tr>
<tr>
<td>6&quot;</td>
<td>3.25077</td>
<td>6.50154</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>4.06346</td>
<td>8.12692</td>
</tr>
<tr>
<td>8&quot;</td>
<td>5.20122</td>
<td>10.40247</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>9.42724</td>
<td>18.85448</td>
</tr>
</tbody>
</table>

*Outside City Double Rate

C. Commodity Charge:
   All user classifications shall be subject to a commodity charge for recovering the costs of sewer system operation and maintenance, and replacement of equipment. The user’s commodity charge shall be based on the volume of wastewater discharged during the current billing period.

   **Commodity Rates**
   *(Rates shown per 100 cu.ft.)*
   **FY 2020/21**
   
   All Consumption $2.13
7. Extra strength charges apply to all users - residential, commercial and industrial. For recovering the cost of treating wastewater which is permitted for discharge into the City wastewater treatment facilities, but which has extra strength properties, a surcharge shall be assessed upon the user as follows for FY 2020/21:

a. $0.1447 per pound of suspended solids when suspended solids concentration is greater than 250 mg/l.

b. $0.2308 per pound of BOD$_5$ when the BOD$_5$ concentration is greater than 250 mg/l.

c. $0.7565 per pound of TKN when the TKN concentration is greater than 40 mg/l.

d. $2.6808 per pound of total phosphorus when the total phosphorus concentration is greater than 10 mg/l.

OUTSIDE THE CITY WASTEWATER RATES

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

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

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

<table>
<thead>
<tr>
<th>Commodity Charge per Facility Unit</th>
<th>FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commodity Charge per Facility Unit</td>
<td>$57.28 per bill</td>
</tr>
<tr>
<td>Billing Charge of</td>
<td>$7.43 per bill</td>
</tr>
</tbody>
</table>

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

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

9. Additional charges equal to the actual expense incurred by the City shall be billed to and paid by any user when it is necessary to collect and analyze wastewater samples discharged by the user, to remove or treat prohibited material discharged by the user, or to clean or repair wastewater facilities or any part thereof as a result of the user’s discharge.

10. All water and wastewater bills shall be subject to a late charge of 10 percent if payment is not received in the office of the City Treasurer on or before the due date thereof.

11. In case any person shall, for the space of thirty (30) days after its water and wastewater service bill has become due and payable, refuse or neglect to pay the same, it shall be the duty of the City Manager to cause the water and/or wastewater service to be discontinued. Service shall not be restored until all arrears in water and wastewater service charges are paid in full, together with Thirty Five and 00/100 Dollars ($35.00) to cover expenses of office and/or field procedures associated with final notices for shutting off and/or turning on the water. The $35.00 charge will also be assessed when the Department attempts but is unable to turn the water off after the account is 30 days in arrears. If the turn on is not during regular working hours, the cost will include both the Thirty Five and 00/100 ($35.00) charge plus the charge for overtime calls made by the Water Department. All past due water and wastewater bills shall be collected as provided by law.

12. In the event the City adds an interest/late charge to any unpaid delinquent invoice for water and wastewater related services, it shall be added as an assessable cost when and if said invoice is placed on a special assessment roll by the City Clerk.

13. This resolution, upon its effective date, shall supersede and repeal all prior resolutions establishing or amending water and wastewater service charges to the extent each conflicts herewith.

14. This resolution shall take effect June 16, 2020, provided it has been published in accordance with the provisions of Chapter 27 of the Code of the City of Jackson.

* * * * *
I, Andrea Muray, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council on June 16, 2020.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, this 17th day of June, 2020.

______________________________
Derek J. Dobies, Mayor

______________________________
Andrea Muray, City Clerk
Blackman water service charges will be based on the following rate schedules:

a. **Billing Charge:** (City rate x 160%) (60% forwarded to Blackman Township)
   All user classifications shall be subject to a billing charge for meter reading and bill processing. The user’s billing charge is set forth as follows:

   **FY 2020/21**
   $7.46 per bill

b. **Readiness Charge:** (City rates x 160%) (60% forwarded to Blackman Township)
   All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user’s readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.40254</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.60378</td>
</tr>
<tr>
<td>1&quot;</td>
<td>1.00630</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>2.01261</td>
</tr>
<tr>
<td>2&quot;</td>
<td>3.22019</td>
</tr>
<tr>
<td>3&quot;</td>
<td>6.03787</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>7.04418</td>
</tr>
<tr>
<td>4&quot;</td>
<td>10.06310</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>12.07573</td>
</tr>
<tr>
<td>6&quot;</td>
<td>20.12618</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>25.15773</td>
</tr>
<tr>
<td>8&quot;</td>
<td>32.20190</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>58.36594</td>
</tr>
</tbody>
</table>

c. **Commodity Charge:** (City rates x 125%)
   All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user’s commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

<table>
<thead>
<tr>
<th>Commodity Rates (Rates shown per 100 cu.ft.)</th>
<th>Water FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Consumption</td>
<td>$4.16</td>
</tr>
</tbody>
</table>
Leoni water service charges will be based on the following rate schedules:

**a. Billing Charge: (City rate x 175%)**
All user classifications shall be subject to a billing charge for meter reading and bill processing. The user’s billing charge is set forth as follows:

**FY 2020/21**
$8.16 per bill

**b. Readiness Charge: (City rates x 175%)**
All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user’s readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<table>
<thead>
<tr>
<th>Daily Charge FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meter Size</td>
</tr>
<tr>
<td>5/8&quot;</td>
</tr>
<tr>
<td>3/4&quot;</td>
</tr>
<tr>
<td>1&quot;</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
</tr>
<tr>
<td>2&quot;</td>
</tr>
<tr>
<td>3&quot;</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
</tr>
<tr>
<td>4&quot;</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
</tr>
<tr>
<td>6&quot;</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
</tr>
<tr>
<td>8&quot;</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
</tr>
</tbody>
</table>

**c. Commodity Charge: (City rates x 175%)**
All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user’s commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

<table>
<thead>
<tr>
<th>Commodity Rates (Rates shown per 100 cu.ft.)</th>
<th>Water FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Consumption</td>
<td>$5.83</td>
</tr>
</tbody>
</table>
SUMMIT TOWNSHIP
Contract District Customer
Effective for all water billings after June 30, 2020

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

a. Billing Charge: (Same as City rate)
All user classifications shall be subject to a billing charge for meter reading and bill processing. The user’s billing charge is set forth as follows:

   FY 2020/21
   $4.66 per bill

b. Readiness Charge: (Same as City rate)
All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user’s readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.25159</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.37736</td>
</tr>
<tr>
<td>1&quot;</td>
<td>0.62894</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>1.25788</td>
</tr>
<tr>
<td>2&quot;</td>
<td>2.01262</td>
</tr>
<tr>
<td>3&quot;</td>
<td>3.77367</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>4.40261</td>
</tr>
<tr>
<td>4&quot;</td>
<td>6.28944</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>7.54733</td>
</tr>
<tr>
<td>6&quot;</td>
<td>12.57886</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>15.72358</td>
</tr>
<tr>
<td>8&quot;</td>
<td>20.12619</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>36.47871</td>
</tr>
</tbody>
</table>

c. Commodity Charge: (City rates x 137.5%)
All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user’s commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

<table>
<thead>
<tr>
<th>Commodity Rates</th>
<th>Water FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Rates shown per 100 cu.ft.)</td>
<td>$4.58</td>
</tr>
<tr>
<td>All Consumption</td>
<td>$4.58</td>
</tr>
</tbody>
</table>
As noted in paragraph 5 of this resolution, all users owning or occupying premises outside the City of Jackson whom receive their water supply from the City water distribution system, not otherwise covered by contract, shall be subject to double rates.

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

a. **Billing Charge:** (City rate x 200%)
   
   All user classifications shall be subject to a billing charge for meter reading and bill processing. The user’s billing charge is set forth as follows:

   **FY 2020/21**
   
   $9.32 per bill

b. **Readiness Charge:** (City rates x 200%)
   
   All user classifications shall be subject to a readiness charge for recovering capital improvement costs. The user’s readiness charge shall be based upon the meter size. Rates for each user classification are set forth as follows:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.50318</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.75472</td>
</tr>
<tr>
<td>1&quot;</td>
<td>1.25788</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>2.51576</td>
</tr>
<tr>
<td>2&quot;</td>
<td>4.02524</td>
</tr>
<tr>
<td>3&quot;</td>
<td>7.54734</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>8.80522</td>
</tr>
<tr>
<td>4&quot;</td>
<td>12.57888</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>15.09466</td>
</tr>
<tr>
<td>6&quot;</td>
<td>25.15772</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>31.44716</td>
</tr>
<tr>
<td>8&quot;</td>
<td>40.25238</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>72.95742</td>
</tr>
</tbody>
</table>

   c. **Commodity Charge:** (City rates x 200%)
      
      All user classifications shall be subject to a commodity charge to cover the costs of distribution system operation and maintenance, and the replacement of equipment. The user’s commodity charge will be based upon the volume of water used during the current billing period. The commodity rate is set forth as follows:

<table>
<thead>
<tr>
<th>Commodity Rates (Rates shown per 100 cu.ft.)</th>
<th>Water FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Consumption</td>
<td>$6.66</td>
</tr>
</tbody>
</table>
The user’s billing charge is set forth as follows:

**FY 2020/21**

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Daily Charge FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>0.40254</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>0.60378</td>
</tr>
<tr>
<td>1&quot;</td>
<td>1.00630</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>2.01261</td>
</tr>
<tr>
<td>2&quot;</td>
<td>3.22019</td>
</tr>
<tr>
<td>3&quot;</td>
<td>6.03787</td>
</tr>
<tr>
<td>3&quot; Turbine</td>
<td>7.04418</td>
</tr>
<tr>
<td>4&quot;</td>
<td>10.06310</td>
</tr>
<tr>
<td>4&quot; Turbine</td>
<td>12.07573</td>
</tr>
<tr>
<td>6&quot;</td>
<td>20.12618</td>
</tr>
<tr>
<td>6&quot; Turbine</td>
<td>25.15773</td>
</tr>
<tr>
<td>8&quot;</td>
<td>32.20190</td>
</tr>
<tr>
<td>10&quot; Turbine</td>
<td>58.36594</td>
</tr>
</tbody>
</table>

**Commodity Charge: (City rates)**

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

<table>
<thead>
<tr>
<th>Commodity Rates (Rates shown per 100 cu.ft.)</th>
<th>Water FY 2020/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Consumption</td>
<td>$3.33</td>
</tr>
</tbody>
</table>
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: June 16, 2020
SUBJECT: Easement to Consumers Energy for Property on Louis Glick Highway and Mechanic Street for Utility Work for Mechanic Street Bridge

Recommendation:

Approval of an easement to Consumers Energy for the property needed on Louis Glick Highway and Mechanic Street, and authorization for the Mayor to sign the easement.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval the above referenced easement.

