AGENDA – CITY COUNCIL MEETING
April 14, 2020
6:30 p.m.

1. CALL TO ORDER.

2. PLEDGE OF ALLEGIANCE – Invocation will be given by the guest of Mayor Derek Dobies.

3. ROLL CALL.

4. ADOPTION OF AGENDA.

5. PRESENTATIONS/PROCLAMATIONS.

6. PUBLIC HEARINGS.

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

A. Public Hearing on Special Assessment Roll No. 3416 for street resurfacing and roundabout construction on Fourth Street from Horton Road to Audubon Avenue.

1. Resolution confirming Roll No. 3416

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

7. CITIZEN COMMENTS. (3-Minute Limit)

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

A. Resignation of Fifth Ward City Councilmember:
Accept and place on file the resignation of Fifth Ward City Councilmember Kelsey Heck.
9. CONSENT CALENDAR.

A. Minutes of the Regular Meeting of March 31, 2020:
   Approve the minutes of the regular City Council meeting of March 31, 2020.

B. Together We Can Make A Difference National Day of Prayer:
   Approve a request from Together We Can Make A Difference to host their National Day of Prayer on Thursday, May 7, 2020 in Nixon Park.

C. Men’s March Against Violence:
   Approve a request from Save Our Youth Help Them Prosper to host their annual Men’s March Against Violence on Saturday, June 13, 2020, through the streets of Jackson and at the CP Federal Square and Horace Blackman Park.

D. Engineer’s Report for Overhead Lighting Installation, Morrell Street - Orchard Place to Cooper Street:
   Receive the Engineer’s Report for installation of overhead street lighting installation on Morrell Street from Orchard Place to Cooper Street, and establish April 28, 2019 at the City Council meeting as the time and place to hold a public hearing of necessity.

E. Engineer’s Report for Street Reconstruction and Water Main Replacement, Washington Avenue – Fourth Street to First Street:
   Receive the Engineer’s Report for street reconstruction and water main replacement on Washington Avenue from Fourth Street to First Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

F. Engineer’s Report for Street Reconstruction and Water Main Replacement, Third Street – Washington Avenue to Michigan Avenue:
   Receive the Engineer’s Report for street reconstruction and water main replacement on Third Street from Washington Avenue to Michigan Avenue and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

G. Engineer’s Report for Street Reconstruction and Water Main Replacement, Clinton Street – Homecrest Road to Blackstone Street:
   Receive the Engineer’s Report for street reconstruction and water main replacement on Clinton Street from Homecrest Road to Blackstone Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

H. Engineer’s Report for Overhead Lighting Installation, Adrian Street - Morrell Street to Merriman Street and Merriman Street - Adrian Street to MLK Equality Trail:
   Receive the Engineer’s Report for installation of overhead street lighting installation on Adrian Street from Morrell Street to Merriman Street, and Merriman Street from Adrian Street to the MLK Equality Trail, and establish
April 28, 2019 at the City Council meeting as the time and place to hold a public hearing of necessity.

I. Approve a Revocable License for OGMA Brewing Company for the Installation of Equipment and Door in the Public Alley behind the building at 129 E. Michigan Avenue:

Approve a Revocable License for OGMA Brewing Company for the installation of mechanical equipment and outward opening door with the public alley in behind the building at 129 E. Michigan Avenue and authorize the Mayor and City Clerk to execute the appropriate document(s).

10. OTHER BUSINESS.

A. Zoning Ordinance Amendment No. 2020-03 - Definitions, Building Design Standards, and Accessory Structure Provisions. (Second/Final Reading):

Recommendation: Final adoption of Ordinance 2020-03 amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to provide clarity regarding the definition of solar panels as outlined in Sec. 28-5, clarify the use of solar panels on one and two family dwelling units as outlined in Sec. 28-115, and permit the installation of solar panels on detached accessory structures as outlined in Sec. 28-120.

B. City Council Rules & Personnel Policy Committee Recommendation for Interim City Manager Compensation.

Recommendation: Consider the City Council Rules & Personnel Policy Committee’s recommendation for Interim City Manager compensation. (Delayed at the March 31, 2020 City Council meeting.)

11. NEW BUSINESS.

A. Renewal of Spent Lime Removal Contract:

Approve the renewal of the contract for removal of spent lime at the Water Treatment Plant to T & L Contracting, Inc., Lansing, at the price of $25.18 per cubic yard.

B. Noxious Weeds Ordinance Amendment to Include the Invasive Species as Defined by the State of Michigan. (First Reading)

Recommendation: Consider an Ordinance amending Chapter 26, Article III, Section 26-75, City Code, to include the invasive species as defined by the State of Michigan.

C. Proposed Charter Amendment.

Recommendation: Discussion of proposed charter amendment and motion to send to the Rules and Personnel Policy Committee for review and possible recommendation to the Council.
12. CITY COUNCILMEMBERS’ COMMENTS.
13. MANAGER’S COMMENTS.
14. ADJOURNMENT.
MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: April 14, 2020
SUBJECT: Confirmation of Special Assessment Roll No. 3416

Recommendation:

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

A. Public Hearing on Special Assessment Roll No. 3416 for street resurfacing and roundabout construction on Fourth Street from Horton Road to Audubon Avenue.

  1. Resolution confirming Roll No. 34136

ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS CITY COUNCIL

The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner.

Attached is the resolution.

I recommend adoption of the resolution after its public hearing is held. Your consideration and concurrence is appreciated.
RESOLUTION
STREET RESURFACING AND ROUNDABOUT CONSTRUCTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street resurfacing and roundabout construction on Fourth Street from Horton Road to Audubon Avenue which assessments were by him placed on Assessment Roll No. 3416 in the amount of $62,257.89 and reported to the City Council as its meeting held on the 14th day of April, 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 April 14, 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. 3416 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 3.41% 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 14th day of April, 2020.

IN WITNESS WHEREOF, I have affixed my signature and the Seal of the City of Jackson, Michigan, on this 15th day of April 2020.

________________________________________________
Andrea Muray, City Clerk

_________________________________________________
Derek J. Dobies, Mayor
March 30, 2020

Andrea Murray, City Clerk
161 W. Michigan Avenue
Jackson, MI  49201

Please place on the agenda for Tuesday, April 14, 2020, the following special assessment roll(s), setting a public hearing for **Tuesday, April 14, 2020**:

<table>
<thead>
<tr>
<th>ROLL NUMBER</th>
<th>ROLL PURPOSE</th>
<th>AMOUNT ASSESSED</th>
<th>INSTALLMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>3416</td>
<td>Reconstruct Fourth Street, Horton to Audubon</td>
<td>$62,257.89</td>
<td>10</td>
</tr>
</tbody>
</table>

The above special assessment roll(s) will be confirmed by the City Council on said Tuesday, April 14, 2020.

Sincerely,

[Signature]

Deborah Koehn
Senior Appraiser

Copy: City Manager's Office, Engineering, Water Department, Public Works, NEO, File
<table>
<thead>
<tr>
<th>Sp. District</th>
<th>Parcel #</th>
<th>Owner</th>
<th>Principal</th>
<th>Admin Fee</th>
<th>Interest</th>
<th>Addtl Penalty</th>
<th>Total Installment</th>
<th>Total Payoff Int</th>
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<td>3-249100000</td>
<td>RECONSTRUCT FOURT KEY RICHARD S ETAL</td>
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<td>227.37</td>
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<td>3-2980.200</td>
<td>RECONSTRUCT FOURT MCALPINE BRIAN</td>
<td>0.00</td>
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<td>0.00</td>
<td>0.00</td>
<td>529.60</td>
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<td></td>
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<td>717 AUDUBON BLVD JACkSON MI 49203</td>
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<td>2980.A, 2980.B</td>
<td>2980.01</td>
<td>LOT 265 EX BEG AT NE COR OF SD LOT TH S 0 DEG 12' 0&quot; E ALG E LN OF SD LOT 123.45 FT TO POB THIS EX TH S 81 DEG 54' 28&quot; W 90.88 FT TH N 88 DEG 59' 45&quot; W PARA TO S LN OF AUDUBON AVE 90 FT TH S 0 DEG 12' 0&quot; E 128 FT TO S LN OF SD LOT TH E 10.22 FT TH NELY 193.72 FT M/L ALONG N LN OF PCRR R/W TO W LN OF S WEST AVE TH N 60 FT TO POB ESSEX HEIGHTS NO 3</td>
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Lot 4 & S 66 FT of Lot 5 BLK 5 DIV 12 PLAT OF SUMMITVILLE
3416 3-3197.5000 0.00 0.00 0.00 2,263.80 2,263.80 2,263.80
RECONSTRUCT FOURT FAST FORWARD PROPERTIES LLC 0.00 0.00 0.00 0.00 0.00 0.00
2885 SPRING ARBOR RD
JACKSON MI 49203

W 132 FT OF LOTS 3 & 4 BLK 2 COLFAK ADD
3416 3-3197.6000 0.00 0.00 0.00 1,131.90 1,131.90 1,131.90
RECONSTRUCT FOURT DOBBEN JOAN M TRUST 0.00 0.00 0.00 0.00 0.00 0.00
5706 BROWNS LAKE RD
JACKSON MI 49203

LOT 2 EX E 140.25 FT BLK 2 COLFAK ADD
3416 3-31970000 0.00 0.00 0.00 1,131.90 1,131.90 1,131.90
RECONSTRUCT FOURT JASPER COMPANY LLC 0.00 0.00 0.00 0.00 0.00 0.00
1830 PROBERT RD
JACKSON MI 49203

LOT 1 EX E 140.25 FT BLK 2 COLFAK ADD
3416 3-32030000 0.00 0.00 0.00 566.28 566.28 566.28
RECONSTRUCT FOURT CHALFANT RONALD J 0.00 0.00 0.00 0.00 0.00 0.00
2201 FOURTH ST
JACKSON MI 49203

LOTS 1 & 2 BLK 3 COLFAK ADD
3416 3-32070000 0.00 0.00 0.00 2,829.75 2,829.75 2,829.75
RECONSTRUCT FOURT FINKBEINER CHARLES F ETAL 0.00 0.00 0.00 0.00 0.00 0.00
2229 FOURTH ST
JACKSON MI 49203

LOTS 3, 4, 6, 8 & 10 & W 1 FT OF LOT 12 BLK 3 COLFAK ADD
3416 3-32150000 0.00 0.00 0.00 577.51 577.51 577.51
RECONSTRUCT FOURT DOLSON GABRIEL J 0.00 0.00 0.00 0.00 0.00 0.00
15770 DONNA'S PATH
MANITOU BEACH MI 49253

