AGENDA – CITY COUNCIL MEETING
January 20, 2009
7:00 p.m.

1. Call to Order.

2. Pledge of Allegiance – Invocation by Andrew F. Frounfelker, 5th Ward City Councilmember.

3. Roll Call.

4. Adoption of Agenda.

5. Presentations/Proclamations.
   A. Presentation by Frank Donovan, Chief Building Official, Inspection Division, and Susan Murphy, Deputy City Attorney, regarding the Building Board process.

6. Citizen Comments. (3-Minute Limit)

7. Consent Calendar.
   A. Approval of the minutes of the regular City Council meeting of January 6, 2009.
   B. Approval of the payment of the Region 2 Planning Commission Invoice, in the amount of $12,138.43 for planning services for the month of December 2008, in accordance with the recommendation of the City Manager.
   C. Approval of the request from the Center for Family Health to conduct the 33rd annual Groundhog Gallop, Saturday, February 7, 2009, beginning at 12 noon. (Recommended approval received from the Police, Fire, Traffic Engineering, Parks/Forestry and Public Services Departments. Proper insurance coverage received.)
   D. Approval of the request from the Jackson Storyfest Committee for police assistance and for permission to use the City owned parking lots north of Pearl Street for parking school buses for their annual Jackson Storyfest to be held on Friday and Saturday, May 1 and 2, 2009. (Recommended approval received from the Police, Fire, Public Services, and Traffic Engineering Departments, and the Downtown Development Authority. Insurance coverage received, subject to renewal April, 2009.)
   E. Approval of the request from the Jackson National Day of Prayer Task Force to conduct the National Day of Prayer service at 12:00 p.m. on Thursday, May 7, 2009, at Bucky Harris Park. (Recommended approval received from the Police, Fire, Traffic Engineering, Public Services, and Parks/Forestry Departments, and the Downtown Development Authority. Hold Harmless Agreement executed in lieu of insurance coverage.)
   F. Approval of Traffic Control Order (TCO) No. 1993, reviewing the request of possibly removing posted parking restrictions on Trail Street between Jackson Street and Mechanic Street and rescinding Traffic Control Orders PR100 and #379, in accordance with the recommendation of the City Engineer.
I. Receipt of an Order from the Court of Appeals, State of Michigan regarding Brian Surgener vs. City of Jackson.
J. Receipt of the City of Jackson’s summary of revenue and expenditures for six (6) months ended, December 31, 2008.

8. Committee Reports.

A. Approval of the Mayor’s recommendation to reappoint Carol Kobert to the Board of Review for a three-year term beginning February 1, 2009, and ending January 31, 2012.
B. Approval of the Mayor’s recommendation to appoint Lisa M. Gowdy to the Citizens Advisory Council for Community Development filling a current vacancy, beginning immediately and ending December 31, 2009.
C. Approval of the Mayor’s recommendation to appoint Wendy R. Clifton to the Downtown Development Authority filling a current vacancy, beginning immediately and ending March 29, 2012.
D. Approval of the Mayor’s recommendation to reappoint himself to the Ella W. Sharp Park Board of Trustees for a three-year term, beginning February 1, 2009, and ending January 31, 2012.
E. Approval of the Mayor’s recommendation to reappoint Teressa T. Delph to the Jackson District Library Board of Trustees for a four-year term beginning February 3, 2009, and ending February 2, 2013.
F. Approval of the Mayor’s recommendation to reappoint Elwyn Rider to the Parks and Recreation Commission for a two-year term beginning February 1, 2009, and ending January 31, 2011.

A. Public hearing on the necessity of continuing the Meterless Parking System in the downtown area of the City for 2008-2009.
   1. Resolution determining the necessity of continuing the Meterless Parking System, ordering the City Assessor to prepare Assessment Roll Nos. 4173 and 4174, and establishing February 24, 2009, at the City Council meeting as the time and place to hold a public hearing confirming the Meterless Parking System assessment rolls.
B. Public hearing to consider a request from Orthopaedic Rehab Specialists PC, to rezone property located 206 and 216 Page Avenue from high density apartment and office (R-4) to community commercial (C-2). (City Planning Commission recommends approval.)
   1. Consideration of an ordinance amending Chapter 28, Section 28.183, City Code, rezoning the property located at 206 & 216 Page Ave. from R-4 to C-2.
C. Public hearing to receive citizen comments on housing and community development needs.
D. Public hearing for consideration of a Brownfield Plan for 228 W. Michigan Avenue (Hayes Commons Development, LLC), as recommended by the Jackson Brownfield Redevelopment Authority (JBRA).
   1. Resolution approving the Brownfield Plan for 228 W. Michigan Avenue.

11. Resolutions.

12. Ordinances.

13. Other Business.

A. Consideration of a lease between the City and the Elnora V. Moorman Community Help
Center for Room Nos. 3 and 4 at 1015 Francis Street for a month-to-month tenancy at the rental rate of $1.00 per year, and authorization for the Mayor and City Clerk to execute the appropriate document(s). (Proper insurance coverage has been received.)