I recommend approval. Your consideration and concurrence is appreciated.

JG

Attachments
MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: June 16, 2020

RECOMMENDATION: Approval of an easement to Consumers Energy for the property needed on Louis Glick Highway and Mechanic Street, and authorization for the Mayor to sign the easement.

SUMMARY
Consumers Energy has prepared an easement for property from the City to Consumers Energy to facilitate the construction of a ground mounted transformer on Louis Glick Highway and Mechanic Street.

BUDGETARY CONSIDERATIONS
None.

HISTORY, BACKGROUND and DISCUSSION
In preparation of the new railroad bridge over Mechanic Street, Consumers Energy is burying a number of their electrical lines in the area of the bridge.

DISCUSSION OF THE ISSUE
With the burying of the electrical line, Consumers Energy needs to set a ground mounted transformer in the area of Louis Glick Highway and Mechanic Street to power the traffic signal, the billboards and City streetlights. The area chosen is a 12 foot by 12 foot square area south of the guard rail along Louis Glick Highway (highlighted in green on the attached map) on the City’s parcel north of the river, across from the Farmer’s Market.

Attached is the easement form along with sketches showing the proposed construction in the areas of the easement.

POSITIONS
It is the recommendation of Engineering that the easement be approved by City Council and that the Mayor be authorized to sign the appropriate form.

ATTACHMENTS
EASEMENT FOR ELECTRIC FACILITIES

Master Tract# R0W000916061723
Agreement# MI00000050062

THE CITY OF JACKSON, a Michigan municipal corporation, whose address is 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter “Owner”)

for $1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter “Consumers”)

a permanent easement to enter Owner’s land (hereinafter “Owner’s Land”) located in the City of Jackson, County of Jackson, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter “Easement Area”) as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner’s Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner’s Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner’s Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers’ facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers’ Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.
**Exercise of Easement:** Consumers’ nonuse or limited use of this Easement shall not preclude Consumers’ later use of this Easement to its full extent.

**Ownership:** Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

**Successors:** This Easement shall bind and benefit Owner’s and Consumers’ respective heirs, successors, lessees, licensees, and assigns.

**Counterparts:** This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: ________________________________ 
Owner: THE CITY OF JACKSON, a Michigan municipal corporation

By: ________________________________
Its: ________________________________

**Acknowledgment**

The foregoing instrument was acknowledged before me in ________________________________ County, Michigan, on ________________________________ by ________________________________, of The City of Jackson, a Michigan municipal corporation, on behalf of the corporation.

______________________________
Notary Public
County, Michigan
Acting in ________________________________ County
My Commission expires: ________________________________

**PROPERTY OWNERS MAIL**
**SIGNED EASEMENT TO:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Prepared By:</th>
<th>Return recorded instrument to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1955 W Parnall Rd</td>
<td>1955 W Parnall Road</td>
<td>Consumers Energy</td>
<td>Consumers Energy Company</td>
</tr>
<tr>
<td>Jackson, MI 49201</td>
<td>Jackson, MI 49201</td>
<td>One Energy Plaza</td>
<td>One Energy Plaza</td>
</tr>
</tbody>
</table>

**REGISTER OF DEEDS OFFICE USE ONLY**
EXHIBIT A

Owner’s Land

Land situated in the City of Jackson, County of Jackson, State of Michigan:

Lots 9, 10, 11 & 12, except part of Lots 9 & 10 of the “Blackman’s Addition to the Village of Jacksonburgh”, in part of the Southeast 1/4 of Section 34, Town 2 South, Range 1 West, according to the recorded plat thereof in Liber 3, on Page 10, Jackson County Records, further described as: Commencing at the Northwest corner of Lot 9; thence East along the North line of said Lot 9 52.20 feet to the Point of Beginning of this description; thence West along the North line of said Lot 52.20 feet to the Northwest corner of said lot; thence South to the Southwest corner of Lot 10; thence East along the South line of Lot 10 30.00 feet; thence North parallel to the West line of Lots 9 & 10 to a point 30.00 feet East and 57.27 feet South of the Northwest corner of Lot 9; thence Northerly to beginning, also except that part of Lot 12 used for street purposes B2N, R1E of the Original Plat of the Village of Jacksonburgh.

Parcel ID: 1-006900000

Also known as: 114 West Pearl Street, Jackson, Michigan 49201
EXHIBIT B

Easement Area

A 12.00 foot-wide strip of land, being 6.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: June 16, 2020

SUBJECT: Change Order 3 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.

Recommendation:

Approve Balancing Change Order 3 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $179,722.81 to add the reconstruction of the first alley east of Mechanic Street between Cortland Street and Michigan Avenue and authorize the Interim City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Change Order 3 for the 2019 Michigan Avenue Reconstruction contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: June 16, 2020

RECOMMENDATION: Approve Balancing Change Order 3 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $179,722.81 to add the reconstruction of the first alley east of Mechanic Street between Cortland Street and Michigan Avenue and authorize the Interim City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Change Order 3 will add items for drainage improvements and pavement restoration within the first alley east of Mechanic Street between Cortland Street and Michigan Avenue. Construction is being coordinated with Consumers Energy and AT&T who will both be replacing their duct banks and manholes within the alley. Both Consumers Energy and AT&T will reimburse the City for their portion of the pavement restoration costs.

BUDGETARY CONSIDERATIONS

This change order represents an increase of $179,722.81, bringing the current contract amount to $1,273,299.09.

HISTORY, BACKGROUND and DISCUSSION

On March 26, 2019, City Council approved the award of the contract to Bailey Excavating, Inc. of Jackson, Michigan in the amount of $978,076.33. The original contract was for the reconstruction of Michigan Avenue between First Street and Blackstone Street. Subsequent Change Orders have been approved by City Council as follows:

<table>
<thead>
<tr>
<th>C.O.</th>
<th>Approval Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>06-25-19</td>
<td>$60,767.61</td>
<td>Add a) curb and sidewalk improvements on Pearl Street, b) add drive approach improvements on Elizabeth Street and c) add curb, sidewalk and drive approach improvements on N. Martin Luther King Jr Drive and Cooper Street adjacent to the Family Dollar Store property.</td>
</tr>
<tr>
<td>2</td>
<td>02-11-20</td>
<td>$54,732.34</td>
<td>To a) balance contact quantities to match quantities placed in the field and b) add the relocation of the curb on the west side of Mechanic Street between Detroit Street and Trail Street.</td>
</tr>
</tbody>
</table>

DISCUSSION OF THE ISSUE

On November 12, 2019, after a public hearing, City Council adopted a Resolution that the proposed alley improvements are necessary and ordered the preparation of an assessment roll for the project. On February 25, 2020, after a public hearing, City Council adopted a Resolution to confirm the assessment roll and ordered construction to proceed. The subject change order is prepared to add the alley construction to the contract with Bailey Excavating. The change in contract costs for the drainage improvements and pavement restoration within the alley represent an increase of $179,722.81.

POSITIONS

I request approval of Balancing Change Order 1 and authorization for the Interim City Manager and the City Engineer to sign the document.

ATTACHMENTS

T:\2019 projects\ENG19-02_Michigan Ave First to Blackstone\3_CONSTRUCTION\CONTRACT MODS\CO3_OGMA ALLEY\MICH AVE CO 3_ALLEY_Report to Council.docx
BALANCING CHANGE ORDER NO. 3  
To Contract for  
2019 Michigan Avenue Reconstruction  
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT $ 978,076.33
APPROVED CHANGE ORDER NO. 1 $ 60,767.61
APPROVED CHANGE ORDER NO. 2 $ 54,732.34
CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 2 $ 1,093,576.28
CHANGE ORDER NO. 3 $ 179,722.81
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 3 $ 1,273,299.09

REASON FOR CHANGE:
To add items for drainage improvements and pavement restoration in the first alley east of Mechanic Street between Cortland Street and Michigan Avenue.