LOT 1 GEO W BAYLIS SUB DIV OF BLK 4 COLFAK ADD
3416 3-32310000 0.00 0.00 0.00 278.85 278.85 278.85
RECONSTRUCT FOURT GEORGOPoulos WILLIAM J 0.00 0.00 0.00 0.00 0.00 0.00
1104 S HIGBY ST
JACKSON MI 49203

LOT 32 EX W 33.5 FT OF S 69.62 FT & LOT 33 EX S 69.62 FT GEO W BAYLIS SUB DIV OF BLK 4 COLFAK ADD
3416 3-32320000 0.00 0.00 0.00 298.66 298.66 298.66
RECONSTRUCT FOURT NESSING LEOPOLD & DIANE 0.00 0.00 0.00 0.00 0.00 0.00
2305 FOURTH ST
JACKSON MI 49203

S 69.62 FT OF LOT 33 ALSO S 69.62 FT OF W 33.5 FT OF LOT 32 GEO BAYLIS SUB DIV OF BLK 4 COLFAK ADD
### Special Assessment Roll for CITY OF JACKSON

**Roll for Year 2019**

**Population: Special Assessment District (3416)**

**Special Population Both Active and Inactive Parcels**

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<thead>
<tr>
<th>Sp. District</th>
<th>Parcel #</th>
<th>Owner</th>
<th>Principal Admin Fee</th>
<th>Interest Penalty</th>
<th>Addtl Penlty Cert Fee</th>
<th>Total Installment</th>
<th>Prin Bal Payoff Int</th>
<th>Total Payoff</th>
</tr>
</thead>
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<tr>
<td>3235</td>
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<td>LOTS 2 &amp; 3 ALGERVILLE SUB DIV</td>
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<td>RECONSTRUCT FOURT ALPINE LAKE LLC</td>
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**Total Parcels: 17**

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<th>Total Installment</th>
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<td>62,257.89</td>
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**Total Parcels: 17**

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<th></th>
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<th>Total Installment</th>
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<td>0.00</td>
<td>0.00</td>
<td>62,257.89</td>
</tr>
</tbody>
</table>
MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: April 14, 2020
SUBJECT: Resignation of 5th Ward Councilmember Kelsey Heck

Recommendation:

Receive letter of resignation from Kelsey Heck.

On April 6, 2020 Kelsey Heck filed with the Clerk’s Office a letter of resignation. Per Section 7.8 of the City Charter, resignations of all elected officials and appointed officers shall be made in writing and filed with the clerk, and shall be received at the next regular or special meeting of the council following filing with the clerk.

I recommend receipt of the resignation. Your consideration and concurrence is appreciated.
To City Clerk, Mayor, and Council:

I never imagined I would serve in public office. There are two types of people who work in politics: those who thrive in the spotlight and those who feel more comfortable behind the scenes. I have always been a behind the scenes person. The decision to apply for the Ward 5 vacancy was difficult for me and I put my name forward only after quite a bit of encouragement from several people I respect. The experience has been better, and worse, than I ever dreamed.

The moment I was appointed to fill the Ward 5 vacancy a small group of vocal people - several people who also applied for the appointment - vowed to recall me from office. The disagreement doesn't appear to be with the appointment process (since this same group could have used the time and resources to petition to change the charter rather than petitioning to change the officeholder), with any of the votes I've taken, or even with me as a person, but solely because I was appointed and they were not.

This unrelenting nastiness has taken a toll, as I imagine it would for any reasonable person, and I think there is strength in acknowledging my limits. I've decided that I'm going to hold on to the good I've managed to do and let go of the rest. I am resigning as Ward 5 City Councilwoman effective Monday, April 6, 2020. I am hopeful my resignation will end the public attacks and am looking forward to returning to life as a private citizen.

I am deeply honored to have met and worked with so many truly good people who care about this city. The City of Jackson is staffed by the most dedicated, knowledgeable, and kind public servants anywhere. The Mayor and council are the public face and get to take credit for a lot of the work, but nothing would ever get done without the people who work at City Hall. Special thanks to those who patiently responded to my questions and guided my decisions with their informed recommendations. Some of the work I'm most proud of includes:

- Spearheading the passage of Harm Reduction and Needle Exchange program
- Gun Violence Task Force work including funding the Cure Violence program, marching with Save Our Youth and Moms Demand Action, and keeping up the pressure to fund Group Violence Intervention program in the 2020-2021 budget
- Fighting for dignified and accessible housing for all but especially passing the Displaced Tenants Ordinance, working on the Reed Manor RAD conversion, and partnering with Habitat for Humanity and CAA on the project on Franklin street

There is so much more to be done for Jackson to be a place where everyone can thrive, but I am grateful to have played a small part in the story of this city.

Kelsey Heck
168.977 Appointment of officer who was recalled or resigned prohibited.

Sec. 977. (1) An officer who is recalled under this chapter shall not be appointed to fill a vacancy in an elective office in the electoral district or governmental unit from which the recall was made during the term of office from which the officer was recalled.

(2) An officer who resigns subsequent to the filing of a recall petition shall not be appointed to fill a vacancy in elective office in that electoral district or governmental unit during the term of the office from which the officer resigned.

(3) If an officer resigns subsequent to the filing of petitions to recall that officer from office, it is not necessary for the office with which the recall petitions have been filed to proceed under sections 961 and 963.

(4) If an officer whose recall is sought resigns after the calling of a recall primary election, recall general election, recall election, or special recall election, the election shall not be held.


Compiler's note: Enacting section 2 of Act 417 of 2012 provides:
"Enacting section 2. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

Enacting section 3 of Act 417 of 2012 provides:
"Enacting section 3. The legislature recognizes the importance of the electoral process, and it is the intent of the legislature that this amendatory act uphold each of the following:
(a) Section 4 of article II of the state constitution of 1963.
(b) Section 8 of article II of the state constitution of 1963.
(c) Section 26 of article V of the state constitution of 1963."

Popular name: Election Code
Section 7.8. - Resignations.

Resignations of all elected officials and appointed officers shall be made in writing and filed with the clerk, and shall be received at the next regular or special meeting of the council following filing with the clerk.

Section 7.9. - Vacancies in Office.

An elective office shall become vacant upon the occurrence of any of the following events: Expiration of term of office, death, resignation, recall, or removal from office, ceasing to possess qualifications of office required by this charter or by law, conviction of a felony, a court ruling that a candidate’s election to office is void, failure to take the oath of office, or any other event which, by law, creates a vacancy. The office of a council member shall not be deemed vacant should he or she temporarily relocate from his or her ward for a period not to exceed 120 continuous days due to flood, fire, earthquake, or other unanticipated calamity or situation.

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.
CALL TO ORDER:

The Jackson City Council met in regular session, in compliance with the State of Michigan Executive Order 2020-15, and was called to order at 6:31 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Council joined in the Pledge of Allegiance. A moment of silence was offered by Sixth Ward City Councilmember Will Forgrave to keep those affected by COVID-19 in thought.

ROLL CALL:

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

Absent: none.

Also Present: Interim City Manager Jonathan Greene, City Attorney Matthew Hagerty, and City Clerk Andrea Muray.

ADOPTION OF AGENDA:

Motion was made by Councilmember Schlecte, seconded by Councilmember Heck to amend the agenda by adding Item 11A – Extending the City tax return filing deadline from April 30, 2020 to July 31, 2020 and approve the amended agenda. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS: none.

PUBLIC HEARINGS: none.

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. **2019 City of Jackson Annual Report.**
   Accept and place on file the 2019 City of Jackson Annual Report.

B. **CDBG & HOME Financial Summaries through February 29, 2020.**
   Accept and place on file the Community Development Block Grant (CDBG) and HOME Financial Summaries through February 29, 2020.

C. **2020 March Board of Review Minutes.**
   Accept and place on file the 2020 March Board of Review Minutes.
   
   Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to accept and place on file. Vote – Yea: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

CONSENT CALENDAR:

A. **Minutes of the Regular Meeting of February 25, 2020:**
   Approve the minutes of the regular City Council meeting of February 25, 2020.

B. **Minutes of the Special Meeting of March 23, 2020:**
   Approve the minutes of the special City Council meeting of March 23, 2020.

C. **Building Code Board of Examiners and Appeals Appointment:**
   Approve the Mayor’s recommendation to appoint Cathy Moore to the Building Code Board of Examiners and Appeals filling a current vacancy, beginning immediately and ending December 31, 2021.

D. **Civil Service Board Appointment:**
   Approve the Mayor’s recommendation to appoint Colleen Sullivan to the Civil Service Board filling a current vacancy, beginning immediately, and ending August 31, 2022.

E. **Economic Development Corporation of Jackson County:**
   Approve the appointment of Councilmember Laura Dwyer Schlecte to the Economic Development Corporation for Jackson County for a six-year term beginning April 1, 2020, and ending March 31, 2026, and recommend this appointment to the Jackson County Board of Commissioners for their consideration.

F. **Jackson County Brownfield Redevelopment Authority (JCBRA):**
   Approve the appointment of Councilmember Laura Dwyer Schlecte to the Jackson County Brownfield Redevelopment Authority (JCBRA) for a three-year term beginning April 1, 2020, and ending March 31, 2023, and recommend this appointment to the Jackson County Board of Commissioners for their consideration.
G. **Jackson County Land Bank Authority:**
   Approve and confirm the Mayor’s recommendation to the Jackson County Board of Commissioners the appointment of City Councilmember Laura Dwyer Schlecte to the Jackson County Land Bank Authority filling a current vacancy beginning immediately, and ending October 31, 2020.

H. **Environmental Commission Appointment:**
   Approve the Mayor’s recommendation to appoint Bethany Hersha to the Environmental Commission filling a current vacancy, beginning immediately, and ending May 29, 2022.

I. **Environmental Commission Reappointment:**
   Approve the Mayor’s recommendation to reappoint Kevin Lund and Kelli Kazmier to the Environmental Commission for a three year term each, beginning May 30, 2020, and ending May 29, 2023.

J. **Environmental Commission Ex-Officio Reappointment:**
   Approve the Mayor’s recommendation to reappoint Nicholas Haney to the Environmental Commission as an ex-officio for a one-year term, beginning May 15, 2020, and ending May 14, 2021.

K. **Public Arts Commission Reappointment:**
   Approve the Mayor’s recommendation to reappoint Angela Edward to the Public Arts Commission for a three year term, beginning May 29, 2020, and ending May 28, 2023.

L. **Ella W. Sharp Park Board of Trustees Alternate Appointment:**
   Approve the Mayor’s recommendation to appoint Cathy Moore to the Ella W. Sharp Park Board of Trustees as an alternate, for a three year term, beginning April 1, 2020, and ending March 31, 2023.