B. Consideration of the request to approve the sale of the New Neighbor Home Program property, located at 826 Wells Street, or to renegotiate the sale price and/or terms, subject to minor modifications and approval by the City Attorney, and authorization for the Mayor and City Clerk to execute the appropriate document(s), in accordance with the recommendation of the Community Development Director.

15. **City Councilmembers’ Comments.**

16. **City Manager’s Comments.**

17. **Executive Session.**
   A. Legal opinion(s).
   B. Consideration of a periodic personnel evaluation of the City Manager. (Closed session if requested by the City Manager.)

18. **Return to Open Session.**
   A. Consideration of an extension of a closing date for 228 W. Michigan Avenue by Hotel Hayes Development, LLC, a third addendum to Hayes Hotel Purchase Agreement, authorization for the Mayor and City Clerk to execute the appropriate document(s), and for staff to make minor modifications if needed.

19. **Adjournment.**
CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Jerry F. Ludwig.

PLEDGE OF ALLEGIANCE – INVOCATION.

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

ROLL CALL.


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

AGENDA.

Councilmember Breeding requested that his report on the National League of Cities Conference be added to the agenda.

Motion was made by Councilmember Polaczyk and seconded by Councilmember Greer to adopt the agenda, as amended, with the addition of Councilmember Breeding’s report. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Breeding, Howe, Greer, Gaiser, Frounfelker and Polaczyk—7. Nays: 0. Absent: 0.

PRESENTATIONS/PROCLAMATIONS.

A. PRESENTATION TO THE CITY OF JACKSON OF ARTWORK PROMOTING JACKSON BY LOCAL ARTIST MAGGIE LANOUE.

Ms. LaNoue stated she has often admired the beauty of downtown Jackson, especially the clock tower, and created artwork to present to the City. She acknowledged that the framing was contributed by Economy Art & Framing and this is a joint effort to promote the City of Jackson through their contributions. She then made the presentation to Mayor Ludwig.
B. PRESENTATION BY MARK KETTNER, REHMANN ROBSON, OF THE CITY OF JACKSON’S AUDIT REPORT FOR FISCAL YEAR 2007/08.

Mr. Kettner stated that the statistical section of the report provides great perspective on where the City has been financially and where the City is likely going with those trends. The opinion they express is that the financial statements are fairly presented, in accordance with generally accepted accounting principles. He noted that two comments were made in the Management Letter. These comments were regarding Water Fund inventory and information technology passwords and both have been addressed more than adequately. The City Manager noted that Mr. Kettner is working with the City to develop a long-range financial plan and is doing projections in the General Fund, as requested by the Council.

1. REVIEW OF MANAGEMENT LETTER COMMENTS AND SUGGESTIONS AND RECEIPT OF CITY RESPONSES.

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

CITIZEN COMMENTS.

None.

CONSENT CALENDAR.

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

Consent Calendar

A. Approval of the minutes of the regular City Council meeting of December 16, 2008.
B. Receipt of City of Jackson’s summary of revenue and expenditures for five (5) months ended November 30, 2008.
C. Receipt of 2009-2010 CDBG Proposal Book (already distributed) and establishment of the January 20, 2009, City Council meeting as the date and time to hold a public hearing to receive comments on housing and community development needs and allow applicants to present their proposals.
D. Approval of the request to re-establish the January 20, 2009, City Council meeting as the time and place to hold a public hearing for the consideration of a Brownfield Plan for 228 W. Michigan Avenue (Hayes Commons Development, LLC), as recommended by the Jackson Brownfield Redevelopment Authority (JBRA).
E. Receipt of the application from Larry and Sandra Baxter requesting a zoning change for property located at 103 N. Horton Street from I-2 to I-1 and referral to the City Planning Commission.
F. Approval of the request from The Jackson Right to Life to conduct their annual memorial motorcade on city streets beginning at 10:30 a.m., Saturday, January 17, 2009. (Recommended approval received from the Police, Fire and Engineering Departments. Proper insurance coverage received.)
COMMITTEE REPORTS.

None.

APPOINTMENTS.

A. APPROVAL OF APPOINTMENT OF JONATHAN GREENE AS THE DIRECTOR OF THE CITY OF JACKSON DOWNTOWN DEVELOPMENT AUTHORITY.

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

Mr. Greene, whose starting date is February 2, remarked it is a pleasure to be on board with the DDA. He looks forward to utilizing his experience and expertise in business retention and expansion with the DDA.

REPORT FROM COUNCILMEMBER BREEDING ON THE NATIONAL LEAGUE OF CITIES CONFERENCE & EXPOSITION, NOVEMBER 11-15, 2008.

Councilmember Breeding distributed a written report and stated that he brought back materials that will be available for review on the 14th floor. He displayed a tote bag given to the convention delegates made from 100% recycled billboard vinyls. He reported his expenses totaled $1,539.89.

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

PUBLIC HEARINGS.

None.

RESOLUTIONS.

None.

ORDINANCES.


Motion was made by Councilmember Greer and seconded by Councilmember Polaczyk to adopt Ordinance No. 2009.1. The motion was adopted by the following vote. Yeas: Mayor Ludwig and Councilmembers Howe, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: Councilmember Breeding—1. Absent: 0.

OTHER BUSINESS.
NEW BUSINESS.