CONTRACT COMPLETION:
The contract completion date is extended to October 15, 2020

____________________________________  _________________________ ______
Prepared by Troy R. White, P.E. 
Assistant City Engineer

ACCEPTED BY:

____________________________________  _________________________ ______
Bailey Excavating, Inc.  Date:

ACCEPTED BY:

____________________________________  _________________________ ______
Jon H. Dowling, P.E., City Engineer  Date:

ACCEPTED BY:

____________________________________  _________________________ ______
Jonathan Greene, Interim City Manager  Date:
### ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

<table>
<thead>
<tr>
<th>Prop Line</th>
<th>Item Code</th>
<th>Item Description</th>
<th>Current Contract Quantity</th>
<th>Quantity Change</th>
<th>Final Quantity</th>
<th>Units</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0260</td>
<td>1500001</td>
<td>Mobilization, Max (10%)</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>LS</td>
<td>$17,500.00</td>
<td>$17,500.00</td>
</tr>
<tr>
<td>0265</td>
<td>2030011</td>
<td>Dr Structure, Rem</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$699.00</td>
<td>$699.00</td>
</tr>
<tr>
<td>0270</td>
<td>2040020</td>
<td>Curb and Gutter, Rem</td>
<td>0.00</td>
<td>66.00</td>
<td>66.00</td>
<td>Ft</td>
<td>$11.21</td>
<td>$739.86</td>
</tr>
<tr>
<td>0275</td>
<td>2040045</td>
<td>Masonry and Conc Structure, Rem</td>
<td>0.00</td>
<td>10.00</td>
<td>10.00</td>
<td>Cyd</td>
<td>$155.34</td>
<td>$1,553.40</td>
</tr>
<tr>
<td>0280</td>
<td>2040055</td>
<td>Sidewalk, Rem</td>
<td>0.00</td>
<td>41.00</td>
<td>41.00</td>
<td>Syd</td>
<td>$9.62</td>
<td>$394.42</td>
</tr>
<tr>
<td>0285</td>
<td>2040080</td>
<td>Exploratory Investigation, Vertical</td>
<td>0.00</td>
<td>5.00</td>
<td>5.00</td>
<td>Ft</td>
<td>$105.00</td>
<td>$525.00</td>
</tr>
<tr>
<td>0290</td>
<td>2047011</td>
<td>_Driveway, Rem</td>
<td>0.00</td>
<td>73.00</td>
<td>73.00</td>
<td>Syd</td>
<td>$13.10</td>
<td>$956.30</td>
</tr>
<tr>
<td>0295</td>
<td>2047011</td>
<td>_Pavt, Rem, Modified</td>
<td>0.00</td>
<td>655.00</td>
<td>655.00</td>
<td>Syd</td>
<td>$12.45</td>
<td>$8,154.75</td>
</tr>
<tr>
<td>0300</td>
<td>2057002</td>
<td>_Roading Grading, Special</td>
<td>0.00</td>
<td>3.00</td>
<td>3.00</td>
<td>Sta</td>
<td>$1,725.00</td>
<td>$5,175.00</td>
</tr>
<tr>
<td>0305</td>
<td>2087050</td>
<td>_Erosion Control, Inlet Protection, Grate Filter, Rect</td>
<td>0.00</td>
<td>4.00</td>
<td>4.00</td>
<td>Ea</td>
<td>$225.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>0310</td>
<td>2087050</td>
<td>_Erosion Control, Inlet Protection, Sediment Trap</td>
<td>0.00</td>
<td>6.00</td>
<td>6.00</td>
<td>Ea</td>
<td>$275.00</td>
<td>$1,650.00</td>
</tr>
<tr>
<td>0320</td>
<td>3027011</td>
<td>_Aggregate Base, 8 inch, 21AA</td>
<td>0.00</td>
<td>511.00</td>
<td>511.00</td>
<td>Syd</td>
<td>$13.10</td>
<td>$6,643.00</td>
</tr>
<tr>
<td>0325</td>
<td>3060020</td>
<td>Maintenance Gravel</td>
<td>0.00</td>
<td>5.00</td>
<td>5.00</td>
<td>Ton</td>
<td>$27.00</td>
<td>$135.00</td>
</tr>
<tr>
<td>0330</td>
<td>4027001</td>
<td>_Sewer, DI, 6 inch</td>
<td>0.00</td>
<td>80.00</td>
<td>80.00</td>
<td>Ft</td>
<td>$64.86</td>
<td>$5,188.80</td>
</tr>
<tr>
<td>0335</td>
<td>4027001</td>
<td>_Sewer, DI, 8 inch</td>
<td>0.00</td>
<td>310.00</td>
<td>310.00</td>
<td>Ft</td>
<td>$68.21</td>
<td>$21,145.10</td>
</tr>
<tr>
<td>0340</td>
<td>4027001</td>
<td>_Sewer Backfill, Class II</td>
<td>0.00</td>
<td>390.00</td>
<td>390.00</td>
<td>Ft</td>
<td>$27.19</td>
<td>$10,604.10</td>
</tr>
<tr>
<td>0345</td>
<td>4027001</td>
<td>_Catch Basin Cover, Curb</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$732.13</td>
<td>$732.13</td>
</tr>
<tr>
<td>0350</td>
<td>4027001</td>
<td>_Catch Basin Cover, Drive</td>
<td>0.00</td>
<td>4.00</td>
<td>4.00</td>
<td>Ea</td>
<td>$593.31</td>
<td>$2,373.24</td>
</tr>
<tr>
<td>0355</td>
<td>4027001</td>
<td>_Catch Basin Cover, Drive</td>
<td>0.00</td>
<td>2.00</td>
<td>2.00</td>
<td>Ea</td>
<td>$572.91</td>
<td>$1,145.82</td>
</tr>
<tr>
<td>0360</td>
<td>5010025</td>
<td>_Joint Sealant</td>
<td>0.00</td>
<td>350.00</td>
<td>350.00</td>
<td>Ft</td>
<td>$9.49</td>
<td>$3,321.50</td>
</tr>
<tr>
<td>0365</td>
<td>5010025</td>
<td>_Retaining Wall</td>
<td>0.00</td>
<td>20.00</td>
<td>20.00</td>
<td>Ft</td>
<td>$405.00</td>
<td>$8,100.00</td>
</tr>
<tr>
<td>0370</td>
<td>6020100</td>
<td>Conc Pavt, Nonreinf, 6 inch</td>
<td>0.00</td>
<td>511.00</td>
<td>511.00</td>
<td>Syd</td>
<td>$55.78</td>
<td>$28,503.58</td>
</tr>
<tr>
<td>0375</td>
<td>6020100</td>
<td>Conc Pavt, Nonreinf, 6 inch</td>
<td>0.00</td>
<td>365.00</td>
<td>365.00</td>
<td>Sft</td>
<td>$4.83</td>
<td>$1,762.95</td>
</tr>
<tr>
<td>0380</td>
<td>8120012</td>
<td>_Barr, Type II, High Intensity, Double Sided, Ltd, Furn</td>
<td>0.00</td>
<td>4.00</td>
<td>4.00</td>
<td>Ea</td>
<td>$210.00</td>
<td>$840.00</td>
</tr>
<tr>
<td>0385</td>
<td>8120012</td>
<td>_Barr, Type II, High Intensity, Double Sided, Ltd, Oper</td>
<td>0.00</td>
<td>4.00</td>
<td>4.00</td>
<td>Ea</td>
<td>$16.00</td>
<td>$64.00</td>
</tr>
<tr>
<td>0390</td>
<td>8120250</td>
<td>Plastic Drum, High Intensity, Furn</td>
<td>0.00</td>
<td>15.00</td>
<td>15.00</td>
<td>Ea</td>
<td>$51.00</td>
<td>$765.00</td>
</tr>
<tr>
<td>0395</td>
<td>8120250</td>
<td>Plastic Drum, High Intensity, Oper</td>
<td>0.00</td>
<td>15.00</td>
<td>15.00</td>
<td>Ea</td>
<td>$9.78</td>
<td>$146.70</td>
</tr>
<tr>
<td>0400</td>
<td>8120352</td>
<td>Sign, Type B, Temp, Prismatic, Spec, Furn</td>
<td>0.00</td>
<td>60.00</td>
<td>60.00</td>
<td>Sft</td>
<td>$9.20</td>
<td>$552.00</td>
</tr>
<tr>
<td>0405</td>
<td>8120352</td>
<td>Sign, Type B, Temp, Prismatic, Spec, Oper</td>
<td>0.00</td>
<td>60.00</td>
<td>60.00</td>
<td>Sft</td>
<td>$5.61</td>
<td>$336.60</td>
</tr>
<tr>
<td>0410</td>
<td>2047001</td>
<td>_Pavt, Sawcut</td>
<td>0.00</td>
<td>1,040.00</td>
<td>1,040.00</td>
<td>Ft</td>
<td>$4.15</td>
<td>$4,316.00</td>
</tr>
</tbody>
</table>

**Total:** $179,722.77

**Net Change:** $179,722.77

**Current Contract Amount:** $1,093,576.32

**Revised Contract Amount:** $1,273,299.09
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: June 16, 2020

SUBJECT: Change Order 4 to the 2019 Michigan Avenue Reconstruction Contract with Bailey Excavating, Inc.

Recommendation:

Approve Balancing Change Order 4 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $32,730.84 to add the items for the completion of the gateway landscaping treatment within the Cooper Street roundabout on the south side of Highway I-94 and authorize the Interim Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Change Order 4 for the 2019 Michigan Avenue Reconstruction contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: June 16, 2020

RECOMMENDATION: Approve Balancing Change Order 4 to the 2019 Michigan Avenue Reconstruction contract with Bailey Excavating, Inc. in the increased amount of $32,730.84 to add the items for the completion of the gateway landscaping treatment within the Cooper Street roundabout on the south side of Highway I-94 and authorize the Interim City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Change Order 4 will add items for the completion of the gateway landscaping treatment within the island at the center of the roundabout on Cooper Street on the south side of Highway I-94.

BUDGETARY CONSIDERATIONS

This change order represents an increase of $32,730.84, bringing the current contract amount to $1,306,029.93.