M. **Traffic Control Order 2319 – Morris Street at Commonwealth Avenue:** Approve Traffic Control Order 2319 to replace yield signs with stop signs on Morris Street at Commonwealth Avenue.

N. *Item Deleted.*

O. **Mission Igniter’s Every Heart Night of Worship:**
   Approve a request from the Mission Igniter to host their Every Heart Night of Worship on Saturday, May 30, 2020, at CP Federal Square, Horace Blackman Park.

P. **Ella Sharp Museum 16th annual Art, Beer & Wine Festival:**
   Approve a request from the Ella Sharp Museum to conduct their 16th annual Art, Beer, and Wine Festival event on Saturday, June 13, 2020, at Ella Sharp Museum.

Q. **American Cancer Society’s annual Relay for Life event:**
   Approve a request from the American Cancer Society to host their annual Relay for Life event July 31 – August 1, 2020, at the Sparks Foundation County Park.
R. Resolution for Changes to the Standard Lighting Contract for Streetlights with Consumers Energy for the additional new streetlight at 814 Eaton Street:
Approve the Resolution for Changes to the Standard Lighting Contract for Streetlights with Consumers Energy for the addition of a new streetlight at 814 Eaton Street, and authorize the Mayor and City Clerk to execute the appropriate documents.

S. Approve Amendment 1 to the First Extension of the 2017 Bridge Consulting Services Contract with Great Lakes Engineering of Lansing, MI:
Approve Amendment 1 to the first extension of the 2017 Bridge Consulting Services Contract with Great Lakes Engineering, Lansing, in the amount of $29,750.00, and authorize the Interim City Manager and City Engineer to execute the appropriate document(s) in accordance with the Purchasing Agent.

T. Amendment 5 to the 2019 Street Engineering Contract to Provide for a Continuation of Preliminary and Construction Engineering Services for Various Projects:
Approve Amendment 5 to the 2019 Street Engineering contract with Hubbell, Roth & Clark, Inc. (HRC) of Bloomfield Hills, to provide for a continuation of preliminary and construction engineering services for various projects at a not-to-exceed cost of $158,210.00, and authorize the Interim City Manager and City Engineer to sign the appropriate document.

U. City of Jackson Parks, Recreation and Cemeteries Department updated Woodland and Mt. Evergreen Cemeteries Policies and Procedures: Approve the City of Jackson Parks, Recreation and Cemeteries Department updated Woodland and Mt. Evergreen Cemeteries Policies and Procedures.

V. Zoning Ordinance Amendment - Definitions, Building Design Standards, and Accessory Structure Provisions. (First Reading):
Introduce the ordinance, and recommend for second reading and final adoption the amendments to the definitions, building design standards, and accessory structure provisions as outlined in Article I, Sec. 28-5, and Article IV, Sec. 28-115, and Sec. 28-120 of Chapter 28, City Code.

W. Approve Extension of the 2019 As Needed Materials Testing Services Contract:
Approve the first extension of the 2019 As Needed Materials Testing Services Contract with Professional Service Industries (PSI), Inc., Lansing, in the estimated amount of $88,000.00, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

X. Award for the 2020 Contract for E. High Street Bridge Rehabilitation Engineering:
Approve the award for the 2020 contract for E. High Street Bridge Rehabilitation Engineering to Hubbell, Roth & Clark, Inc., Jackson, for $435,778.57, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.
Y. **2020 Contract for Water Main Street Engineering:** Approve the award for the 2020 Water Main Engineering contract to Hubbell, Roth & Clark, Inc., Jackson, for $209,553.00, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Z. *Item Deleted*

AA. **Jackson College Office of Multicultural Affairs Juneteenth Celebration:** Approve a request from the Jackson College Office of Multicultural Affairs to host their Juneteenth Celebration on Saturday, June 20, 2020, in Horace Blackman Park and downtown Jackson.

BB. **Jackson Human Relations Commission’s Back to School Blast and Community Resource Fair.** Approve a request from the City of Jackson Human Relations Commission to host their Back to School Blast and Community Resource Fair on Thursday, August 13, 2020, in Horace Blackman Park and on Michigan Avenue in downtown Jackson.

CC. **EFM Limited Dividend Housing Association LLC – Revised PILOT Ordinance No. 508. (Second/Final Reading):** Final adoption of Ordinance No. 508, granting a service charge in lieu of taxes for a housing project for low income persons and families.

DD. **Award the City of Jackson Loomis Park Basketball Court, Trail and Lights Contract to the Covalle Group Architects PLLC, in the amount of $21,500.00.** Award the City of Jackson Loomis Park Basketball Court, Trail and Lights contract to Covalle Group Architects PLLC, in the amount of $21,500.00.

Councilmember Schlecte requested Items E, F, G, and L be removed for separate consideration. Councilmember Dancy requested Item V be removed for separate consideration.

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve the amended consent calendar. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Alexander, seconded by Councilmember Heck to approve Items E, F, and G. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Heck, and Forgrave (6). Nays: none. Abstain: Councilmember Schlecte. Motion carried.

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve Item L. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.
Motion was made by Councilmember Dancy, seconded by Councilmember Schlecte to move the item to New Business 11B. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**OTHER BUSINESS:**

**A. Re-establish the Rules and Personnel Policy Committee:**
Re-establish the City Council Rules and Personnel Policy Standing Committee.

Motion was made by Councilmember Schlecte, seconded by Councilmember Heck to re-establish the Rules and Personnel Policy Committee and to appoint Mayor Dobies, Councilmember Schlecte, and Councilmember Alexander to the committee. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**B. Interim City Manager Compensation.**
Recommendation: Consider Interim City Manager compensation. (Delayed at the February 25, 2020 City Council meeting.)

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to refer the item to the Rules and Personnel Policy Committee. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Alexander, Schlecte, Heck, and Forgrave (6). Nays: Councilmember Dancy (1). Motion carried.

**NEW BUSINESS:**

**A. Extend the City of Jackson tax deadline.**

Motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to move the deadline for City of Jackson income taxes from April 30, 2020 to July 31, 2020. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

**B. Zoning Ordinance Amendment – Definitions, Building Design Standards, and Accessory Structure Provisions. (First Reading):**
Introduce the ordinance, and recommend for second reading and final adoption the amendments to the definitions, building design standards, and accessory structure provisions as outlined in Article I, Sec. 28-5, and Article IV, Sec. 28-115, and Sec. 28-120 of Chapter 28, City Code.
Motion as made by Councilmember Dancy, seconded by Councilmember Schlecte to recommend the zoning ordinance amendment for a second reading and final adoption. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

CLOSED SESSION:

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to go into closed session pursuant to MCL 15.268(e) in Michigan Tax Tribunal MOAHR Docket No. 19-002376, Jackson Crossing Realty LLC v City of Jackson. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

RETURN TO OPEN SESSION:

Motion was made by Councilmember Dancy, seconded by Councilmember Alexander to return to open session. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve entry of a consent judgement as recommended by the City Attorney and City Assessor for Docket No. 19-002376, Jackson Crossing Realty LLC v City of Jackson. Vote – Yeas: Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS’ COMMENTS:

Mayor Dobies, Councilmembers Robinson, Dancy, Alexander, Schlecte, Heck, and Forgrave offered 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 Dancy. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 7:44 p.m.
MEMO TO: Mayor and City Council Members
FROM: Jonathan Greene, City Manager
DATE: April 14, 2020
SUBJECT: Special Event Application for the Together We Can Make a Difference National Day of Prayer

Recommendation:

Approve a request from Together We Can Make a Difference to host their National Day of Prayer on Thursday, May 7, 2020 in Nixon Park.

Attached are memos from Cory Mays regarding the Special Event Application for the Together We Can Make a Difference National Day of Prayer.

I recommend approval of the special event application for the Together We Can Make a Difference National Day of Prayer. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Cory L. Mays, Executive Director, DDA

DATE: April 14, 2020

RECOMMENDATION: Approve a request from Together We Can Make a Difference to host their National Day of Prayer on Thursday, May 7, 2020 in Nixon Park.

SUMMARY: An annual gathering where people read from the Old Testament, New Testament, and Psalms/Proverbs so that the entire Bible is presented during the course of the event.

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.

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TOTAL $0.00

CONDITIONS & CONSIDERATIONS

None

INSURANCE STATUS

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

ATTACHMENTS: Special Event Application: Together We Can Make a Difference National Day of Prayer
Date Received By DDA Office: 3/2/20  Time: 11:15 a.m.  By:

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: National Day of Prayer
Sponsoring Organization’s Legal Name: Together we can make a difference
Organization Address: 224 W. Wilkins Jackson MI 49203
Tax I.D. Number: 82-1152303
Event Organizer: Wendy Wight/Wendy Valentine
Phone (work): 517-740-8444  517-937-0234
Phone (during event): Same
Agent’s Address: Wendy Valentine 9659 Greiner Rd Harper Mi 49241
Agent’s E-Mail Address: PastorWendyV@gmail.com
Organization Address:

Please give a brief description of the proposed special event:

365 people will each read from the Bible in one
year translation. Each person will have an
old testament, new testament, and psalms/proverbs
to read. In between each one we blow the
shofar (horn). In about 20 minutes the
entire Bible is read over the City of Jackson.

Event Day(s) and Date(s): May 7, 2020 Thursday (one day)
Set-Up Date & Time: 11:30 AM  Tear-Down Date & Time: 12:45 PM
Event Location: Blackman Park  Loomis Park
1st choice  2nd choice
ANNUAL EVENT: Is this event expected to occur next year? (circle one) **YES**  **NO**
How many years has this event occurred?  ____3____

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:  \_\_/\_ A

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? 350-400

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.

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 a 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 maybe 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.

2/27/20

[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
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Barker Weber Insurance Agency, Inc.
2501 Spring Arbor Rd.
Jackson, MI 49203

CONTACT NAME: Kelly Bunch
PHONE: (517) 780-8444
FAX: 517-783-2608
E-MAIL ADDRESS: Kelly@barkerweber.com

INSURED
Together We Can Make
224 W Wilkins
Jackson, MI 49203

INSURER(S) AFFORDING COVERAGE
Auto Owners Insurance Co
NAIC # 18998

COVERAGES
CERTIFICATE NUMBER:
REVISION NUMBER:

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

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WORKERS COMPENSATION
AND EMPLOYEES' LiABILITY
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NA)
If yes, describe under DESCRIPTION OF OPERATIONS below

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate Holder is named as Additional Insured re: Big Seed, Garden Fair, Bike Rally, Prayer Walk & National Day of Prayer

CERTIFICATE HOLDER
Fax #: (877) 509-5874
City of Jackson & Downtown 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

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MEMO TO: Mayor and City Council Members  
FROM: Jonathan Greene, City Manager  
DATE: April 14, 2020  
SUBJECT: Special Event Application for the Save Our Youth Help Them Prosper annual Men’s March Against Violence

Recommendation:

Approve a request from Save Our Youth Help Them Prosper to host their annual Men’s March Against Violence on Saturday, June 13, 2020 through the streets of Jackson and at the CP Federal Square and Horace Blackman Park.