A. CONSIDERATION TO AMEND THE DATE OF A WORKSHOP REGARDING THE PARKING SYSTEM.

Motion was made by Councilmember Greer and seconded by Councilmember Frounfelker to amend the action taken at the last meeting and establish a study session on January 27, 2009. The motion was adopted by the following vote. Yees: Mayor Ludwig and Councilmembers Howe, Greer, Gaiser, Frounfelker and Polaczyk—6. Nays: Councilmember Breeding--1. Absent: 0. It was the consensus of the Council to meet at 7:00 p.m.

CITY COUNCILMEMBERS’ COMMENTS.

Councilmember Greer inquired, on behalf of a constituent, if the deer will be baited for the upcoming harvest and, if so, is this allowed by law. The City Manager responded that the deer will be baited and this is allowed by the DNR.

CITY MANAGER’S COMMENTS.

City Manager Ross stated he has been working on the Neighborhood Stabilization Program application and he will place it on the January 20 agenda. The implementation of the complaint tracking software is being completed.

He also discussed declaring snowfall emergencies in order to expedite snow removal from city streets to reduce overtime and improve efficiency. Councilmember Breeding inquired about the towing of vehicles. Councilmember Gaiser asked if there is a place people can take their cars to get them off the streets. Councilmember Breeding inquired why snow from the downtown area was being taken to the 1st Ward, south of the King Center and north of Chalet Terrace. Councilmember Greer stated that he will forward complaints regarding snow in a subsidized housing complex parking lot to the City Manager.

EXECUTIVE SESSION TO DISCUSS LABOR MATTERS.

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

RETURN TO OPEN SESSION.

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

A. CONSIDERATION OF RATIFICATION OF THE LABOR AGREEMENT WITH THE I.A.F.F.

No action taken.
ADJOURNMENT.

No further business being presented, a motion was made by Councilmember Howe and seconded by Councilmember Greer to adjourn the meeting. The motion was adopted by unanimous voice vote and the meeting adjourned at 8:22 p.m.

Lynn Fessel
City Clerk
INVOICE NO. 2964

DATE: January 2, 2009

TO: Mr. William Ross, City Manager  
City of Jackson (364 J)  
161 W. Michigan Avenue  
Jackson, MI 49201

cc: Phil Hones, CPA

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Refer to the attached statement.

Balance Due Region 2 Planning Commission. $ 12,138.43
January 14, 2009

TO: William R. Ross, City Manager

FROM: Angela Arnold, Deputy City Clerk

RE: Center for Family Health – 2009 Groundhog Gallop

The Center for Family Health is requesting to conduct the 33rd annual 5K Groundhog Gallop, Saturday, February 7, 2009, beginning at 12 noon. The Groundhog Gallop will begin and end at the Middle School at Parkside.

Recommended approvals have been received from the Police, Fire, Traffic Engineering, Public Services and the Parks/Forestry Departments. Proper insurance coverage has been received.

Please place this request on the Council’s January 20th consent calendar for their consideration.

Thank you.

Attachment
December 2, 2008

City of Jackson
161 West Michigan Ave.
Jackson, MI 49201

Attention: Angela Arnold
Deputy City Clerk

Dear Ms. Arnold –

The Groundhog Gallop is a 32 year old race that has been a favorite of Jackson runners. This year, the Groundhog Gallop is being managed by the Center for Family Health and will begin and end at the Middle School at Parkside, also the location of the Center for Family Health’s new teen health center.

The event will begin at 12:00pm on Saturday, February 7th and features a 5k run/walk. I have enclosed our Special Event Application and included a map of the course.

Ted Hilleary will be actively helping us prepare for the race and are handling and overseeing race details. Additionally, I have attached a certificate of additional insured naming the City of Jackson.

Please do not hesitate to call me or our event coordinator, Regina Funkhouser, at 784-3950.

Sincerely,

Molly Kaser
Executive Director
CITY OF JACKSON
SPECIAL EVENT APPLICATION
City Clerk's Office * 161 W. Michigan Avenue * Jackson, MI 49201
(517) 788-4025

Date Received By Clerk's Office: 12/14/08 Time: 8am By: A. Arnold

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

Sponsoring Organization's Legal Name: Center for Family Health

Organization Address: 2298 Springport Rd, Suite B

Organization Agent: Regina Funkhouser Title: Event Coordinator

Phone: Work 789-3950 Home 789-5180 During event 262-3950

Agent's Address: Same as above

Agent's E-Mail Address: Regina_Funk@comcast.net

Event Name: 2009 Groundhog Gallop

Please give a brief description of the proposed special event: 5K Run/Walk

Event Day(s) & Date(s): SAT, Feb 07 Event Time(s): 10 - 3
Set-Up Date & Time: 2-7-09/10-12pm Tear-Down Date & Time: 2-7-09/1pm - 3pm
Event Location: Start - Middle School Parkside

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 32

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

STREET CLOSURES: Start Date/Time: N/A through Date/Time: N/A

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

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

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO
If yes, are liquor license and liquor liability insurance attached? YES NO
If yes, what time? until


ENTERTAINMENT: Are there any entertainment features related to this event? YES NO
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 200

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

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

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

12-2-2008
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK'S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
Event Title: **5k Groundhog Gallop** - **Saturday, February 7, 2009**