HISTORY, BACKGROUND and DISCUSSION

On March 26, 2019, City Council approved the award of the contract to Bailey Excavating, Inc. of Jackson, Michigan in the amount of $978,076.33. The original contract was for the reconstruction of Michigan Avenue between First Street and Blackstone Street. Subsequent Change Orders have been approved by City Council as follows:

<table>
<thead>
<tr>
<th>C.O.</th>
<th>Approval Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>06-25-20</td>
<td>$ 60,767.61</td>
<td>Add a) curb and sidewalk improvements on Pearl Street, b) add drive approach improvements on Elizabeth Street and c) add curb, sidewalk and drive approach improvements on N. Martin Luther King Jr Drive and Cooper Street adjacent to the Family Dollar Store property.</td>
</tr>
<tr>
<td>2</td>
<td>02-11-20</td>
<td>$ 54,732.34</td>
<td>To a) balance contact quantities to match quantities placed in the field and b) add the relocation of the curb on the west side of Mechanic Street between Detroit Street and Trail Street.</td>
</tr>
<tr>
<td>3</td>
<td>06-16-20 (Pending)</td>
<td>$ 179,722.81 (Pending)</td>
<td>Add the reconstruction of the first alley east of Mechanic Street between Cortland Street and Michigan Avenue.</td>
</tr>
</tbody>
</table>

On February 14, 2018, City Council approved a Resolution of support for the aesthetic and landscaping concepts for the modernization of the I-94 Corridor as identified in the I-94 Aesthetic Design Guidelines document that was created through a collaborative effort with local agencies. The resolution stated that the City of Jackson agreed to collaborate and contribute financially to the implementation of the concepts. On May 29, 2018, City Council approved a contract with the Michigan Department of Transportation to fund the installation of hard landscaping features within the roundabout including lighting, decorative wall and a water service to be used for irrigation. The subject change order is prepared to complete the last of the landscaping features within the roundabout. The remaining items to be completed consist of the installation of an irrigation system and decorative plantings. The change in cost to complete the remaining landscaping items represents an increase of $32,730.84.

I request approval of Change Order 4 and authorization for the Interim City Manager and the City Engineer to sign the document.

ATTACHMENTS

T:\2019 projects\ENG19-02_Michigan Ave First to Blackstone\3_CONSTRUCTION\CONTRACT MODS\CO4_COOPER ROUNDABOUT LANDSCAPING\MICHAVE_CO4_COOPER ROUNDABOUT_Report to Council.docx
BALANCING CHANGE ORDER NO. 4  
To Contract for  
2019 Michigan Avenue Reconstruction  
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ORIGINAL CONTRACT AMOUNT</td>
<td>$ 978,076.33</td>
</tr>
<tr>
<td>APPROVED CHANGE ORDER NO. 1</td>
<td>$ 60,767.61</td>
</tr>
<tr>
<td>APPROVED CHANGE ORDER NO. 2</td>
<td>$ 54,732.34</td>
</tr>
<tr>
<td>CHANGE ORDER 3 (APPROVAL PENDING)</td>
<td>$ 179,722.81</td>
</tr>
<tr>
<td>CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 3</td>
<td>$ 1,273,299.09</td>
</tr>
<tr>
<td>CHANGE ORDER NO. 4</td>
<td>$ 32,730.84</td>
</tr>
<tr>
<td>NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO.</td>
<td>$ 1,306,029.93</td>
</tr>
</tbody>
</table>

REASON FOR CHANGE:
To add items to complete the landscaping within the center island of the roundabout on Cooper Street on the south side of Highway I-94.

CONTRACT COMPLETION:
The contract completion date is extended to October 15, 2020

Prepared by Troy R. White, P.E.  
Assistant City Engineer

ACCEPTED BY:

_____________________________________
Bailey Excavating, Inc.  Date:

ACCEPTED BY:

_______________________________
Jon H. Dowling, P.E., City Engineer  Date:

ACCEPTED BY:

____________________________________  _________________________ ______
Jonathan Greene, Interim City Manager  Date:
### ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

<table>
<thead>
<tr>
<th>Prop Line</th>
<th>Item Code</th>
<th>Item Description</th>
<th>Current Contract Quantity</th>
<th>Quantity Change</th>
<th>Final Quantity</th>
<th>Units</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0470</td>
<td>1500001</td>
<td>Mobilization, Max</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>LS</td>
<td>$4,500.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>0475</td>
<td>8127051</td>
<td>Traffic Controls</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>LS</td>
<td>$3,000.00</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>0480</td>
<td>8237050</td>
<td>Cooper Service</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$795.00</td>
<td>$795.00</td>
</tr>
<tr>
<td>0485</td>
<td>8157050</td>
<td>Red Flowering Crabapple</td>
<td>0.00</td>
<td>3.00</td>
<td>3.00</td>
<td>Ea</td>
<td>$495.26</td>
<td>$1,485.78</td>
</tr>
<tr>
<td>0490</td>
<td>8157050</td>
<td>Dwarf Panicle Hydrangea</td>
<td>0.00</td>
<td>5.00</td>
<td>5.00</td>
<td>Ea</td>
<td>$125.00</td>
<td>$625.00</td>
</tr>
<tr>
<td>0495</td>
<td>8157050</td>
<td>Switch Grass #2</td>
<td>0.00</td>
<td>9.00</td>
<td>9.00</td>
<td>Ea</td>
<td>$71.43</td>
<td>$642.87</td>
</tr>
<tr>
<td>0500</td>
<td>8157050</td>
<td>Switch Grass #3</td>
<td>0.00</td>
<td>30.00</td>
<td>30.00</td>
<td>Ea</td>
<td>$67.00</td>
<td>$2,010.00</td>
</tr>
<tr>
<td>0505</td>
<td>8157050</td>
<td>Catmint #2</td>
<td>0.00</td>
<td>76.00</td>
<td>76.00</td>
<td>Ea</td>
<td>$39.33</td>
<td>$2,989.08</td>
</tr>
<tr>
<td>0510</td>
<td>8157050</td>
<td>Allium #1</td>
<td>0.00</td>
<td>75.00</td>
<td>75.00</td>
<td>Ea</td>
<td>$15.50</td>
<td>$1,162.50</td>
</tr>
<tr>
<td>0515</td>
<td>8157050</td>
<td>Allium #1 - Variety</td>
<td>0.00</td>
<td>24.00</td>
<td>24.00</td>
<td>Ea</td>
<td>$15.50</td>
<td>$372.00</td>
</tr>
<tr>
<td>0520</td>
<td>8157050</td>
<td>Catmint #2 Variety</td>
<td>0.00</td>
<td>34.00</td>
<td>34.00</td>
<td>Ea</td>
<td>$22.47</td>
<td>$763.98</td>
</tr>
<tr>
<td>0525</td>
<td>8157050</td>
<td>Gold Rebloom Daylily</td>
<td>0.00</td>
<td>400.00</td>
<td>400.00</td>
<td>Ea</td>
<td>$21.54</td>
<td>$8,160.00</td>
</tr>
<tr>
<td>0530</td>
<td>8167021</td>
<td>Natural Hardwood Mulch</td>
<td>0.00</td>
<td>12.00</td>
<td>12.00</td>
<td>Cyd</td>
<td>$25.39</td>
<td>$304.68</td>
</tr>
<tr>
<td>0535</td>
<td>8237050</td>
<td>1&quot; Poly Fit Pipe</td>
<td>0.00</td>
<td>3.00</td>
<td>3.00</td>
<td>Ea</td>
<td>$118.05</td>
<td>$354.15</td>
</tr>
<tr>
<td>0540</td>
<td>8237050</td>
<td>Poly Pipe 1.5&quot; x 25'</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$282.45</td>
<td>$282.45</td>
</tr>
<tr>
<td>0545</td>
<td>8237050</td>
<td>Hunter PGV Globe Valve 1&quot;</td>
<td>0.00</td>
<td>7.00</td>
<td>7.00</td>
<td>Ea</td>
<td>$27.45</td>
<td>$192.15</td>
</tr>
<tr>
<td>0550</td>
<td>8237050</td>
<td>Hunter Pro-Spray 12&quot; Pop-Up</td>
<td>0.00</td>
<td>38.00</td>
<td>38.00</td>
<td>Ea</td>
<td>$13.52</td>
<td>$513.76</td>
</tr>
<tr>
<td>0555</td>
<td>8237050</td>
<td>Hunter Pro-C Expansion Module</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$59.68</td>
<td>$59.68</td>
</tr>
<tr>
<td>0560</td>
<td>8237050</td>
<td>Hunter Pro-C 3 Station Clock</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$231.55</td>
<td>$231.55</td>
</tr>
<tr>
<td>0565</td>
<td>8237050</td>
<td>Valve Box 21x24</td>
<td>0.00</td>
<td>6.00</td>
<td>6.00</td>
<td>Ea</td>
<td>$30.27</td>
<td>$181.62</td>
</tr>
<tr>
<td>0570</td>
<td>8197051</td>
<td>Multi Conductor Wire, 18G</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>LS</td>
<td>$816.67</td>
<td>$816.67</td>
</tr>
<tr>
<td>0575</td>
<td>8237050</td>
<td>Febco 765 Vacuum Breaker</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$780.47</td>
<td>$780.47</td>
</tr>
<tr>
<td>0580</td>
<td>8237050</td>
<td>Strong Box</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$1,051.82</td>
<td>$1,051.82</td>
</tr>
<tr>
<td>0585</td>
<td>8237050</td>
<td>Pedestal</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$324.63</td>
<td>$324.63</td>
</tr>
<tr>
<td>0590</td>
<td>8197050</td>
<td>Electrical Connection</td>
<td>0.00</td>
<td>1.00</td>
<td>1.00</td>
<td>Ea</td>
<td>$675.00</td>
<td>$675.00</td>
</tr>
</tbody>
</table>

Total: $32,730.84
Net Change: $32,730.84

Current Contract Amount: $1,273,299.09
Revised Contract Amount: $1,306,029.93
MEMO TO: Mayor and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: June 16, 2020
SUBJECT: Amendment to Chapter 22, Sec. 22-8 - Special Assessments, to amend the special assessment objection procedure

Recommendation: Consider First Reading of amendment to Chapter 22, Section 22-8, Special Assessments, to provide that city-initiated special assessments not be approved without six of seven City Council Members voting affirmatively, if those parcels/lots who would bear more than 50% of the cost of the assessment and who constitute more than 50% of the parcels within the district object in writing.