Attached are memos from Cory Mays regarding the Special Event Application for the Save Our Youth Help Them Prosper annual Men’s March Against Violence.

I recommend approval of the special event application for the Save Our Youth Help Them Prosper annual Men’s March Against Violence. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Cory L. Mays, Executive Director, DDA
DATE: April 14, 2020

RECOMMENDATION: Approve a request from Save Our Youth Help Them Prosper to host their annual Men’s March Against Violence on Saturday, June 13, 2020 through the streets of Jackson & at the CP Federal Square & Horace Blackman Park.

SUMMARY: Annual community gathering and march to raise awareness regarding violence in Jackson.

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>
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**TOTAL** $0.00

CONDITIONS & CONSIDERATIONS

Street closures (see route); reserved parking; electricity in Horace Blackman Park

INSURANCE STATUS

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

ATTACHMENTS: Special Event Application: Save Our Youth Help Them Prosper Men’s March Against Violence
Date Received By DDA Office: 11/16/20 Time: 10:55 By: [signature]

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: Men's March Against Violence
Sponsoring Organization's Legal Name: Save Our Youth Help Them Prosper
Organization Address: 211 West Ganson St, STE 220, Jackson 49201
Tax I.D. Number: 47-5684864
Event Organizer: Thomas Burke Title: Executive Director
Phone (work): 517-240-6134
Phone (during event): 517-240-6134
Agent's Address: Same as above
Agent’s E-Mail Address: stoneyieve@hotmail.com
Organization Address: 

Please give a brief description of the proposed special event: The Men's March Against Violence is an opportunity for men to come together to march against the violence in Jackson, MI. The goal is to build awareness and figure out ways to help prevent gun violence in Jackson, MI.

Event Day(s) and Date(s): Saturday, June 13, 2020
Set-Up Date & Time: 10 am Tear-Down Date & Time: 6:00 pm
Event Location: Kickoff at the MLK Center and march to the CP Federal Square Park.
ANNUAL EVENT: Is this event expected to occur next year? (circle one) **YES** **NO**
How many years has this event occurred? **On and off for 15 years**

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: **Saturday, June 13, 2020**
Through Date/Time: **Saturday, June 13, 2020 ending the walk**
March starts at the MCK Center at 11:00 am.
At the CP Federal Square Park at approximately 12:00 pm.

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:

West Michigan near the CP Federal Square Park.

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

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

No event sponsors at this time.

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? ≈100

AMUSEMENT: Do you plan to have any amusement or carnival rides? **YES** **NO**
If yes, you are required to obtain a permit through the City Clerk's Office.
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 ARE PLANNING ON HAVING A DJ AND GUEST SPEAKERS AT THE CP FEDERAL SQUARE PARK. SAVE OUR YOUTH WILL NEED ELECTRICITY AROUND THE PARK (ESPECIALLY ON THE STAGE).

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.

STREETS WILL NEED TO BE CLOSED DURING THE TIME OF THE MARCH. WE WILL BE WALKING DOWN ADRIAN ST TO MORRELL STREET TO MLK BLVD AND TO W. MICHIGAN AVE.
A MAP HAS BEEN PROVIDED TO NOTE THE ROUTE.

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 a 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.

02/05/2020

[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
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Lighthouse Insurance Group, Inc.
527 S Rose St
Kalamazoo MI 49007

INSURED
Save Our Youth/Help Them Prosper
110 Lincoln Court
Jackson MI 49203

CONTACT NAME: CL Grand Rapids CT
PHONE: (269) 381-4643
FAX: (269) 381-0827
ADDRESS: 

INSURER(S) AFFORDING COVERAGE
INSURER A: Secura Ins. Co.
NAIC #: 22543

COVERAGES
CERTIFICATE NUMBER: 19-20 Master
REVISION NUMBER: 

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

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WORKERS COMPENSATION
AND EMPLOYERS LIABILITY

Y/N | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? | (Mandatory in NH)
Y/N | N/A |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
If Special Provisions Apply, Endorsements Will Be Attached.

CERTIFICATE HOLDER
The City of Jackson & The Downtown 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
Katie Vulpetti/KVULPE

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Men’s March Against Violence

2020 Route

-Starting at the King Center (1107 Adrian Street, Jackson, MI 49203)
-Travel South on Adrian Street to High Street
-Travel West on High Street to Jackson Street
-Travel North on Jackson Street to Horace Blackman Park (CP Square)
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: April 14, 2020
SUBJECT: Engineer’s Report for Overhead Lighting Installation
Morrell Street - Orchard Place to Cooper Street

Recommendation:

Receive the Engineer’s Report for installation of overhead street lighting installation on Morrell Street from Orchard Place to Cooper Street, and establish April 28, 2019 at the City Council meeting as the time and place to hold a public hearing of necessity.

Attached is a report from Jon Dowling, City Engineer regarding overhead street lighting installation on Morrell Street.

I recommend approval for receipt and establishment of the public hearing of necessity. Your consideration and concurrence is appreciated.

JG
MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: April 14, 2020

RECOMMENDATION: Receive the Engineer’s Report for installation of street lighting on Morrell Street from Orchard Place to Cooper Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

SUMMARY
Engineering requests that City Council establish a public hearing of necessity to be held April 28, 2020 for overhead street lighting installation on Morrell Street from Orchard Place to Cooper Street. This report is prepared for City Council per the Assessment Policy regarding the necessity of street reconstruction.

BUDGETARY CONSIDERATIONS

<table>
<thead>
<tr>
<th>Estimated project costs and funding are as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Assessments</td>
</tr>
<tr>
<td>Local Street Funds</td>
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<tr>
<td>CDBG Funds</td>
</tr>
<tr>
<td>Total Project Cost</td>
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If, upon the conclusion of the Public Hearing of Necessity, City Council orders the project to proceed, Engineering will proceed with letting the project and obtaining competitive bids to determine the true cost of the project. A special assessment roll will then be prepared by the City Assessor to establish individual parcel assessments.

HISTORY, BACKGROUND and DISCUSSION

During the mid-1960s, Bridge Streets was realigned and extended from Milwaukee Street to connect with Morrell Street at Orchard Place and renamed Morrell Street between Orchard Place and Airline Drive (now Cooper Street). During the realignment streetlights were not moved or added to the new roadway. Currently Morrell Street from Orchard Place to Cooper Street has some Consumers Energy supplied high pressure sodium lights mounted on cobra head brackets on wooden poles at or near the street intersections.

DISCUSSION OF THE ISSUE

Currently there are 4 existing Consumers Energy lights along this roadway and they will be replaced with 9 new LED lights.

POSITIONS

I request receipt of the Engineer’s Report for the Morrell Street Lighting Installation project from Orchard Place to Cooper Street and approval of the establishment of April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.
MEMO TO: Mayor and City Councilmembers  
FROM: Jonathan Greene, Interim City Manager  
DATE: April 14, 2020  
SUBJECT: Engineer’s Report for Street Reconstruction and Water Main Replacement Washington Avenue – Fourth Street to First Street

Recommendation:

Receive the Engineer’s Report for street reconstruction and water main replacement on Washington Avenue from Fourth Street to First Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

Attached is a report from Jon Dowling, City Engineer regarding street reconstruction and water main replacement on Washington Avenue from Fourth Street to First Street.

I recommend approval for receipt and establishment of the public hearing of necessity. Your consideration and concurrence is appreciated.

JG
MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: April 14, 2020

RECOMMENDATION: Receive the Engineer’s Report for pavement replacement and water main replacement on Washington Avenue from Fourth Street to First Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

SUMMARY

Engineering requests that City Council establish a public hearing of necessity to be held April 28, 2020 for pavement replacement and water main replacement on Washington Avenue from Fourth Street to First Street. This report is prepared for City Council per the Assessment Policy regarding the necessity of street reconstruction.

BUDGETARY CONSIDERATIONS

Estimated project costs and funding are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
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If, upon the conclusion of the Public Hearing of Necessity, City Council orders the project to proceed, Engineering will proceed with letting the project and obtaining competitive bids to determine the true cost of the project. A special assessment roll will then be prepared by the City Assessor to establish individual parcel assessments.

HISTORY, BACKGROUND and DISCUSSION

Engineering records indicate the pavement was reconstructed on Washington Avenue from Fourth Street to First Street in 1991. The surface of Washington was seal coated in 1997 and crack sealed in 2002. The current condition of the pavement is poor. It has numerous cracks throughout. The curb line on both sides of the subject section is in fair condition. The attached photos show the current street conditions.

DISCUSSION OF THE ISSUE

Engineering proposes full depth pavement replacement with asphalt pavement throughout the project area. The antiquated water mains (constructed in 1919) within the project area will be replaced in conjunction with street construction. The water main portion of this project is part of the water main replacement program to improve water quality and pressure in the neighborhood. During the street construction decorative street lighting will be installed throughout the project area.
I request receipt of the Engineer’s Report for Washington Avenue pavement replacement and water main replacement from Fourth Street to First Street and approval of the establishment of April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.
Photo 1: Washington Avenue, Third Street to Fourth Street, Looking West

Photo 2: Washington Avenue, Looking East from Third Street
Photo 3: Washington Avenue, Looking West from Second Street

Photo 4: Washington Avenue, Looking East from Second Street
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: April 14, 2020

SUBJECT: Engineer’s Report for Street Reconstruction and Water Main Replacement Third Street – Washington Avenue to Michigan Avenue

Recommendation:

Receive the Engineer’s Report for street reconstruction and water main replacement on Third Street from Washington Avenue to Michigan Avenue and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

Attached is a report from Jon Dowling, City Engineer regarding street reconstruction and water main replacement on Third Street from Washington Avenue to Michigan Avenue.

I recommend approval for receipt and establishment of the public hearing of necessity. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager

FROM: Jon H. Dowling, P.E., City Engineer

DATE: April 14, 2020

RECOMMENDATION: Receive the Engineer’s Report for street reconstruction and water main replacement on Third Street from Washington Avenue to Michigan Avenue and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

SUMMARY

Engineering requests that City Council establish a public hearing of necessity to be held April 28, 2020 for street reconstruction and water main replacement on Third Street from Washington Avenue to Michigan Avenue. This report is prepared for City Council per the Assessment Policy regarding the necessity of street reconstruction.