**DEPARTMENTAL USE ONLY:** Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk’s office, as soon as possible.

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: C. Simpson

Recommends Approval: **YES**  NO  Est. Economic Impact: $100.00

Fire Dept.: L. Bosell

Recommends Approval: **YES**  NO  Est. Economic Impact: $0

Traffic Eng.: R. Dietz

Recommends Approval: **YES**  NO  Est. Economic Impact: $0

Public Services: S. Porter

Recommends Approval: **YES**  NO  Est. Economic Impact: $0

Parks/Forestry: T. Steiger

Recommends Approval: **YES**  NO  Est. Economic Impact: $N/A

DDA: 

Recommends Approval: YES  NO  Est. Economic Impact: $N/A

Have businesses been notified for street closures?: **YES**  **NO**

Reason for disapproval:

Any special requirements/conditions:

Insurance/Indemnification Received: **12/04/2008**  Insurance Approved: **12/05/2008**

City Council Approved:  **Denied:**  Approval/Denial Mailed:
A. **Middle School At Parkside**
2400 4th St, Jackson, MI - (517) 841-2300
4 reviews
January 14, 2009

TO: William R. Ross, City Manager

FROM: Angela Arnold, Deputy City Clerk

RE: Jackson Storyfest

The Jackson Storyfest Committee is requesting police assistance for street crossing at busy intersections, and permission to use the City owned parking lots north of Pearl Street for parking school buses for their annual Jackson Storyfest be held on Friday and Saturday, May 1 and 2, 2009.

Recommended approvals have been received from the Police, Fire, Public Services, and Traffic Engineering Departments and the Downtown Development Authority. Proper insurance coverage has been received, subject to renewal, April 2009.

Please place this request on the Council’s January 20th consent calendar for their consideration.

Thank you.

Attachment
CITY OF JACKSON
SPECIAL EVENT APPLICATION
City Clerk’s Office * 161 W. Michigan Avenue * Jackson, MI 49201
(517) 788-4025

Date Received By Clerk’s Office: 11/24/08 Time: 8:41 By: A. A. Arnold

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

Sponsoring Organization’s Legal Name: Jackson Storyfest Committee

Organization Address: ____________________________

Organization Agent: Sheila Fritz Title: Safety & Transportation Coordinator

Phone: Work —-0— Home (517) 784-7884 During event (517) 960-3927 (cell #)

Agent’s Address: 827 Backus, Jackson, MI 49202

Agent’s E-Mail Address: RSFritz@modempool.com

Event Name: Jackson Storyfest

Please give a brief description of the proposed special event: A two-day event, bringing National, Regional, and Local Storytellers to Jackson. On Friday, May 1st, they will be telling stories to between 5000 to 6000 schoolchildren downtown at 17 sites. Friday and Saturday evenings, the Storytellers will entertain at JHS. This is all free.

Event Day(s) & Date(s): Friday, May 1 & Saturday, May 2 Event Time(s): Fri, May 1, 9:30-1:00, Night Performances 7:30-10:00

Set-Up Date & Time: ______________ Tear-Down Date & Time: ______________

Event Location: 17 sites downtown in local churches, library, JHS, city building

ANNUAL EVENT: Is this event expected to occur next year? YES NO How many years has this event occurred? 21

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

STREET CLOSURES: Start Date/ Time: ______________ through Date/ Time: ______________

RESERVED PARKING: Are you requesting reserved parking? YES NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

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

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

If yes, are liquor license and liquor liability insurance attached? YES NO

If yes, what time? __________________until __________________
ENTERTAINMENT: Are there any entertainment features related to this event? YES ☐ only storytelling
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 5000 - 7000

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES ☐
If yes, you are required to obtain a permit through the City Clerk’s Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES ☐ If yes, how many?
As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
Request Police Protection at busiest intersections that children will be crossing
Permission to use City Parking lot off Pearl for school bus parking.

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

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

11-24-08
Date

Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK’S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
Event Title: **Jackson Storyfest - Friday and Saturday, May 1 and 2, 2009**

**DEPARTMENTAL USE ONLY:** Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk’s office, as soon as possible.

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: __C. Simpson____  Recommend Approval: **YES** NO Est. Economic Impact: $600.00

Fire Dept.: __L. Bosell_______  Recommend Approval: **YES** NO Est. Economic Impact: $ _0-

Traffic Eng.: __R. Dietz_______  Recommend Approval: **YES** NO Est. Economic Impact: $ _0-

Public Serv. Dept.: __S. Porter____  Recommend Approval: **YES** NO Est. Economic Impact: $ _0-

Parks/Forestry: __N/A_________  Recommend Approval: YES NO Est. Economic Impact: $ _N/A_

DDA: __M. Way_________  Recommend Approval: **YES** NO Est. Economic Impact: $ _0-

Have businesses been notified for street closures?:  **YES** NO

________________________________________________________

Reason for disapproval: __________________________________

________________________________________________________

Any special requirements/conditions:

- Current insurance policy expires April, 2009 and will have to be renewed at that time.
- Confirmed with Shelly, Purchasing Dept. for use of Council Chambers on May 1, 2009

________________________________________________________

Insurance/Indemnification Received: __1/13/2009_________ Insurance Approved: _______________

City Council Approved: ___________ Denied: ___________ Approval/Denial Mailed: _______________
January 14, 2009

TO: William R. Ross, City Manager
FROM: Angela Arnold, Deputy City Clerk
RE: Jackson National Day of Prayer

The Task Force of the Jackson National Day of Prayer is requesting to conduct the National Day of Prayer service at Bucky Harris Park on Thursday, May 7, 2009, beginning at 12 noon.