Please find attached a Department Report and ordinance amendment for first reading.

Your consideration and concurrence is appreciated.
MEMO TO: Honorable Mayor Dobies and City Councilmembers  
FROM: Matthew M. Hagerty, City Attorney  
DATE: June 16, 2020  
RECOMMENDATION: Consider for first reading a proposed amendment to Section 22-8 of Article 22, Special Assessments, of the City of Jackson Code of Ordinances to provide for an objection mechanism for city-initiated special assessment districts

SUMMARY
Consider First Reading of amendment to Chapter 22, Section 22-8, Special Assessments, to provide that city-initiated special assessments not be approved without six of seven City Council Members voting affirmatively, if those parcels/lots who would bear more than 50% of the cost of the assessment and who constitute more than 50% of the parcels within the district object, in writing.

HISTORY, BACKGROUND AND DISCUSSION
Currently, there exists no threshold standard in the City Code of Ordinances upon which a city-initiated special assessment can be protested through citizen initiative, triggering a Council super-majority approval. To date, Council receives written objections and considers other public hearing comments in making a legislative determination as to whether to proceed with a resolution confirming an assessment district and roll. Currently, simple majority vote is required for resolution approval. The amendment to Chapter 22, Sec. 22-8, as proposed by Councilmember Forgrave, would provide a threshold standard for property owner objection: A petition from 1) 50% of parcels within the district and 2) 50% of those who bear the cost of the assessment. Upon this objection threshold being met, confirmation of the special assessment would then require the affirmative vote of 6 of 7 Councilmembers as proposed under the ordinance amendment.

City Charter Section 15-2 provides that the special assessment procedure, including “making and confirming assessment rolls” and “other matters concerning the making of improvements by the special assessment method” be prescribed by ordinance. Sec. 15.2 provides as follows:

“Section 15.2. - Detailed Procedure to be Fixed by Ordinance.
The council shall prescribe by ordinance the complete special assessment procedure concerning the initiation of projects, plans and specifications, estimates of total costs, and expenses, notice of hearings, making and confirming assessment rolls, correction of errors, collection of special assessments, and any other matters concerning the making of improvements by the special assessment method, subject to the provisions of this charter. In any case where the provisions of this charter may prove to be insufficient to carry into full effect the making of any special assessment for a public improvement, the council shall provide by ordinance any additional steps or procedures required to effect the improvement by special assessment.” [Emphasis supplied]

Accordingly, City Council has the legislative authority to modify Sec. 22-8 to provide for an objection standard. The dual threshold of 50% of parcels within the district and those bearing 50% of the cost was proposed to avoid a situation in which a large parcel within a district (an apartment complex, for example) may trigger the objection solely based upon the cost that parcel would bear, irrespective as to whether other parcels within the district support the assessment or not. The 6 of 7 Councilmember threshold was also proposed to provide a higher consensus of Council to proceed. An alternate number beyond a simple majority (e.g., 5 of 7 Council members voting in the affirmative) is also a legal option. Other Home Rule Cities have similar objection standards set forth in their code of ordinances.

**POSITION**

In accordance with the Charter provision set forth above, the City Council has the legal authority to modify the special assessment objection procedure as described in the proposed amendment. Other jurisdictions include within their code of ordinances similar objection procedures, and as authorized by Charter.

**ATTACHMENTS:**  *Proposed Ordinance Amendment to Sec. 22-8 for First Reading*
Sec. 22-8. - Hearing; action on roll.

The city council sitting as a board of review shall review the special assessment roll and consider all objections and comments made at the public hearing. The city council may correct or amend such roll as to any assessment or description of property or any other matter appearing thereon. The city council may reject such assessment roll and the same proceedings shall be had in making a new roll as in the making of an original roll. If, after hearing all objections and comments and making any corrections to the special assessment roll it deems necessary the city council determines that assessments are in proportion to benefits derived or to be derived, it shall pass a resolution reciting said determination, confirming said roll and stating all of the following:

(a) The date upon which the first installment of the special assessment, if installment payments are allowed, is due and payable;
(b) The number of annual installments, which shall not exceed fifteen (15), in which the special assessment may be paid; and
(c) The rate of interest to be charged upon such annual installments.

If the public improvement was originally commenced by resolution of the city council on its own initiative as provided in section 22-1, no original assessment roll shall be confirmed except by affirmative vote of six (6) members of the city council if prior to such confirmation, written objections to the proposed improvement have been filed with the city clerk by 5:00 p.m. on the date of the City Council vote by both 1) the owners of lots or parcels of land in the proposed special assessment district which collectively will be required to bear more than fifty percent (50%) of the amount of such special assessment; and 2) by more than fifty percent (50%) of the owners of lots or parcels of land in the special assessment district. Those lots or parcels which are exempt from ad valorem taxation, and not subject to special assessment, shall be excluded from the percentage calculation.

The city council shall also authorize the city treasurer to collect the various amounts on the roll in accordance with the resolution. Such roll shall have the date of confirmation by the city council endorsed thereon by the city clerk, and shall be final and conclusive for the purpose of the public improvement to which it pertains.

(Ord. No. 98-20, § 4, 8-18-98; Ord. No. 2013-16, § 2, 8-13-13, eff. 9-12-13)
MEMO TO: Mayor and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: June 16, 2020
SUBJECT: Amendment to Chapter 22, Sec. 22-9, Special Assessments to amend the special assessment billing to be included on the ad valorem property tax bill

Recommendation: Consider First Reading of amendment to Chapter 22-9, Special Assessments, to provide that special assessment billings be included on the ad valorem property tax bill.

Please find attached a Department Report and ordinance amendment for first reading.

Your consideration is appreciated.
DEPARTMENT REPORT

MEMO TO: Honorable Mayor Dobies and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: June 16, 2020

RECOMMENDATION: Consider for first reading a proposed amendment to Section 22-9 of Article 22, Special Assessments, of the City of Jackson Code of Ordinances providing that special assessment installment payments be placed on the ad valorem property tax bill.

SUMMARY

Consider first reading of an ordinance amendment to Sec. 22-9 of the City Code, which would amend this ordinance section to provide that special assessment bills be placed on the ad valorem property tax bills as opposed to being billed separately by the Treasurer.

HISTORY, BACKGROUND AND DISCUSSION

Historically, special assessment bills in the City of Jackson have not been included on either the summer or winter property tax bills for residents within a special assessment district and who pay assessments in installments, but are billed separately. The City Treasurer has outlined his rationale for this methodology previously, to City Council. Councilmember Schlecte has also provided a rationale for including special assessments on the ad valorem property tax bills, which reasons were discussed during the May 26th City Council Meeting. City Charter Section 15-2 provides that the special assessment procedure, including “collection of special assessments” be prescribed by ordinance. Sec. 15.2 provides as follows:

“Section 15.2. - Detailed Procedure to be Fixed by Ordinance.

The council shall prescribe by ordinance the complete special assessment procedure concerning the initiation of projects, plans and specifications, estimates of total costs, and expenses, notice of hearings, making and confirming assessment rolls, correction of errors, collection of special assessments, and any other matters concerning the making of improvements by the special assessment method, subject to the provisions of this charter. In any case where the provisions of this charter may prove to be insufficient to carry into full effect the making of any special assessment for a public improvement, the council shall
provide by ordinance any additional steps or procedures required to effect the improvement by special assessment.” [Emphasis supplied]

City Charter Chapter 2, Article I, Sec. 2-6 additionally provides:

“Sec. 2-6. - Office of treasurer/income tax administrator.

The office of city treasurer/income tax administrator is hereby created, and shall be headed by the city treasurer/income tax administrator, whose duty it shall be to collect and keep a record of all payments of sewage and water bills, income and property taxes, and special assessments. The city treasurer/income tax administrator shall also collect any other monies as directed by the city council. All funds received by the city treasurer/income tax administrator shall be promptly deposited to the credit of the city in the official depository of the city as designated by the city council.” [Emphasis supplied]

The amendment, as proposed, would maintain the current 60 day period for payment in full of an assessment, and no payments would accrue any interest until the first bill issued not less than sixty (60) days after confirmation of the assessment roll.

**POSITION**

In accordance with the Charter provisions set forth above, the City Council has the legal authority to modify the special assessment collection procedure as described in the proposed amendment. The City Attorney’s Office does not otherwise take a position on the ordinance amendment, as proposed, as it is a matter of legislative policy to be made by the City Council. Of course, additional input from the assessing, finance, and treasury departments may be requested prior to consideration and adoption.

**ATTACHMENTS:** *Proposed Ordinance Amendment to Sec. 22-9 for First Reading*
ORDINANCE 2020-__

An Ordinance amending Chapter 22—Special Assessments, of the City of Jackson, Michigan Code of Ordinances, Sec. 22-9, providing due date for special assessment payments to be included on the ad valorem property tax bill for those property owners included within the special assessment tax roll.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Sec. 22-9. - Due dates; payment.

All special assessments shall be due and payable within sixty (60) days after confirmation of the roll, except such installments as the city council shall make payable at a future time. After the city council has confirmed the roll, the city treasurer shall notify, by mail, each property owner on the roll of the amount assessed against the property owned by him or her. If such assessment is payable in installments, the owner shall be apprised of the due dates of the installments, the number of installments and the date from which interest begins to run. Failure to receive such notice shall not invalidate any special assessment roll of the city or excuse the payment of interest or collection fees, or both.