BUDGETARY CONSIDERATIONS

Estimated project costs and funding are as follows:

<table>
<thead>
<tr>
<th>Description</th>
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<td>Total Project Cost</td>
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</table>

If, upon the conclusion of the Public Hearing of Necessity, City Council orders the project to proceed, Engineering will proceed with letting the project and obtaining competitive bids to determine the true cost of the project. A special assessment roll will then be prepared by the City Assessor to establish individual parcel assessments.

HISTORY, BACKGROUND and DISCUSSION

Engineering records indicate the pavement was originally constructed on Third Street from Washington Avenue to Michigan Avenue in 1924. The surface of Third Street was milled and paved with a single course of asphalt in 1979, and wedged and crack sealed in 2008. The current condition of the pavement is very poor. It has cracking, potholes and extensive patching throughout. There are many gaps in the curb line on both the east and west sides of the subject section. The attached photos show the current street conditions.

DISCUSSION OF THE ISSUE

Engineering proposes full depth pavement replacement with new aggregate base, asphalt pavement and concrete curb and gutters and throughout the project area. The antiquated water mains (constructed in 1919) within the project area will be replaced in conjunction with street construction. The water main portion of this project is part of the water main replacement program to improve water quality and pressure in the neighborhood. During the street construction decorative street lighting will be installed throughout the project area.
I request receipt of the Engineer’s Report for Third Street street reconstruction and water main replacement from Washington Avenue to Michigan Avenue and approval of the establishment of April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.
Photo 1: Third Street, Looking North from Washington Avenue

Photo 2: Third Street, Looking North from 210 Second Street
Photo 3: Third Street, Looking North from 206 Third Street
MEMO TO:        Mayor and City Councilmembers
FROM:           Jonathan Greene, Interim City Manager
DATE:           April 14, 2020
SUBJECT:        Engineer’s Report for Street Reconstruction and Water Main Replacement
                Clinton Street – Homecrest Road to Blackstone Street

Recommendation:

Receive the Engineer’s Report for street reconstruction and water main replacement on Clinton Street
from Homecrest Road to Blackstone Street and establish April 28, 2020 at the City Council meeting as
the time and place to hold a public hearing of necessity.

Attached is a report from Jon Dowling, City Engineer regarding street reconstruction and water main replacement on
Clinton Street from Homecrest Road to Blackstone Street.

I recommend approval for receipt and establishment of the public hearing of necessity. Your consideration and
concurrence is appreciated.

PHB
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: April 14, 2020

RECOMMENDATION: Receive the Engineer’s Report for street reconstruction and water main replacement on Clinton Street from Homecrest Road to Blackstone Street and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

SUMMARY

Engineering requests that City Council establish a public hearing of necessity to be held April 28, 2020 for street reconstruction and water main replacement on Clinton Street from Homecrest Road to Blackstone Street. This report is prepared for City Council per the Assessment Policy regarding the necessity of street reconstruction.

BUDGETARY CONSIDERATIONS

Estimated project costs and funding are as follows:

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<th>Description</th>
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<tr>
<td>Street Construction Assessments</td>
<td>$18,838.00</td>
</tr>
<tr>
<td>Local Street Funds</td>
<td>$160,522.00</td>
</tr>
<tr>
<td>Water Funds</td>
<td>$265,360.00</td>
</tr>
<tr>
<td>Total Project Cost</td>
<td>$444,720.00</td>
</tr>
</tbody>
</table>

If, upon the conclusion of the Public Hearing of Necessity, City Council orders the project to proceed, Engineering will proceed with letting the project and obtaining competitive bids to determine the true cost of the project. A special assessment roll will then be prepared by the City Assessor to establish individual parcel assessments.

HISTORY, BACKGROUND and DISCUSSION

Engineering records indicate that the water main on Clinton Street was originally constructed in 1919 and the street was last paved in 1957. The current condition of the pavement is very poor. It has alligator cracking, potholes and extensive raveling throughout. The attached photos show the current street conditions.

DISCUSSION OF THE ISSUE

Engineering proposes full depth pavement replacement with new aggregate base, asphalt pavement and concrete curb and gutters throughout the project area. The antiquated and undersized water main and lead service lines within the project area will be replaced in conjunction with street construction. The water main portion of this project is part of the water main replacement program to improve water quality and pressure throughout the City. The lead service line replacement portion of this project is part of the program to eliminate all lead services from the water distribution system in accordance with State of Michigan requirements.

POSITIONS

I request receipt of the Engineer’s Report for Clinton Street street reconstruction and water main replacement from the west dead end to Glick Highway and approval of the establishment of April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.
Photo 1: Clinton Street, Facing west from Glick Highway intersection

Photo 2: North curbline and pavement, facing west from mid-block
Photo 3: Clinton Street, facing west to show dead end

Photo 4: Clinton Street, facing east from dead end
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: April 14, 2020
SUBJECT: Engineer’s Report for Overhead Lighting Installation
Adrian Street - Morrell Street to Merriman Street and
Merriman Street - Adrian Street to MLK Equality Trail

Recommendation:

Receive the Engineer’s Report for installation of overhead street lighting installation on Adrian Street from Morrell Street to Merriman Street, and Merriman Street from Adrian Street to the MLK Equality Trail, and establish April 28, 2019 at the City Council meeting as the time and place to hold a public hearing of necessity.

Attached is a report from Jon Dowling, City Engineer regarding overhead street lighting installation on Adrian Street and Merriman Street.

I recommend approval for receipt and establishment of the public hearing of necessity. Your consideration and concurrence is appreciated.

JG
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager

FROM: Jon H. Dowling, P.E., City Engineer

DATE: April 14, 2020

RECOMMENDATION: Receive the Engineer’s Report for installation of street lighting on Adrian Street from Morrell Street to Merriman Street and Merriman Street from Adrian Street to the MLK Equality Trail and establish April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.

SUMMARY

Engineering requests that City Council establish a public hearing of necessity to be held April 28, 2020 for overhead street lighting installation on Adrian Street from Morrell Street to Merriman Street and Merriman Street from Adrian Street to the MLK Equality Trail. This report is prepared for City Council per the Assessment Policy regarding the necessity of street reconstruction.

BUDGETARY CONSIDERATIONS

Estimated project costs and funding are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Assessments</td>
<td>$64,985.00</td>
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<tr>
<td>Local Street Funds</td>
<td>$37,275.00</td>
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<td>CDBG Funds</td>
<td>$150,000.00</td>
</tr>
<tr>
<td>Total Project Cost</td>
<td>$252,260.00</td>
</tr>
</tbody>
</table>

If, upon the conclusion of the Public Hearing of Necessity, City Council orders the project to proceed, Engineering will proceed with letting the project and obtaining competitive bids to determine the true cost of the project. A special assessment roll will then be prepared by the City Assessor to establish individual parcel assessments.

HISTORY, BACKGROUND and DISCUSSION

Currently Adrian and Merriman Street have Consumers Energy supplied high pressure sodium lights mounted on cobra head brackets on wooden poles at the street intersections.

DISCUSSION OF THE ISSUE

Currently there are 8 existing Consumers Energy lights along this roadway and they will be replaced with 12 new LED lights.

POSITIONS

I request receipt of the Engineer’s Report for the Adrian/Merriman Street Lighting Installation project from Morrell Street to Merriman Street and Merriman Street from Adrian Street to the MLK Quality Trail and approval of the establishment of April 28, 2020 at the City Council meeting as the time and place to hold a public hearing of necessity.
MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, Interim City Manager

DATE: April 14, 2020

SUBJECT: Approve a Revocable License for Equipment and Door in Public Alley behind the building at 129 E Michigan Avenue

Recommendation:

Approve a Revocable License for OGMA Brewing Company for the installation of mechanical equipment and outward opening door in the public alley behind the building at 129 E Michigan Avenue and authorize the Mayor and City Clerk to execute the appropriate document(s).

Attached is a report Jon Dowling, City Engineer requesting approval of a Revocable License.

I recommend approval of the Revocable License. Your consideration and concurrence is appreciated.
MEMO TO: Jonathan Greene, Interim City Manager

FROM: Jon H. Dowling, P.E., City Engineer

DATE: April 14, 2020

RECOMMENDATION: Approve a Revocable License for OGMA Brewing Company for the installation of mechanical equipment and outward opening door with the public alley in behind the building at 129 E. Michigan Avenue and authorize the Mayor and City Clerk to execute the appropriate document(s).

SUMMARY

The City has received a Revocable License request from OGMA Brewing Company for the installation of a fluid chiller and a carbon dioxide storage tank adjacent to the subject building and within the public alley behind the subject building. Included in the Revocable License request is a man door that will open out into the public alley’s right-of-way.

BUDGETARY CONSIDERATIONS

The Licensee is responsible for all costs and insurance associated for the construction, use and maintenance of the equipment in the alley.

HISTORY, BACKGROUND and DISCUSSION

As the face of the rear of the building at 129 E. Michigan Avenue is located on the property line of the parcel upon which it sits, the proposed equipment will be located with the right-of-way of the adjacent public alley. The proposed door, although attached to the building, will extend, when opened, into the same alley right-of-way. As such, the installation of the equipment and door requires a Revocable License.

DISCUSSION OF THE ISSUE

Exhibit A of the attached Revocable License document shows the size and locations of the proposed equipment and door that will be located within the public alley’s right-of-way.

POSITIONS

Engineering requests that the attached Revocable License be approved, and that the Mayor and City Clerk be authorized to execute the Revocable License on behalf of the City. If you have any questions, please contact me.

ATTACHMENTS
REVOCABLE LICENSE

THE CITY OF JACKSON, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201, hereinafter called "Licensor", in consideration of the terms, conditions and covenants hereinafter set forth, does hereby grant to OGMA Brewing Company, a Michigan limited liability company, with offices at 129 E Michigan Avenue, Jackson, Michigan, 49201, hereinafter called "Licensee", this REVOCABLE LICENSE, RIGHT and PRIVILEGE to construct and maintain upon the City’s public right-of-way of the twelve-foot wide and 66-foot long east-west alley that is a mid-block branch to the east off of the first alley east of Mechanic Street between Cortland Street and Michigan Avenue and adjacent to the Licensee’s property, described in Attachment 1, commonly known as 129 E Michigan Avenue, Jackson, Michigan, a fluid chiller, a carbon dioxide storage tank and man door that opens into the subject alley (hereinafter structure). The design, configuration and location of said structure is more precisely described upon EXHIBIT A, attached hereto and incorporated by reference, to be occupied and used by Licensee on the Licensor’s Street right-of-way described above, on the terms, conditions, and covenants hereinafter mentioned.