Recommended approvals have been received from the Police, Fire, Public Services and Parks/Forestry Departments and the Downtown Development Authority. A Hold Harmless Agreement has been executed in lieu of insurance coverage.

Please place this request on the Council’s January 20th consent calendar for their consideration.

Thank you.

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

Sponsoring Organization's Legal Name: Jackson National Day of Prayer Task Force

Organization Address: 400 Richard St, Spring Arbor, MI 49283

Organization Agent: Jolen Pearl

Title: Co-coordinator

Phone: 789-593-3221

Home: 419-129-2983

Agent's Address: 400 Richard St, Spring Arbor, MI 49283

Agent's E-Mail Address: jolenp@arbor.edu

Event Name: National Day of Prayer

Please give a brief description of the proposed special event:

Special prayer and music

Event Day(s) & Date(s): Thursday, May 7, 2009

Event Time(s): 12:00-1:30

Set-Up Date & Time: 10 a.m. June 5/7/09

Tear-Down Date & Time: 5/7/09 1:30-3:00

Event Location: Bucky Harris

ANNUAL EVENT: Is this event expected to occur next year? OFF

How many years has this event occurred? 10-12 yrs.

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

STREET CLOSURES: Start Date/ Time: Through Date/ Time:

RESERVED PARKING: Are you requesting reserved parking? YES OFF

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES OFF Other Vendors? YES OFF

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES OFF

If yes, are liquor license and liquor liability insurance attached? YES OFF

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.

ATTENDANCE: What is the expected (estimated) attendance for this event? 1000+

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

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

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

None

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

As a low-hazard event, we ask the City of Jackson to waive insurance requirement and execute Hold Harmless and Indemnification agreement.

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

12/5/08
Date

Signature of Sponsoring Organization’s Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
CITY CLERK’S OFFICE - ATTN: ANGELA ARNOLD
161 W. MICHIGAN AVENUE - JACKSON, MI 49201
CITY OF JACKSON
SPECIAL EVENT APPLICATION – Page 3
City Clerk’s Office * 161 W. Michigan Avenue * Jackson, MI 49201
(517) 788-4025

Event Title: **Jackson National Day of Prayer, Thursday, May 7, 2009**

DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk’s office, as soon as possible.

Approvals noted below by departments, indicate they have been made aware of the request and the responsibility of their department has been met.

Police Dept: ____ C. Simpson ______  Recommend Approval: **YES**  NO  Est. Economic Impact: $ ___0__

Fire Dept.: ____ L. Bosell ______  Recommend Approval: **YES**  NO  Est. Economic Impact: $ ___0__

Traffic Eng.: ____________  Recommend Approval: **YES**  NO  Est. Economic Impact: $ _N/A_

Public Services: ____ S. Porter _____  Recommend Approval: **YES**  NO  Est. Economic Impact: $ ___0__

Parks/Forestry: T. Steiger _____  Recommend Approval: **YES**  NO  Est. Economic Impact: $ ___0__

DDA: ____ M. Way ______  Recommend Approval: **YES**  NO  Est. Economic Impact: $ ___0__

Have businesses been notified for street closures?: **YES**  **NO**

Reason for disapproval: ________________________________

Any special requirements/conditions:

________________________________________________________________________

________________________________________________________________________

Insurance/Indemnification Received: __12/05/2008______ Insurance Approved: _________________

City Council Approved: ____________ Denied: ____________ Approval/Denial Mailed: _______________
DATE: January 14, 2009

TO: William R. Ross, City Manager

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

RE: Traffic Control Order 1993

The Department of Engineering has received a request Councilmember Frounfelker to review the possibility of removing posted parking restrictions on Trail Street between Jackson Street and Mechanic Street. It is our recommendation to remove the No Parking restriction on Trail Street between Jackson and Mechanic Streets on both north and south sides. As parking is prohibited upon bridges per Michigan Vehicle Code, the No Parking restriction shall remain in place on the bridge over the Grand River. This action shall also rescind Traffic Control Orders PR100 and #379.

With your concurrence, I request the attached TCO 1993 be submitted to Council for their approval. If you have any questions, please do not hesitate to contact me.

JD:tjs

c: Matt Heins, Chief of Police
Lynne Fessel, Clerk
Randy McMunn, P.E., Assistant City Engineer
Bob Dietz, Parking Manager/Engineering Assistant
LOCATION: Trail Street
DATE: January 14, 2009
ASSIGNED TO: Engineering

TCO DESCRIPTION
At the request of Councilmember Frounfelker review possibility of removing posted parking restrictions on Trail Street between Jackson Street and Mechanic Street.

BY JON H. DOWLING, P.E.