Each property owner shall have sixty (60) days from the date of confirmation of a special assessment roll to pay the assessment in full, or any part thereof in a sum of not less than the first installment thereof as established by the city council, without interest or penalty. Following such period, the property owner may pay the first installment of the special assessment, or any greater part thereof or all of his or her assessment, at any time but shall be required to pay interest thereon to the due date of the next installment.

Installments of special assessments to be paid after the first installment shall be due and payable in each year thereafter at a time corresponding to the date of the initial confirmation of the special assessment roll and shall be placed on the subsequent property tax bill issued not less than sixty (60) days after confirmation of the roll. All annual installments of any special assessment, except the first, shall bear interest from the date of the initial confirmation of the special assessment roll until their maturity at a rate not exceeding six (6) percent per annum, or one percent above the average interest cost if bonds were sold to finance a public improvement.
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: June 16, 2020
SUBJECT: FY19/20 Budget Amendment

Recommendation:

Approve budget amendment for FY 19/20 as attached

Attached is a memorandum from Director Elmer Hitt regarding the pending receipt of funds from a federal grant, and the budget amendment needed.

I recommend approval of the budget amendment. Your consideration and concurrence is appreciated.
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Elmer J. Hitt, Director of Police and Fire Services
DATE: June 16, 2020
RECOMMENDATION: Approve Budget Amendment for Coronavirus Grant

SUMMARY

The Jackson Police Department applied for and has been awarded $100,412 from the U.S. Department of Justice through a Coronavirus Emergency Supplemental Funding program for use in the 19/20 fiscal year.

BUDGETARY CONSIDERATIONS

The 19/20 fiscal year budget needs to be amended to show the revenue and expenditures related to this grant program. A resolution outlining the amounts and accounts is attached.

HISTORY, BACKGROUND and DISCUSSION

The Police and Fire Departments have expended more funds than originally budgeted to ensure the safety of first responders and the citizens of Jackson during the COVID-19 pandemic. Additional overtime costs and equipment purchases were necessary but not anticipated during the budget preparation and projection process.

DISCUSSION OF THE ISSUE

The grant funds will be used to cover overtime costs, the purchase of sanitizing equipment, and repairs to fire stations #2 and #3 which are currently being used to more effectively segregate fire personnel. This equipment and segregation is used to ensure the safety and health of the staff of both the Fire and Police Departments now and in the future.

POSITION

I recommend approving the budget amendment to reflect the additional grant monies which will be received.

ATTACHMENT
RESOLUTION

WHEREAS, the City has been awarded funds through a federal government FY2020 Coronavirus Emergency Supplemental Funding program, through the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

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

NOW, THEREFORE, BE IT RESOLVED, that the 2019/2020 budget be amended as follows:

General Fund

REVENUES:
278-312-220-501.000 Federal Grant

<table>
<thead>
<tr>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>100,412</td>
</tr>
</tbody>
</table>

EXPENDITURES:
278-312-220-713.000 Overtime
278-312-220-770.000 Miscellaneous Operating Supplies
278-312-220-778.000 Equipment Maintenance Supplies
278-312-220-930.000 Building Maintenance
278-312-220-985.000 Machinery and Equipment

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>75,290</td>
</tr>
<tr>
<td>3,108</td>
</tr>
<tr>
<td>-</td>
</tr>
<tr>
<td>12,170</td>
</tr>
<tr>
<td>9,844</td>
</tr>
<tr>
<td>100,412</td>
</tr>
</tbody>
</table>

State of Michigan
County of Jackson
City of Jackson

I, Andrea Muray, 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 16, 2020.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 17th day of June 2020.

______________________________ City Clerk
MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: June 16, 2020
SUBJECT: Consideration of a Resolution

Recommendation:

On October 15, 2019 Council received a petition circulated by Kenjuan Petty of 1127 S. Brown St, to vacate a portion of Gettysburg Avenue.

The City of Jackson Planning Commission considered the matter on June 3, 2020 and a motion to approve the request failed.

I recommend consideration of the resolution. Your consideration and concurrence is appreciated.
RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, a petition has been filed by all of the persons, firms, corporations, and entities owning property abutting on or located in, under or over an alley in the City of Jackson, Michigan, for the vacation of said street, more particularly described as:

PART OF UNOPENED GETTYSBURG AVE RUNNING EAST & WEST BETWEEN THE EAST LINE OF BROWN ST & THE WEST LINE OF HIGBY ST; FURTHER DESCRIBED AS COMMENCING ON THE WEST LINE OF HIGBY ST AT THE NORTH LINE OF GETTYSBURG AVE (ALSO BEING THE SOUTHEAST CORNER OF LOT 9, BLOCK 40, SHOEMAKER'S ADD NO. 2); THENCE WEST ALONG THE NORTH LINE OF GETTYSBURG AVE TO THE EAST LINE OF, BROWN ST; THENCE SOUTH ALONG THE EAST LINE OF BROWN ST TO ITS INTERSECTION WITH THE SOUTH LINE OF GETTYSBURG AVE; THENCE EAST ALONG THE SOUTH LINE OF GETTYSBURG AVE TO ITS INTERSECTION WITH THE WEST LINE OF HIGBY ST; THENCE NORTH ALONG THE WEST LINE OF HIGBY ST TO BEGINNING SHOEMAKER'S ADDITION NO. 2 & SW 14 OF THE SE 14, SECTION 4, TOWNSHIP 3 SOUTH, RANGE 1 WEST, CITY OF JACKSON, JACKSON COUNTY, STATE OF MICHIGAN

WHEREAS, it is determined that all persons, firms, corporations, and entities who will be affected by said vacation have filed with the City Council their written consent to the same, and that it is necessary for the health, welfare, comfort, and safety of the people of the City to vacate and discontinue such street;

NOW, THEREFORE, BE IT RESOLVED that the above-described street be, and the same is hereby vacated, and the land shall revert to the abutting property free from any claim or right on the part of the public and, except as otherwise provided herein, all public claims and rights in and to said street are hereby forever barred.

BE IT FURTHER RESOLVED that the vacation of the above-described street is upon the condition that title to all water, sewer, gas, electric, and communication poles, wires, conduits, cables, pipes, lines, and their respective appurtenances and facilities now or hereafter in, under or over said street are reserved to and shall remain in the respective owners thereof and their successors or assigns, together with an easement and continued right to occupy said alley within the previous right-of-way thereof for public utility purposes, with present and additional facilities, and to operate, repair, maintain, replace or remove the same to the same effect and in the same manner as if said alleys remained a public way.

BE IT FURTHER RESOLVED that any abutting property owner, and their respective successors, heirs or assigns who wish to erect any structure on, or cause construction to, or otherwise modify or improve the now vacated right-of-way, shall first obtain the written permission of any utility owner who retains a right of occupancy and easement in said vacated right-of-way. Said written permission is required to ensure noninterference with the utility owner's easement and right of occupancy.

*   *   *   *   *

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

I, Andrea Muray, 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 16th day of June, 2020.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Seal of the City of Jackson, Michigan, on this 17th day of June, 2020.

Derek J. Dobies, Mayor

Andrea Muray, City Clerk
MEMO TO: Planning Commission

FROM: Department of Neighborhood and Economic Operations

DATE: June 3, 2020

SUBJECT: Petition for Partial Street Vacation- Kenjuan Petty – Gettysburg Avenue (unopened)

The Clerk’s Office has received a petition circulated by Kenjuan Petty, of 1127 South Brown Street to vacate an unopened portion of Gettysburg Avenue between Brown Street and S. High Street, and immediately adjacent to the applicants property.

The Department of Neighborhood and Economic Operations recommends approval of the petition subject to the review and approval of all other pertinent City Departments and any potential easements that may be required by the Engineering Department. Staff in the Department has reviewed the petition and finds no conflict with the Zoning Ordinance.
June 4, 2020

Kenjuan Petty
1127 South Brown Street
Jackson, MI 49203

RE: PARTIAL STREET VACATION REQUEST-GETTYSBURG AVENUE (UNOPENED)

Dear Mr. Petty,

Your petition to vacate a portion of Gettysburg Avenue (unopened) was considered by the City of Jackson City Planning Commission on June 3, 2020 with the result being as follows:

*Commissioner Wood moved, with support from Commissioner Sullivan, to **APPROVE** the request per staff’s recommendation with the condition that the applicant receive approval from all other pertinent City departments and that all parcels in question have proper access in accordance with the Zoning Ordinance.*

The motion to approve failed 6-1 on a roll call vote


The Planning Commission decision will be forwarded for final consideration and action by the City Council.

Regards,

Jennifer Morris, AICP
Director of Neighborhood and Economic Operations
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: Council Meeting – June 16, 2020
SUBJECT: Renewal of Liability and Property Insurance with Michigan Municipal League Liability & Property Pool

Recommendation: APPROVE the Renewal of the City of Jackson’s Liability and Property Insurance Through the Michigan Municipal League’s Liability & Property Pool in the Amount of $567,883.00, and Authorize the City Attorney to Take Any Actions Necessary to Effectuate the Policy.

Your consideration and concurrence is appreciated.
MEMO TO: Honorable Mayor and City Councilmembers
FROM: Matthew M. Hagerty, City Attorney
DATE: Council Meeting – June 16, 2020
RECOMMENDATION: APPROVE the Renewal of the City of Jackson’s Liability and Property Insurance Through the Michigan Municipal League’s Liability & Property Pool in the Amount of $567,883.00, and Authorize the City Attorney to Take Any Actions Necessary to Effectuate the Policy.

ATTACHMENT: Liability & Property Pool Proposal

SUMMARY

A proposal from the City of Jackson’s liability and property insurer is attached and a renewal needs to be authorized, as well as payment of the renewal fee invoice for 2020.