As consideration for this License, Licensee agrees to the following terms, conditions and covenants:

1. Licensee shall pay Licensor the sum of Twenty Five Dollars ($25.00).

2. Licensee agrees that in the design, construction, installation and maintenance of the structure, and throughout the term of this License, it will comply with the restrictions set forth herein and with all statutes, rules, ordinances and regulations pertaining to said structure.

3. The design, configuration, location and specifications for installation of the structure shall be approved by the City of Jackson City Engineer in advance of installation of the structure, and, upon installation of the structure, shall not be altered without the express written consent of the City Engineer.

4. Licensee agrees to keep the structure in good repair and condition at all times.
5. Licensee shall assume all liability for and protect, indemnify, and save Licensor, its officers, employees, agents and contractors, harmless from and against all actions, claims, demands, judgments, losses, expenses of suits or actions, and attorney fees for injury to or death of any person or persons and loss or damage to the property of any person or persons whomsoever, including the parties hereto, arising in connection with or as a direct or indirect result of Licensee's use of its structure or its exercise of this License, except Licensee shall not be required to indemnify Licensor for injury to persons or damage to property caused by the sole negligence of Licensor.

6. This License is granted subject to any lease, easement, license, or other interest in land heretofore granted or reserved, or which may be granted in the future by Licensor with respect to said Licensor’s Street right-of-way.

7. Licensee shall secure and maintain in force during the term of this License a policy of Comprehensive Commercial Liability Insurance, acceptable to Licensor, with a minimum general liability limit of $1,000,000.00 per occurrence. The policy shall be in the name of Licensee, and shall name the Licensor as additional insured, and shall describe the insured’s premises, including the structure as herein above described. The insurer will not cancel this insurance, or change, restrict, or reduce the insurance provided, or change the name of the insureds, without first giving at least ten (10) days written notice to the City of Jackson, City Attorney, 161 West Michigan Avenue, Jackson, Michigan 49201, as evidenced by receipt of certified mail. Licensee shall provide evidence of the existence of such insurance to Licensor’s City Attorney prior to Licensor’s execution of this License.

8. Upon the sale, conveyance, lease or transfer of Licensee’s property referenced above, this License shall become null and void and Licensee shall, at its sole cost and expense, fully remove the structure and all materials, improvements, structures, or appurtenances pertaining thereto.

9. This License may be revoked at any time, with or without cause, by Licensor, upon thirty (30) days written notice to the Licensee.

10. Licensee, upon revocation of this License, shall, at its sole cost and expense, fully remove the structure and all materials, improvements, structures, or appurtenances pertaining thereto within thirty (30) days of the date of mailing of a Notice of Revocation.

11. If Licensee fails to comply with a Notice of Revocation, Licensor shall take any and all action necessary to remove the structure, which shall be deemed to constitute a nuisance. Licensee shall be invoiced for all removal costs incurred by Licensor. If Licensee fails to satisfy the invoice within the time prescribed on the invoice, the Jackson City Council may cause such removal costs to be levied and assessed as a special assessment upon Licensee’s property as provided by the City Charter and the Jackson City Code of Ordinances, and/or Licensor may bring suit against Licensee to recover such costs.

12. All notices given pursuant to this License shall be considered mailed when placed in the United States mail, certified mail, return receipt requested, properly addressed to the parties at the addresses herein set forth, with postage thereon fully paid.

13. This Revocable License is a personal license, and shall not be assigned by Licensee.

The parties hereby have executed or caused this instrument to be executed by their duly authorized representatives, as of the _____ day of ____________, 2020.
LICENSOR:
CITY OF JACKSON, a
Michigan municipal corporation

By__________________________________
Derek Dobies, Mayor

By__________________________________
Andrea Muray, City Clerk

STATE OF MICHIGAN, COUNTY OF JACKSON, SS:
Subscribed and sworn to before me, this ___ day of __________, 2020, by Derek Dobies and Andrea Muray, the Mayor and City Clerk of the City of Jackson, a Michigan municipal corporation, on behalf of the corporation.

__________________________________
Notary Public
Jackson County, Michigan
My Comm. Exp.:____________________

Acknowledged and Agreed

LICENSEE:

__________________________________
By Kevin Craft
Its Project Manager

STATE OF MICHIGAN, COUNTY OF JACKSON, SS:
Subscribed and sworn to before me this ___ day of __________, 2020, by Kevin Craft, the Project Manager of the OGMA Brewing Company, on behalf of the limited liability company.

__________________________________
Notary Public
Jackson County, Michigan
My Comm. Exp.:____________________

Drafted by: Matthew Hagerty
City Attorney
161 West Michigan Avenue
Jackson, Michigan 49201
(517) 788-4050

When recorded return to:
City Attorney’s Office
161 West Michigan Avenue
Jackson, Michigan 49201
ATTACHMENT 1

Land situated in the City of Jackson, Jackson County and State of Michigan more particularly described as:

The East 22.5 feet of the West 45 feet of the North 120 feet of Lot 5, Block 5 South, Range 2 East of the Original Plat of the Village of Jacksonburgh.
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

INSURER(S) AFFORDING COVERAGE

INSURER A : Auto Owners

INSURED

Ogma Brewing Co LLC
PO Box 164
Jackson MI 49204-0164

COVERAGES

CERTIFICATE NUMBER: 20200320145536330

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

INSCRIBER

Richmond Agency, Inc.
833 Laurence Ave - PO Box 907
Jackson MI 49204

CONTACT

Patti Warring
PHONE (A/C, No. Ext): 517-788-9130
FAX (A/C, No.): 517-788-8036
E-MAIL ADDRESS: patti@richmondagency.com

INSURER(S) AFFORDING COVERAGE

INSURER A : Auto Owners

NAIC #

18988

CERTIFICATE HOLDER

City of Jackson
161 W. Michigan Ave
Jackson MI 49201

Email: twhite@cityofjackson.org

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

Patti Warring

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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Jackson listed as Additional Insured

This is ACORD 101, Additional Remarks Schedule, may be attached if more space is required.

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RE: Policy 182301-06242742-19

Thank you for selecting Auto-Owners Insurance Group to serve your insurance needs! Feel free to contact your independent Auto-Owners agent with questions you may have.

Auto-Owners and its affiliate companies offer a variety of programs, each of which has its own eligibility requirements, coverages and rates. In addition, Auto-Owners also offers many billing options. Please take this opportunity to review your insurance needs with your Auto-Owners agent, and discuss which company, program, and billing option may be most appropriate for you.

Auto-Owners Insurance Company was formed in 1916. The Auto-Owners Insurance Group is comprised of five property and casualty companies and a life insurance company. Our A++ (Superior) rating by A.M. Best Company signifies that we have the financial strength to provide the insurance protection you need.

~ Serving Our Policyholders and Agents Since 1916 ~
TAILORED PROTECTION POLICY DECLARATIONS

Change Endorsement Effective 03-20-2020
POLICY NUMBER 182301-06242742-19
Company Use 06-23-MI-1806

Policy Term
12:01 a.m. to 12:01 a.m.
06-18-2019 to 06-18-2020

Description of Change

--COMMERCIAL GENERAL LIABILITY COVERAGE PART IS AMENDED AS FOLLOWS--
FORM CG2010 ADD'L INS-EXCL PROD HAS BEEN ADDED FOR:
CITY OF JACKSON IT'S OFFICIALS AND EMPLOYEES

Transaction Number: 002

Endorsement Premium: $21.00
ADDITIONAL

(THIS IS NOT A BILL)
COMMERCIAL GENERAL LIABILITY
CG 20 10 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS - SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

<table>
<thead>
<tr>
<th>Name Of Additional Insured Person(s) Or Organization(s)</th>
<th>Location(s) Of Covered Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF JACKSON IT'S OFFICIALS AND EMPLOYEES</td>
<td></td>
</tr>
</tbody>
</table>

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above. However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the
insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:
This insurance does not apply to "bodily injury" or "property damage" occurring after:
1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:
1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.
This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.
MEMO TO: Mayor and City Councilmembers

FROM: Andrea Muray, City Clerk

DATE: April 14, 2020

SUBJECT: Second Reading and Adoption of Ordinance 2020-03

Recommendation:

Adopt Ordinance 2020-03 amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to provide clarity regarding the definition of solar panels as outlined in Sec. 28-5, clarify the use of solar panels on one and two family dwelling units as outlined in Sec. 28-115, and permit the installation of solar panels on detached accessory structures as outlined in Sec. 28-120.

Attached is Ordinance 2020-03. Ordinance 2020-03 was considered for approval and moved for a 2nd reading by the Council at the March 31, 2020 City Council Meeting.

I recommend Ordinance 2020-03 be approved. Your consideration and concurrence is appreciated.
ORDINANCE 2020-03

An Ordinance amending Chapter 28 of the Code of Ordinances, City of Jackson, Michigan to provide clarity regarding the definition of solar panels as outlined in Sec. 28-5, clarify the use of solar panels on one and two family dwelling units as outlined in Sec. 28-115, and permit the installation of solar panels on detached accessory structures as outlined in Sec. 28-120.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose

Add solar panels to the definition of an accessory structure.

Permit the use of solar panels on one and two family dwelling units on the non-street facing portion of the roof or fully screened from view at the right-of-way if located on a flat roof.

Permit the installation of ground mounted solar panels in accordance with the accessory structure standards.

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

ARTICLE I. IN GENERAL

Sec. 28-5. Definitions

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

Accessory use or structure means a use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building, including alternative energy source structures such as solar panels, wind turbines, and back-up generators.

ARTICLE IV. – SITE AND BUILDING DESIGN STANDARDS

Sec. 28-115. - Building design standards.

(g) Building design standards for one-family and two-family dwelling units. The following are building design standards for one-family and two-family dwelling units.

(4) General appearance and site standards. To ensure the compatibility in appearance of one-family and two-family dwelling units, such units must meet the following design and site standards:

h. Have a design and appearance determined to be compatible by the zoning administrator (or designee) upon review of the plans submitted for a particular
dwelling. An aggrieved party may appeal the zoning administrator's decision to the Zoning Board of Appeals as required by section 28-239 of this chapter.

Compatibility is based upon the character, design and appearance of one (1) or more residential dwellings within three hundred (300) feet of the subject dwelling provided the surrounding existing dwellings considered are located outside of a manufactured housing community. The foregoing will not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard design homes. However, roof mounted solar panels must be flush mounted and mounting brackets must match the color of the roof.

Sec. 28-120. - Accessory structures.

Accessory structures may be erected as an integral part of the principal use or may be erected detached from such principal use.

(1) Integral part of principal use. Accessory structures or garages may be considered as attached to the principal structure when the distance between structures is solidly covered by a breezeway, portico, covered colonnade or similar architectural device. These types of accessory structures shall comply in all respects with the requirements of this chapter applicable to the principal structure.