RECOMMENDATION
Since Trail Street between Jackson and Mechanic Streets is now a local street, parking restrictions should no longer apply. Therefore, remove No Parking restrictions on this block on both north and south sides. As parking is prohibited upon bridges per Michigan Vehicle Code the No Parking restriction shall remain in place on bridge over the Grand River.

This action shall also rescind Traffic Control Orders PR100 and #379.

APPROVED [ ] REJECTED [ ] DATE: [ ] BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop
DATE: [ ]
TO: [ ]

MATERIAL USED
<table>
<thead>
<tr>
<th>Posts</th>
<th>Stop</th>
<th>Time Limit</th>
<th>No Parking</th>
<th>Loading Zone</th>
<th>One Way</th>
<th>Yield</th>
<th>Paint</th>
<th>Other</th>
</tr>
</thead>
</table>

ASSIGNMENT COMPLETED
DATE: [ ] BY: Sign Shop

WORK INSPECTED

REMARKS:

DATE: [ ] BY: Jon H. Dowling, P.E., City Engineer’

2008 Annual Report

Case Reviews

The City Planning Commission (CPC) reviewed 18 zoning and vacation requests in 2008. The case load increased from 2007, but remains significantly lower than it was in prior years.

TOTAL CASES: 2004-2008

- 2008: 18
- 2007: 14
- 2006: 29
- 2005: 29
- 2004: 40

The cases reviewed in 2008 included the following:

- Rezonings (district changes) comprised 39% of reviews
- Conditional use permits comprised 33% of reviews
- Site plan review requests comprised 22% of reviews
- Alley and street vacation proposals comprised 6% of reviews

No text amendments, planned unit developments, or nonconforming use designation comprised were reviewed in 2008.
Staff Activities Associated with a Request

Many tasks are associated with the review of zoning and vacation requests. Once a request is made, staff:

- visits the site;
- prepares a notice for public hearing, mailing it to all property owners and residents within 300 feet; and posting it in the *Jackson Citizen Patriot*¹;
- responds questions and concerns generated by the notice;
- solicits input from City Departments, including a meeting of interested department heads;
- reviews the request for adherence to the City’s zoning requirements;
- presents the review to the Commission during the public hearing;
- relays the decision of the Planning Commission to the applicant or relays the recommendation of the Commission to City Council, whichever was appropriate²; and
- respond to Council questions generated by the Commission recommendation, if needed.

Other Staff Activities

In carrying out its City Planning Commission activities in 2008, staff also:

- initiated an update to the City’s Comprehensive Plan;
- prepared monthly agenda packets and meeting minutes;
- attended the City’s weekly department head meetings;
- maintained the City’s zoning map; and
- responded to regular requests from the general public, potential developers, City staff and officials, and the media.

Staff also provided the following services to the City in 2008:

- assisted the Community Development Department in the administration of the Zoning and Sign Ordinances on a daily basis;
- staffed the Zoning Board of Appeals; and
- staffed the historic District Commission.

¹ The exceptions were SPR requests, which do not require public hearings or public notices.
² City Planning Commission rulings on rezoning, planned unit development, text amendment, and vacation requests take the form of recommendations which are forwarded to the City Council. CUP and SPR requests are decided by the Commission.
January 13, 2008

TO: William R. Ross, City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: CDBG Financial Summary through November 2008

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

Please place this item for consideration on the January 20, 2009 City Council agenda.