HISTORY, BACKGROUND and DISCUSSION

Attached is a proposal and cost summary from the Michigan Municipal League Liability & Property Pool (“MML Pool”) for insurance coverage for the City of Jackson for Fiscal Year 2020-21. The amount of the annual premium, found on page 7 of the attachment, is $567,883.00. This amount represents an increase of $38,782.00 over last year’s premium of $529,669.00. According to our Account Executive, James Newman, part of the increase is due to an additional $2,300,000.00 in property coverage as well as an additional eight vehicles over last year’s policy. Mr. Newman has also informed me that we may expect a dividend this year in the amount of $36,347.00, which will reduce our “net premium” to $531,536.00.

As Council is aware, we have been with the MML Pool for a number of years. The City Attorney’s Office and other relevant staff have been very pleased with both the service and coverage provided by the Pool. The MML Pool provides the City with attorneys who are very experienced and experts in their fields. It is my recommendation that we renew our insurance coverage with the MML Pool.

POSITION

The requisite action is to APPROVE the renewal of insurance coverage with the Michigan Municipal League Liability and Property Pool for 2020-21, authorize the Finance Director to pay the invoice, and authorize the City Attorney to take any action necessary to effectuate the policy.

ATTACHMENT: Liability & Property Pool Proposal
Liability & Property Pool

Proposal

for the

City of Jackson

Presented By:

Jim Newman, LUTCF
Meadowbrook® Insurance Group, Service Provider
(517) 243-5865

June 15, 2020
This proposal is intended to be only a summary of coverages and services. For specific details on coverage terms and conditions, please refer to the Michigan Municipal League Liability and Property Pool coverage document.
Executive Overview

The Michigan Municipal League Liability and Property Pool is administered by the Risk Management staff of the Michigan Municipal League, and serviced by Meadowbrook Insurance Group. Since 1982, the Pool has been a stable source of comprehensive municipal insurance and risk management services. It is financially secure and positioned for long-term stability.

The League administrative staff and the dedicated Pool staff at Meadowbrook Insurance Group are municipal insurance experts. Municipal risk management is our only business, and we’re proud of it!

The Pool provides insurance coverage designed specifically for Michigan municipal exposures, combined with a package of loss control programs, claims administration, legal defense and membership services that you won’t find anywhere else in Michigan.

This quotation is based on the limits of coverage requested by the City of Jackson. Higher limits may be available, subject to underwriting review by Pool Management. Please submit requests for higher limits in writing to your Account Executive. Your request will be considered by Pool Management.

The insurance and related services described more fully in this proposal are being offered to the City of Jackson for an annual premium of $568,883. (In addition, the MML Liability & Property Pool Board of Trustees voted to return another post-renewal dividend for Members renewing in 2020. The City’s portion of the dividend return is $36,347. The City will receive this dividend in the month following payment of your 2020 renewal premium.)

We encourage you to compare the Pool with our competition. Compare us based on price, coverage, service, financial security, experience and commitment to municipal risk management. When you do, the advantages of Pool membership become clear.

Thank you for being a Pool member. We look forward to servicing your risk management program for many years to come.

Our Mission
To be a long-term, stable, cost-effective risk management alternative for members of the Michigan Municipal League Liability and Property Pool.
Introduction

**What You Can Expect Of Us**

- A commitment to learn, understand and respond to your insurance needs;
- Continuous planning and innovation in product development and service delivery;
- Products that meet your needs in terms of price, coverage and service;
- Prompt, accurate, and courteous response to your questions, problems and claims; and
- Knowledgeable and professional staff serving your needs consistently and with integrity.

**Your Pool Insures More Than . . .**

- 400 Public Entity Members
- 852 Licensed Emergency Medical Technicians
- 440 Licensed Paramedics
- 143 Fire Departments
- 184 Law Enforcement Agencies
- 5,535 Miles of Streets/Roads
- 188 Water Utilities
- 7,000 Vehicles
- 19 Electric Utilities
- 25 Municipal Marinas
- $4.15 Billion of Property Values
- 205 Sewer Operations

These local communities are current Pool members:

- City of Adrian
- City of Monroe
- City of Midland
# Coverage and Cost Summary

## City of Jackson

**Effective 07-01-2020 to 07-01-2021**

<table>
<thead>
<tr>
<th>Coverages</th>
<th>Limit of Liability</th>
<th>Aggregate Limit</th>
<th>Per Occurrence Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal General Liability (Coverage A)</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Marty Riske, Electrical Inspector</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Raymond Taylor, Building Inspector</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Sewer Back-Up Sublimit</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$0</td>
</tr>
<tr>
<td>Personal Injury Liability (Coverage B)</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Medical Payments (Coverage C)</td>
<td>$10,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Public Officials Liability (Coverage D)</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Marty Riske, Electrical Inspector</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Raymond Taylor, Building Inspector</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Law Enforcement Liability (Coverages A, B, and D)</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Employee Benefit Liability</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$2,500</td>
</tr>
<tr>
<td>Fire Legal Liability</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Cyber Liability &amp; Data Breach Response</td>
<td>$100,000</td>
<td>$100,000</td>
<td>See Declaration</td>
</tr>
<tr>
<td>Dam Liability</td>
<td>No Coverage</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Marina Operator Liability</td>
<td>No Coverage</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Uninsured/Underinsured Motorists Coverage</td>
<td>$100,000</td>
<td>N/A</td>
<td>$0</td>
</tr>
<tr>
<td>Automobile Liability (Coverages A and B)</td>
<td>$5,000,000</td>
<td>N/A</td>
<td>$0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th># Vehicles</th>
<th>Comp</th>
<th>Coll</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>NO COV</td>
<td>NO COV</td>
</tr>
<tr>
<td>175</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
</tbody>
</table>

Agreed Amount, if applicable: 30 Vehicles for a total of $5,233,915

**Coverages A, B, and D are provided with a combined single limit of liability. The most the Pool will pay for any one occurrence is $5,000,000 regardless of the number of coverages involved in the occurrence.**

## Property

<table>
<thead>
<tr>
<th>Property</th>
<th>Limit of Liability</th>
<th>Aggregate Limit</th>
<th>Per Occurrence Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property - Blanket Basis</td>
<td>$177,723,763</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Boiler and Machinery</td>
<td>Included</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Building(s)</td>
<td>Included</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Cemetery Property - up to $500 per headstone</td>
<td># Plots: 43,257</td>
<td>N/A</td>
<td>$500</td>
</tr>
<tr>
<td>Contents</td>
<td>Included</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Property in the Open</td>
<td>Included</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Protection &amp; Preservation</td>
<td>Included</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Property - Actual Cash Value</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Property - Limited Replacement Cost</td>
<td>See Schedule</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

Prepared by Meadowbrook, Inc. - 6/10/2020 17:33:53
## Coverage and Cost Summary
**City of Jackson**
Effective 07-01-2020 to 07-01-2021

<table>
<thead>
<tr>
<th>Coverages</th>
<th>Limit of Liability</th>
<th>Aggregate Limit</th>
<th>Per Occurrence Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property - No Coverage</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Property - Replacement Cost</td>
<td>See Schedule</td>
<td>N/A</td>
<td>$2,500</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>$100,000</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Allmand Portable Light Towers</td>
<td>$15,000</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Cameras</td>
<td>$30,970</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Consequential Damage</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Contractors Equipment</td>
<td>$4,894,902</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Debris Removal - the lesser of 25% of physical damage loss or</td>
<td>$5,000,000</td>
<td>$5,000,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Demolition &amp; Increased Costs of Construction Limit</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Earth Movement</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Electronic Data Processing Equip</td>
<td>$2,267,523</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Expediting Expense</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Extra Expense</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Fine Arts</td>
<td>$4,000,000</td>
<td>$4,000,000</td>
<td>$250</td>
</tr>
<tr>
<td>Flood (Except for Members located in Flood Zone A, AO, AH, A1-A999, AE, or AR)</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Fungal Pathogens</td>
<td>$25,000</td>
<td>$25,000</td>
<td>$250</td>
</tr>
<tr>
<td>Golf Equipment</td>
<td>$324,240</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Loss of Income</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Loss of Rents</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Miscellaneous Equipment</td>
<td>$57,622</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>National Portable Signal Solar Arrow Boards</td>
<td>$18,000</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Ornamental Trees, Shrubs, Plants or Lawn</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$250</td>
</tr>
<tr>
<td>Personal Effects &amp; Property of Others</td>
<td>$500</td>
<td>$2,500</td>
<td>$250</td>
</tr>
<tr>
<td>Police Equipment</td>
<td>$494,502</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Radio Equipment</td>
<td>$869,085</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Trailers, mounted equipment</td>
<td>$184,900</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Valuable Papers</td>
<td>$100,000</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Voting Equipment</td>
<td>$349,669</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Water Department Equipment</td>
<td>$7,658</td>
<td>N/A</td>
<td>$250</td>
</tr>
<tr>
<td>Weapons</td>
<td>$37,800</td>
<td>N/A</td>
<td>$250</td>
</tr>
</tbody>
</table>

**Comprehensive Crime Coverage**
- Employee Dishonesty Blanket/Faithful Performance: $100,000 N/A N/A
- Computer Fraud: $100,000 N/A N/A
## Coverage and Cost Summary
### City of Jackson

**Effective 07-01-2020 to 07-01-2021**

<table>
<thead>
<tr>
<th>Coverages</th>
<th>Limit of Liability</th>
<th>Aggregate Limit</th>
<th>Per Occurrence Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depositors Forgery</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Funds Transfer Fraud</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Impersonation Fraud</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Money and Securities Inside</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Money and Securities Outside</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Money Orders and Counterfeit Paper</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Bonds**

<table>
<thead>
<tr>
<th>Bond #</th>
<th>Occupation</th>
<th>Limit of Liability</th>
<th>Aggregate Limit</th>
<th>Per Occurrence Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Treasurer</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>B</td>
<td>Clerk</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>C</td>
<td>Purchasing Director</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>D</td>
<td>DDA Director</td>
<td>$100,000</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Only one deductible applies to claims involving two or more property coverages.*

---

The Michigan Municipal League Liability and Property Pool is pleased to offer all coverages and services described in this proposal for an annual premium of $567,883.
Benefits of Pooling with the MML

- Proven long-term availability and stability
- Broad coverage document written specifically for Michigan municipalities
- Services tailored to unique needs of Michigan municipalities
- Member assets controlled by an elected Board of municipal officials
- Equitable rating based on Pool experience in Michigan
- Aggressive defense strategy – positive impact on case law
- Professional, dedicated, and experienced local management, oversight and service
- Decisions made and problems resolved by a group of your peers
- Investment income and underwriting surplus used to benefit members
- Lower expenses through tax-exempt and non-profit status
- Special loss avoidance training sessions including:
  - Safety aspects of emergency vehicle operations
  - Accident investigation for supervisors
  - Confined spaces training

The advantages of pooling can be summarized by:

Service + Control + Value
City of Jackson Has . . .