(2) Detached. The following provisions apply to detached accessory structures and garages:
   a. Location and size.
      1. Shall be no larger than the first floor of the principal structure and shall not occupy more than thirty (30) percent of any required rear yard space or more than twenty (20) percent of any required side yard space; and
      2. Shall not be nearer to the side lot line or rear lot line than five (5) feet; and
      3. Shall not exceed fifteen (15) feet in height; and.
      4. Shall not be located closer than ten (10) feet to the principal structure or any other building or structure located on-site or on an adjacent parcel; and
      5. Shall not occupy any portion of the required front nor be located closer to the road right-of-way than the established front building line; and
      6. Garages/sheds are limited in quantity to two (2); and
      7. All finished materials shall complement the principal structure, inclusive of roof mounted solar panels which must be flush mounted and mounting brackets must match the color of the roof; and
      8. All exterior utilities (i.e. A/C compressor) shall be shielded from public view at a height no less than that of the structure and constructed of a material complementary to the principal structure.

   b. Replacement, restoration, or reconstruction. Notwithstanding any other provisions of this chapter, in any R district, legal, nonconforming, detached accessory structures
and garages constructed prior to the adoption of this chapter may be replaced, restored, or reconstructed subject to the following limitations:

1. The existing foundation, meeting all building code and ordinance requirements, must be used; and
2. The structure shall not be nearer to the side lot line or rear lot line than the structure being replaced, or two (2) feet, whichever is greater; and
3. The use must be in conformity with this chapter.

e. Solar panels (ground mounted). Solar panels of up to ten (10) feet in height may be ground mounted providing they comply with the following:
   1. The solar panel may only be located within the rear yard; and
   2. The back of the solar panel must face the property line; and
   3. Where located within ten (10) feet of the side or rear property line, said area shall be landscaped with evergreen plantings of equal height to the peak of the structure and spaced no greater than five (5) feet on center; and
   4. If enclosing around the base of the solar panel, the material shall match/complement that of the principal structure; and
   5. A permanent foundation is not required unless the enclosure exceeds 200 square feet thus requiring a building permit.

Effective date.

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

The foregoing Ordinance 2020-03 was adopted by the Jackson City Council on the 14th day of April, 2020 and a summary was published on April 19, 2020.

________________________________________________________
| Andrea Muray, City Clerk                                |

________________________________________________________
| Derek J. Dobies, Mayor                                |
MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, Interim City Manager
DATE: April 14, 2020
SUBJECT: Approve T&L Contracting Inc. to renew the contract to remove spent lime at the Water Treatment Plant.

Recommendation:

Approve the renewal of the contract for removal of spent lime at the Water Treatment Plant to T & L Contracting, Inc., Lansing, at the price of $25.18 per cubic yard.

T & L Contracting, Inc., has been removing the spent lime for the past few years, and we believe they are doing a fine job. Furthermore, I believe it is in the best interest of the city to renew this contract. Going out for bids could potentially drive the price up, as the cost of spent lime removal continues to increase at an accelerated rate.

Your consideration and concurrence is appreciated.

JG:MO:skh
DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, Interim City Manager
FROM: Michael Osborn, Acting DPW Director
DATE: March 25, 2020

RECOMMENDATION:

SUMMARY

Approve the renewal of the bid for removal of spent lime at the Water Treatment Plant. T&L Contracting Inc. has been removing the spent lime for the past few years, and we believe they are doing a fine job. Furthermore, I believe it is in the best interest of the city to renew this contract. Going out for bids could potentially drive the price up, as the cost of spent lime removal continues to increase at an accelerated rate. The price will go from $23.72 per cubic yard, to 25.18 per cubic yard.

BUDGETARY CONSIDERATIONS

The price will go from $23.72 per cubic yard, to 25.18 per cubic yard, and can be accommodated in our approved budget. Line item 591-565-000-818.000

HISTORY, BACKGROUND and DISCUSSION

In the past several years the price of spent lime removal has been increasing rapidly. With that in mind, I believe it is in the city’s best interest to renew the contract with T&L contracting.

POSITIONS

I recommend approval to renew the contract with T&L Contracting Inc. For the removal of spent lime at the Water Treatment plant.
MEMO TO: Honorable Mayor and City Council Members

FROM: Amber Clark, Assistant to the City Manager

DATE: April 14, 2020

SUBJECT: Recommendation to include the Invasive Species as defined by the State of Michigan on the Noxious Weed Ordinance. Recommendation to continue to update the species list as they are defined by the State of Michigan.

Recommendation: Include the Invasive Species as defined by the State of Michigan on the Noxious Weed Ordinance. Recommendation to continue to update the species list as they are defined by the State of Michigan.

Your consideration and concurrence is appreciated.

AC

Attachments
Memo To: Honorable Mayor and City Council

From: Environmental Commission

Date: April 14, 2020

Subject: Ordinance amending the definition of “Noxious Weeds” as outlined in Section 26-75 of Article III. Recommendation to utilize the State of Michigan standard definitions for “Noxious Weeds” as outlined in Chapter 26 of Code of Ordinances.

Introduce the Ordinance, and recommend for first reading, the amendments to the definition of “Noxious Weeds” as outlined in Section 26-75 of Article III. Recommendation to utilize the State of Michigan standard definitions for “Noxious Weeds” as outlined in Chapter 26 of Code of Ordinances.

The Environmental Commission unanimously recommended the approval of the amendments at the February 19, 2020 meeting.

Your concurrence is appreciated

Amber Clark
Environmental Commission Staff
MEMO TO: Mayor and City Councilmembers
FROM: Environmental Commission
DATE: Council Meeting- April 14, 2020

SUBJECT: Introduce the Ordinance, and recommend for first reading, the amendments to the definition of “Noxious Weeds” as outlined in Section 26-75 of Article III. Recommendation to utilize the State of Michigan standard definitions for “Noxious Weeds” as outlined in Chapter 26 of Code of Ordinances.

SUMMARY

The Environmental Commission proposes the attached revisions and edits of the Noxious Weed Ordinance and its definitions. The Commission recommends adjusting the “Noxious Weed” definition to include “Invasive and Prohibited Species” as defined by the State of Michigan and removal of Sec. 26-75 Subsection A, line items 3 and 4.

HISTORY, BACKGROUND and DISCUSSION

The Environmental commission was tasked with review of the Noxious Weed Ordinance by Jackson City Council October of 2019. Request for the Commission to review the Ordinance came from City Council to advise if the Noxious Weed Ordinance complies with other State laws regulating vegetation.

Commission members discussed the current ordinance with Code Enforcement teams of the City of Jackson Neighborhood and Economics Operation staff. NEO staff have minimal complaints related to Noxious Weed regulation. The majority of the complaints come from the length of grass. The attached edits are revisions that comply with State law and define the type of vegetation as Noxious Weed, Invasive Species, or prohibited species per State of Michigan designations.

BUDGETARY CONSIDERATIONS

There are no budgetary considerations at this time.

POSITIONS

The Environmental Commission supports the changes at this time.
ARTICLE III. - REGULATION OF GRASS, NOXIOUS WEEDS, SHRUBBERY, AND TREES ON PRIVATELY OWNED PROPERTY[3]

Footnotes:
--- (3) ---


State Law reference—Control and eradication of noxious weeds, MCL 247.61 et seq.

Sec. 26-66. - Definitions.

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

Director of public works means the director of public works and any individual, agent, employee, volunteer, corporation, partnership, or contractor designated by the director of public works to perform his duties under this article.

Diseased tree means a tree that is afflicted with any fatal or communicable disease.

Private property means all property that is not a public street, alley, highway, easement, parkway, park or other land publicly owned or controlled by the city.

Public utility means any person or entity owning or operating any pole, line, pipe, cable, or conduit located in, under, or above any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telecommunication service.

Right-of-way means any public street, highway, alley or avenue of the city.

Street means all of the land lying between property lines on either side of all streets, highways and boulevards in the city.

Tree means trees, shrubs, bushes and all other woody vegetation.

Tree stump means the base part of a tree attached to the root(s), including any portion of the tree trunk, which remains after the tree has been cut.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-67. - Private trees—Clearance.

(a) Every owner of any tree, plant, shrub overhanging any street, avenue, sidewalk, boulevard, or other right-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of at least sixteen (16) feet above the surface of the street, and
at least eight (8) feet above the surface of the remainder of the right-of-way. Such owners shall remove all dead, dying, decaying, diseased, infested, or dangerous trees, or broken or decayed limbs or branches from trees where such limbs and branches overhang a street or public property or which constitute a menace to the safety of the public. Where the director of public works, city engineer or the engineer's designee determines that any tree or shrub located on private property interferes with the proper spread of light along the street from a street light, interferes with visibility of any traffic control device, or otherwise poses a threat to the safe use of the right-of-way by the public, the city shall have the right to enter upon said private property to trim or remove same as needed. Where practicable, the city shall give written notice by first-class letter, mailed at least five (5) days prior to any trimming or removal activities, to the property owner's last known address as shown by the records of the city assessor.

(b) All shrubs and bushes located within the site clearance triangle areas described in section 28-126 of this Code shall not be permitted to grow to a height of more than two and one-half (2½) feet above the grade at the edge of the pavement. Canopy trees may be maintained in the site clearance triangle areas described in section 28-126 of this Code provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface.

(c) In the event the city finds it necessary to act under this section, the director of public works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-68. - Private trees—Dead, dying, decaying, dangerous, diseased, or infested trees.

When the director of public works shall discover that any tree on or growing on private property within the city is dead (including standing dead trees), dying, decaying, dangerous, diseased, or afflicted with any insect infestation, the director of public works shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree, its location and the nature of the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove, trim, prune, spray or otherwise cure the dead, dying, decaying, dangerous, diseased, or infested tree.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-69. - Private trees—Tree stumps.

When the director of public works shall discover any tree stump on private property within the city, the director of public works shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, describing the tree stump and its location and ordering the owner, agent or occupant to take such measures as may be reasonably necessary to remove the tree stump or to grind the tree stump four (4) inches below existing finish surface grade. Every such notice shall be complied within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the tree stump is located, or within such additional time as may be contained in such notice.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-70. - Private trees—Owner's failure to comply.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)
(a) In case the owner, agent or occupant of the property refuses to carry out the order of the director of public works within the time prescribed, or in case of an appeal, within five (5) days after the city manager shall have affirmed such order, the director of public works shall carry out the removal, trimming, pruning, grinding, spraying or destruction of the tree or tree stump as deemed necessary and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

(b) The director of public works may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when he deems the same necessary.