Cc: Michelle Pultz, Project Coordinator

CLK:hls
<table>
<thead>
<tr>
<th>Public Services</th>
<th>Budgeted</th>
<th>Expended Prior Year</th>
<th>Actual Month-to-Date</th>
<th>Actual Year-to-Date</th>
<th>Total Funds Expended-to-Date</th>
<th>Balance</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 American Red Cross</td>
<td>FY 2007/08</td>
<td>3,000</td>
<td>2,033</td>
<td>529</td>
<td>804</td>
<td>2,837</td>
<td>163</td>
</tr>
<tr>
<td>2 Big Brothers Big Sisters</td>
<td>FY 2008/2009</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3 Center for Family Health</td>
<td>FY 2008/2009</td>
<td>2,000</td>
<td>-</td>
<td>2,000</td>
<td>2,000</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>4 Family Services and Children's Aid</td>
<td>FY 2007/08</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>5 Florence Crittenton - Male Transition Program</td>
<td>FY 2007/08</td>
<td>4,788</td>
<td>3,961</td>
<td>-</td>
<td>827</td>
<td>4,788</td>
<td>-</td>
</tr>
<tr>
<td>6 Florence Crittenton - Reporting Center for Youth</td>
<td>FY 2007/08</td>
<td>5,400</td>
<td>2,119</td>
<td>-</td>
<td>-</td>
<td>2,119</td>
<td>3,261</td>
</tr>
<tr>
<td>7 Street Construction - High to Morrell (FY 2006/2007)</td>
<td>FY 2007/08</td>
<td>5,000</td>
<td>-</td>
<td>1,394</td>
<td>1,394</td>
<td>3,606</td>
<td>28%</td>
</tr>
<tr>
<td>8 Human Relations Comm (Civ City Council)</td>
<td>FY 2007/08</td>
<td>35,000</td>
<td>-</td>
<td>-</td>
<td>35,000</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>9 Jackson Affordable Housing Programs</td>
<td>FY 2007/08</td>
<td>30,273</td>
<td>-</td>
<td>1,522</td>
<td>1,522</td>
<td>28,751</td>
<td>9%</td>
</tr>
<tr>
<td>10 Jackson School of the Arts</td>
<td>FY 2007/08</td>
<td>1,500</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1,500</td>
<td>0%</td>
</tr>
<tr>
<td>11 Legal Services of SE Michigan (FY 2007/08)</td>
<td>FY 2007/08</td>
<td>15,000</td>
<td>13,326</td>
<td>-</td>
<td>1,874</td>
<td>15,000</td>
<td>-</td>
</tr>
<tr>
<td>12 MLK Summer Program</td>
<td>FY 2008/2009</td>
<td>12,000</td>
<td>-</td>
<td>1,553</td>
<td>3,722</td>
<td>3,722</td>
<td>8,278</td>
</tr>
<tr>
<td>13 Neighborhood Resource Centers</td>
<td>FY 2007/08</td>
<td>68,108</td>
<td>60,000</td>
<td>-</td>
<td>-</td>
<td>60,000</td>
<td>8,108</td>
</tr>
<tr>
<td>14 Northeast School Dental Clinic (FY 2005/2006)</td>
<td>FY 2008/2009</td>
<td>63,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>63,000</td>
<td>0%</td>
</tr>
<tr>
<td>15 Partnership Park-After School Programs</td>
<td>FY 2007/08</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>16 City Housing Rehabilitation Projects</td>
<td>FY 2005/2006</td>
<td>292,000</td>
<td>209,612</td>
<td>29,940</td>
<td>82,388</td>
<td>292,000</td>
<td>-</td>
</tr>
<tr>
<td>17 Salvation Army - Housing Assistance</td>
<td>FY 2008/2009</td>
<td>30,000</td>
<td>-</td>
<td>3,730</td>
<td>3,730</td>
<td>26,270</td>
<td>87%</td>
</tr>
<tr>
<td>18 United Way - Citi Services</td>
<td>FY 2007/08</td>
<td>75,000</td>
<td>-</td>
<td>40,721</td>
<td>40,721</td>
<td>34,279</td>
<td>54%</td>
</tr>
<tr>
<td>19 Administration &amp; Planning</td>
<td>FY 2007/08</td>
<td>344,100</td>
<td>200,627</td>
<td>17,494</td>
<td>94,469</td>
<td>295,096</td>
<td>49,004</td>
</tr>
<tr>
<td>20 City Code Enforcement Division</td>
<td>FY 2008/2009</td>
<td>248,800</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>248,800</td>
</tr>
<tr>
<td>21 City Housing Rehabilitation Projects</td>
<td>FY 2007/08</td>
<td>1,000</td>
<td>500,000</td>
<td>-</td>
<td>37,021</td>
<td>73,491</td>
<td>426,509</td>
</tr>
<tr>
<td>22 Downtown Development Authority - Façade Loans</td>
<td>FY 2005/2006</td>
<td>30,000</td>
<td>58,575</td>
<td>869</td>
<td>5,327</td>
<td>64,892</td>
<td>15,918</td>
</tr>
<tr>
<td>23 Downtown Development Authority - Building repairs</td>
<td>FY 2006/2007</td>
<td>45,000</td>
<td>32,829</td>
<td>-</td>
<td>3,151</td>
<td>35,980</td>
<td>9,020</td>
</tr>
<tr>
<td>24 Grace Haven - shelter repairs</td>
<td>FY 2008/2009</td>
<td>36,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>36,000</td>
<td>0%</td>
</tr>
<tr>
<td>25 Jackson Emergency Hazard Repair Program</td>
<td>FY 2007/08</td>
<td>4,800</td>
<td>3,420</td>
<td>880</td>
<td>3,428</td>
<td>572</td>
<td>88%</td>
</tr>
<tr>
<td>26 Jackson Emergency Hazard Repair Program</td>
<td>FY 2008/2009</td>
<td>3,000</td>
<td>1,000</td>
<td>-</td>
<td>502</td>
<td>502</td>
<td>2,498</td>
</tr>
<tr>
<td>27 Street Construction - Milwaukee (FY 2008/2007)</td>
<td>FY 2007/08</td>
<td>99,400</td>
<td>60,953</td>
<td>-</td>
<td>-</td>
<td>60,953</td>
<td>38,447</td>
</tr>
<tr>
<td>28 Street Construction - Milwaukee (FY 2008/2007)</td>
<td>FY 2008/2009</td>
<td>30,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>30,000</td>
</tr>
<tr>
<td>29 Street Construction - Elms (FY 2006/2007)</td>
<td>FY 2008/2009</td>
<td>34,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>34,000</td>
</tr>
</tbody>
</table>
### Monthly Financial Summary