✓ $15,071,192. Annual Payroll
✓ $195,927,072 of total values for real and personal property
✓ 46 Law Enforcement Officers
✓ 178 Vehicles

Increased Liability Limits

We cannot guarantee the adequacy of any limit of liability. Due to the following factors, it may be prudent to consider higher limits:

✓ Increased jury awards in your jurisdiction
✓ Increased litigation trends
✓ Protection of tax base against judgments in excess of your policy limits

If you are interested in increasing your liability limits, please contact your Account Executive.
Highlights of Coverages Provided

Who Is Insured?
The Pool member entity, elected and appointed officials, employees and authorized volunteers, and any person officially appointed to a Board or Commission.

General Liability
In addition to standard liability coverages (bodily injury, property damage, products and completed operations) the Pool provides coverages that municipalities need on an occurrence basis with no aggregate liability limits:

✓ Liability resulting from mutual aid agreements
✓ Premises medical payments ✓ Fire legal liability for real property
✓ Host liquor liability ✓ Ambulance and EMT malpractice
✓ Watercraft liability, owned less than 26’ and non-owned less than 50’
✓ Special events excluding -
  • Fireworks (unless endorsed) • Liquor Liability • Mechanical Amusement Rides

<table>
<thead>
<tr>
<th>Fireworks Coverage Options: (Fireworks application must be completed before coverage is endorsed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The MML Liability &amp; Property Pool is primary (the Member is not added as an additional insured on a pyrotechnician’s coverage):</td>
</tr>
<tr>
<td>Annual Aggregate Sublimit</td>
</tr>
<tr>
<td>$500,000</td>
</tr>
<tr>
<td>$1,000,000</td>
</tr>
<tr>
<td>2. The MML Liability &amp; Property Pool is excess (the Member is added as an additional insured on a pyrotechnician’s coverage):</td>
</tr>
<tr>
<td>NO ADDITIONAL PREMIUM</td>
</tr>
</tbody>
</table>

✓ Athletic participation liability ✓ Up to $10 million in liability limits available
✓ Employee benefit liability ✓ Employee benefit liability
✓ Cemetery operations coverage ✓ Pollution coverage for Hazardous Response Teams
✓ Cyber Liability Coverage Sublimit—MML233 (07/13)
✓ Marina Operators coverage available

General Liability Exclusions . . .
The following is a partial list of general liability coverage exclusions. Consult the coverage document for the complete listing:

✓ Pollution (except for Hazmat operations). ✓ Contractual Liability
✓ Nuclear energy / nuclear material hazards ✓ Failure to supply utilities
✓ Aircraft Liability ✓ Expected or intended injury
✓ Breach of contract ✓ Electromagnetic radiation
✓ Failure of dams ✓ Medical malpractice for doctors and physicians
✓ Backup of Sewers and Drains (exception -- $100,000 Annual Aggregate Sublimit for Sewer and Drain Liability)
✓ Criminal activity / Intentional acts with knowledge of wrongdoing
Public Officials Liability Coverage

“Wrongful Acts”, including intentional acts, defined as any actual or alleged error, misstatement, act of omission, neglect or breach of duty including:

- Neglect of duty
- Zoning defense and land use litigation
- Malfeasance
- Violation of civil rights
- Discrimination
- Employment practices
- Misfeasance
- Cable TV broadcasting

Public Officials Liability Exclusions

The following is a partial list of public officials’ liability coverage exclusions. Consult the coverage document for the complete listing:

- Pollution and Nuclear Energy
- Eminent domain / takings
- Fraud, dishonesty, intentional and criminal acts
- Illegal profit
- Failure to purchase coverage or adequate coverage
- Labor union actions
- Return of governmental grants or subsidies
- ERISA violations
- Intentional acts with knowledge of wrongdoing
- Backup of Sewers and Drains

Personal Injury & Advertising / Broadcasters Liability Coverage

- Mental anguish and stress
- Libel, slander or defamation of character; violation of an individual’s right of privacy
- Proactive services for non-monetary damage claims

Police Professional Liability Coverage

Police Professional Liability coverage is contained within the General Liability and Public Official Liability Coverage Parts

- Discrimination
- Assault or battery
- Violation of civil rights
- Improper service of suit
- Jail operations
- Coverage assumes officers act with intent
- False arrest, detention or imprisonment, or malicious prosecution
- Wrongful entry or eviction or other invasion of the right of private occupancy
Property Coverage
In addition to covering buildings, contents and personal property, the Pool provides:

- ✓ Blanket coverage -- All member-owned property insured (unless specifically excluded)
- ✓ Coverage based on ownership rather than on a “schedule on file” avoids coverage gaps due to errors or oversight
- ✓ Property of others in custody of the Member for which the Member has an obligation to provide coverage
- ✓ Boiler & Machinery coverage, including Boiler certification inspections
- ✓ Replacement Cost or Actual Cash Value available
- ✓ Fungal Pathogens (Mold) Limited Coverage
- ✓ Demolition/increased cost of construction
- ✓ No coinsurance
- ✓ Property in the open
- ✓ Valuable papers
- ✓ Extra expense
- ✓ Loss of Rents
- ✓ Expediting expense

Property Exclusions
The following is a partial list of property coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Nuclear reaction/ contamination
- ✓ War
- ✓ Cyber Risk
- ✓ Fungal Pathogens (Mold) excess of sub-limit
- ✓ Failure to supply utilities
- ✓ Transmission Lines and Poles
- ✓ Dishonest acts
- ✓ Acts of Terrorism excess of Pool's Aggregate Sublimit -- MMLC TR (9/1/10)
- ✓ Wear and tear
- ✓ Computer failures/ viruses

Only one deductible applies to claims involving two or more property coverages.
Comprehensive Crime Coverage

✓ Employee Dishonesty/ Faithful Performance of Duty coverage provided on a blanket basis
✓ Loss Inside the Premises
✓ Loss Outside the Premises
✓ Money Orders/ Counterfeit Currency
✓ Depositors Forgery
✓ Position Fidelity Bonds

Automobile Coverage Highlights

What Is Covered?
Coverage is afforded while operating land motor vehicles, trailers or semi-trailers designed for travel on public roads.

Auto Coverages Provided

✓ Michigan No-Fault Coverage, includes mini-tort coverage for no extra charge
✓ Excess protection for use of personal automobile for municipal business
✓ Uninsured motorist for municipally owned vehicles
✓ Underinsured motorists
✓ Non-owned and hired auto
✓ Comprehensive - actual cash value basis
✓ Collision - actual cash value basis
✓ Volunteer firefighter auto accident liability coverage
✓ Agreed value coverage for emergency vehicles is available
✓ Fire or Rescue Vehicle Rental Reimbursement Coverage
Pool Risk Management Services

- Review and service of all municipal insurance matters
- Public entity experts address various liability issues
- Aggressive, member-oriented defense strategy
- Former police officials address law enforcement risks
- Physical inspection by municipal loss control engineers
- Law enforcement risk control programs (LEAF and LERC)
- Property appraisal services available

Online Services

www.mml.org (click on the Insurance button) – offers Pool members an outstanding resource for municipal risk management information and self-help tools in one attractive, simple-to-navigate location. File a claim on line. Download your renewal application. Request a loss control service visit. E-mail us a question. Other services available online:

- Online Forms (including Sewer Backup Sample Documents)
- Risk Resources:
  - Risk Control Solutions
  - Safety & Health Manual
  - Risk Management is Good Management Program
  - Law Enforcement Newsletters
- MML Pool Audited Financial Statements
- Intergovernmental Contract
- Board of Directors, Pool Administrator and Staff Profiles and Contact Information
Membership Responsibilities

Membership in the Michigan Municipal League Liability and Property Pool provides numerous benefits. Likewise, individual members have certain responsibilities to the other members, which are detailed in the Intergovernmental Contract. The following is a summary of the membership responsibilities. Please refer to the Intergovernmental Contract, Articles 5 and 6, for more information.

- If a Member intends to leave the Pool, the Member must send a written notice to the Pool at least 60 days prior to its next renewal date.
- A Member must pay its premium when due. The Pool must give each member 20 days written notice of intent to terminate membership for nonpayment of premium. Payment of premium before the 20 days notice is effective will entitle the Member to reinstatement.
- Members must maintain membership or associate membership status in the Michigan Municipal League.
- A Member will allow attorneys employed by the Pool to represent the Member in defense of any claim made against the Member within the scope of coverage provided by the Pool. A Member will cooperate with the assigned attorneys, claims adjusters, service company or other agents of the Pool relating to the defense of claims for which the Pool is providing coverage.
- A Member will follow loss reduction and prevention measures established by the Pool.
- A Member will report to the Pool as promptly as possible all incidents that the Member reasonably believes may result in a claim against the Member.