(c) The director of public works may, without serving the above notice, immediately cause trees, shrubs, bushes, or tree stumps on private property to be sprayed, ground, pruned, trimmed, or removed when they pose an imminent danger or safety hazard and shall charge the owner, agent or occupant of the property for the cost thereof. An invoice for the fees or charges will be submitted to the owner, agent, or occupant of the premises. If the invoiced charges are not paid within thirty (30) days of mailing of the invoice, the city may cause the cost reflected in the invoice to be assessed against the premises as a special assessment, and the city may institute an action against the owner, agent, or occupant for the collection of the costs in any court of competent jurisdiction. However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the property.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-71. - Female boxelder trees.

Any female boxelder tree which is or could be the breeding place for boxelder bugs (Leptocoris trivittas) is hereby declared to be a public nuisance and it shall be unlawful for any person to maintain the same on his property after notification as herein provided. Upon receipt of a written complaint, the director of public works shall forthwith serve a written notice of the same nature, form and manner, and with the same effect, as prescribed in section 26-68, upon the owner or his agent or the occupant of the property upon which such tree or trees are located. After service of such notice, the owner, agent, or occupant of such property shall be subject to the provisions of section 26-70, section 26-74, and section 26-79. Any such trees located on public lands within the limits of the city shall likewise be removed upon the receipt of such written complaint.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-72. - Planting strips.

No person shall willfully injure or destroy any grass or tree upon any planting strip or throw any papers, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such planting strip.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-73. - Overhead lines; trimming permits.

The director of public works shall annually issue permits granting permission to public utilities to trim and keep trimmed all trees within the streets, alleys, parks and public places of the city, in such a
manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall
be done in accordance with approved practices and under the general direction of the director of public
works. Such permit shall require reasonable prior notice to the city before any work is commenced
thereunder. If an emergency requires immediate maintenance work on the overhead lines of such public
utilities, prior notice of commencing work under such permit shall not be required. The word "emergency,"
as used in this section, shall be defined to mean the occurrence or happening of an event which could not
be foreseen by the exercise of reasonable care and foresight, which might cause damage to the
overhead lines of the public utilities.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-74. - Private trees—Appeal.
In case the owner, agent or occupant of the property shall feel himself aggrieved by an order of
the director of public works requiring the treatment, trimming, or removal of any private tree on his
property, he may within forty-eight (48) hours make an appeal to the city manager by written
communication filed with the city clerk. The city manager shall hear such appeal within ten (10) days,
unless another time shall be set, and shall determine the matter under such expert advice as may be
necessary.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-75. - Cutting and removing grass, noxious weeds, rank vegetation and trees; duty of owner and
occupant.
(a) It shall be unlawful for the occupant or owner of every property within the city to permit, allow, or
otherwise cause any of the following activities upon property so owned or occupied:

(1) Growth of any noxious weed, grass, or other rank vegetation of a height greater than eight (8)
inches on average.

(2) Accumulation of dead weeds, grass, brush, leaves, on the property.

(b) It shall be the duty of every owner or occupant of such property to cause the weeds, brush, leaves,
rank vegetation, trees, branches, or grass to be cut, destroyed or removed and disposed of according to
recommendations for that species by the State of Michigan guidelines of Invasive species. In general, the
plan should be pulled and bagged prior to setting seed according to the State of Michigan guideline of
Invasive Species.

(1) Growth of noxious weeds, grass, or other rank vegetation detrimental to the public health on
any property in such manner that any part of the noxious weeds, grass, or other rank vegetation
extends upon, overhangs or borders any public place or adjoining properties, or allows seed, pollen,
or other particles or emanations therefrom to be carried through the air into any public place or upon
adjoining properties.

(4) Fallen trees, branches, or portions thereof to lie upon public or private property.

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Asian Sand Sedge (Carex kobomug), Japanese Stiltgrass (Microstegium vimineum) and Phragmites
(Common Reed) (Phragmites australis)

Autumn Olive (Elaeagnus umbellata), Common Buckthorn (Rhamnus cathartica), Giant Knotweed
Polygonum sachalinensis, Glossy Buckthorn (Rhamnus frangula or Frangula alnus), Japanese Barberry (Berberis thunbergii), Japanese Knotweed (Fallopia japonica) and Multiflora
Rose (Rosa multiflora), Black Locust (Robinia pseudacacia) and Tree of Heaven (Ailanthus altissima),
Black Swallow-wort (Cynanchum louiseae), Chinese Yam (Dioscorea oppositifolia), Autumn Olive (Vincetoxicum nigrum), Mile-A-Minute Weed (Persicaria perfoliata), Oriental Bittersweet
(Celastrus orbiculatus) and Pale Swallow-wort (Cynanchum rossicum (Vincetoxicum rossicum)), Butterbur (Petasites hybridus), Garlic Mustard (Alliaria petiolata), Giant Hogweed (Heracleum mantegazzianum), Himalayan Balsam (Impatiens glandulifera), Japanese Chaff Flower (Achyranthes japonica), Purple Loosestrife (Lythrum salicaria), Spotted Knapweed (Centaurea stoebe), Wild Parsnip (Pastinaca sativa),

(d) For purposes of this article, "rank vegetation" includes, but is not necessarily limited to, cultivated, non-cultivated, ornamental, non-ornamental unmaintained woody plants, or shrubs.

(e) For purposes of this article, "fallen trees" includes, but is not necessarily limited to, those trees, branches, or other portions of trees that hang low, lean, lie upon the ground, or cause hazardous conditions whether on public or private property.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-76. - Wood piles.

(a) Wood pile defined. As used in this section, wood pile means all wood, logs, twigs, branches, stumps and stakes, and includes wood items used for fire pits, fireplaces or woodburning stoves, regardless of the amount or number of pieces of wood.

(b) Storage. No person shall maintain or store a wood pile in the city unless the wood pile meets the following storage specifications:

(1) Storage shall be permitted only on a secure rack, base or other device that keeps the wood from making direct contact with the ground.

(2) The wood shall be stacked in an orderly and neat fashion and the wood pile shall be no larger than eight (8) feet long, four (4) feet wide, and four (4) feet high.

(3) A wood pile shall be located in the back yard of a residential home. The wood pile cannot be any closer than five (5) feet from any lot line on the side or rear of the property and cannot be any closer than ten (10) feet from any structure.

(4) A wood pile shall not be permitted in the side yard of a residential home, with the exception of corner lots.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-77. - Notice; when city to do work; penalties.

(a) If the provisions of section 26-75 and section 26-76 are not complied with, the director of public works, or his or her designee, must notify the occupant or owner of the property to comply with this article; such notice shall:

(1) Be given to each owner or occupant in accordance with section 1-15 of this Code; and

(2) Require compliance with this article within ten (10) days after the mailing of such notice. In lieu of the above notice, the city may publish notice during the month of March of each year, in a newspaper of general circulation within the county, advising the general public that the provisions of city ordinances adopted under the authority of Act No. 359 of the Public Acts of Michigan of 1941 (MCL 247.61 et seq.), as amended, will be enforced within the city.

(b) If the occupant or owner of the premises does not then remove, destroy, spray, or cut all weeds, brush, leaves, rank vegetation, trees, branches, or grass in a manner consistent with section 26-75 and section 26-76, the director of public works, or his or her designee, will cause the weeds, brush, leaves, rank vegetation, trees, branches, or grass to be cut, removed, sprayed, or destroyed. The costs incurred by the city shall be billed to the owner. The director of public works shall cause an invoice to be directed to the owner of the property which shall be due and payable within thirty (30) days. If the owner fails to
pay the invoiced charges within thirty (30) days of mailing of the invoice, the city may cause the cost
reflected in the invoice to be assessed against the premises as a special assessment, and the city may
institute an action against the owner for the collection of the costs in any court of competent jurisdiction.
However, the city's attempt to collect such costs shall not invalidate or waive any lien filed against the
property. The levy or collection of the special assessment will not relieve any person offending against
this article from the penalties prescribed in section 26-80.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-78. - Exemptions.

Exempted from the provisions of this article are flower gardens, plots of shrubbery, vegetable gardens
and small grain plots. An exemption under the terms of this section cannot be claimed unless the land
has been cultivated and cared for in a manner appropriate to such exempt categories.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-79. - Right of entry for inspection and removal; interference.

The director of public works shall have the authority to enter upon private property and premises for the
purpose of examining and inspecting any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds,
brush, leaves, rank vegetation, grass, and all other woody vegetation to determine if the vegetation complies with this article. The director of public works shall have the authority to enter upon private property and premises for the purpose of cutting, destroying, spraying, treating, grinding, or removing any trees, tree stumps, branches, shrubs, bushes, plants, vines, weeds, brush, leaves, rank vegetation, grass, and all other woody vegetation under this article. No person shall impede, interfere with, or obstruct the director of public works, or his authorized representatives, while they are engaged in carrying out the provisions of this article. No damages shall be awarded to any property owner, individual, or other legal entity for the destruction or injury of any tree, shrub or plant, fruit, or other vegetation, if done by the director of public works or under his direction, in accordance with this article.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-80. - Penalties.

Any occupant or owner of any premises who fails to comply with this article is subject, upon adjudication,
to the penalty provided for under Chapter 2.5 of this Code.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-81. - Rules and regulations.

The city manager shall make such rules and regulations supplementary to this article and not in conflict
herewith, as he may from time to time deem necessary. Until changed pursuant to this section, the rules
and regulations in effect at the adoption of this Code shall continue in effect. No person shall fail to obey
any rule or regulation effective hereunder.

Sec. 26-82. - Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or
unconstitutional by reason of any decision of any court of competent jurisdiction, such decision will not
affect the validity of any other section, subsection, sentence, clause, phrase or portion thereof irrespective
of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof
may be declared invalid or unconstitutional.

(Ord. No. 2013-24, § 2, 11-26-13, eff. 12-26-13)

Sec. 26-83. - Inconsistent provisions repealed.

Ordinances or parts of ordinances in conflict with the provisions of this article are hereby repealed.
BEGIN CURRENT

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.

Section 7.11. - Vacancies, Members Fewer than Quorum.

If the membership of the council for any reason is reduced to less than four, the vacancies shall be filled by an affirmative vote of a majority of the remaining members of the council.

END CURRENT

BEGIN PROPOSED

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.

Section 7.10.1 – Mid-term Election, if needed.

On April 1st of every odd numbered year, if exist any vacancy or any previously vacant seat now appointed by council, and if that seat is not already up for election in that calendar year, then the Clerk shall declare the seat to be added to the ballot, with primary and general elections, in that year.

Section 7.11. - Vacancies, Members Fewer than Quorum.

If the membership of the council for any reason is reduced to less than four, the vacancies shall be filled by an affirmative vote of a majority of the remaining members of the council.

END PROPOSED