**For the Five Months Ended November 30, 2008**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Budgeted</th>
<th>Expended Prior Year</th>
<th>Actual Month-to-Date</th>
<th>Actual Year-to-Date</th>
<th>Total Funds Expended-to-Date</th>
<th>Balance</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>35 Enterprise Group-Incubator Bldg (FY 2006/2007)</td>
<td>18,000</td>
<td>6,926</td>
<td>-</td>
<td>-</td>
<td>6,926</td>
<td>11,074</td>
<td>38%</td>
</tr>
<tr>
<td>36 Riverwalk Project (FY 2005/2006)</td>
<td>70,000</td>
<td>27,480</td>
<td>-</td>
<td>-</td>
<td>27,480</td>
<td>42,520</td>
<td>39%</td>
</tr>
<tr>
<td>37 Acquisition/Demolition - CAA (FY 2005/2006)</td>
<td>259,103</td>
<td>235,603</td>
<td>-</td>
<td>-</td>
<td>235,603</td>
<td>23,500</td>
<td>91%</td>
</tr>
<tr>
<td>38 Demolitions - Building Inspection (FY 2005/2006)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2005/2006</td>
<td>40,846</td>
<td>20,795</td>
<td>-</td>
<td>-</td>
<td>20,795</td>
<td>20,051</td>
<td>51%</td>
</tr>
<tr>
<td>FY 2007/2008</td>
<td>48,046</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>48,046</td>
<td>0%</td>
</tr>
</tbody>
</table>

**NOTE:** All funds are FY 2008/2009 allocations unless otherwise indicated.
TO:         Honorable Mayor and City Council
FROM:       Julius A. Giglio, City Attorney
RE:         Brian Surgener –vs- City of Jackson
            Michigan Court of Appeals File No. 08-286913-CZ

Attached please find an Order dated January 8, 2009 received from the Michigan Court of Appeals in reference to the Brian Surgener litigation involving the City’s meterless parking system. Please note the Court has denied Plaintiff’s request for relief. This order effectively ends the litigation. However, Mr. Surgener does have appeal rights.

If you have any questions, please contact me.

JG/cr
cc:       w/enc.
William Ross, City Manager
Susan G. Murphy, Deputy City Attorney
C. Jan Markowski, City Assessor
Lynn Fessel, City Clerk, w/orig.
Court of Appeals, State of Michigan

ORDER

Brian Surgener v City of Jackson

Docket No. 286913

__________________________________________________________

Deborah A. Servitto
Presiding Judge

E. Thomas Fitzgerald

Elizabeth L. Gleicher
Judges

The motion for leave to file a reply brief is GRANTED. The reply received on October 24, 2008 is accepted for filing.

The Court orders that relief requested by plaintiff in his complaint is DENIED. MCR 7.206(D)(3).

______________________________
Presiding Judge

RECEIVED
CITY OF JACKSON
JAN 12 2009
ATTORNEY'S OFFICE
By: ____________________________

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on
City of Jackson, Michigan
Financial Statements

As of and For the 6 Months Ended December 31, 2008
(Unaudited)

INDEX:

<table>
<thead>
<tr>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Expenditure Summary</td>
<td>1-2</td>
</tr>
<tr>
<td>All Other Funds - Expenditure Summary</td>
<td>3-4</td>
</tr>
<tr>
<td>All Funds - Revenue Summary</td>
<td>5-6</td>
</tr>
<tr>
<td>Notes to Revenue &amp; Expenditure Summaries</td>
<td>7</td>
</tr>
</tbody>
</table>
# General Fund Expenditure Summary

**City of Jackson, Michigan**

**General Fund Expenditure Summary**

As of and For the 6 Months Ended December 31, 2008

(Prepared on the Adopted Budget - Basis)

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable (Unfavorable)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legislative:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-101 City Council</td>
<td>91,382</td>
<td>6,565</td>
<td>46,746</td>
<td>51.15%</td>
<td>44,636</td>
</tr>
<tr>
<td><strong>Judicial:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-103 Charter Review Committee</td>
<td>15,000</td>
<td>77</td>
<td>77</td>
<td>0.51%</td>
<td>14,923</td>
</tr>
<tr>
<td>101-137 Administrative Hearings Bureau</td>
<td>39,819</td>
<td>2,029</td>
<td>10,034</td>
<td>25.20%</td>
<td>29,785</td>
</tr>
<tr>
<td></td>
<td><strong>54,819</strong></td>
<td><strong>2,106</strong></td>
<td><strong>10,111</strong></td>
<td><strong>25.71%</strong></td>
<td><strong>44,708</strong></td>
</tr>
<tr>
<td><strong>General Government:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-172 City Manager</td>
<td>255,147</td>
<td>18,037</td>
<td>113,064</td>
<td>44.31%</td>
<td>142,083</td>
</tr>
<tr>
<td>101-192 City Clerk-Elections</td>
<td>168,852</td>
<td>11,219</td>
<td>112,227</td>
<td>66.46%</td>
<td>56,625</td>
</tr>
<tr>
<td>101-201 Finance</td>
<td>426,424</td>
<td>32,871</td>
<td>203,474</td>
<td>47.72%</td>
<td>222,950</td>
</tr>
<tr>
<td>101-209 City Assessor</td>
<td>423,335</td>
<td>32,964</td>
<td>201,712</td>
<td>47.65%</td>
<td>221,623</td>
</tr>
<tr>
<td>101-210 City Attorney</td>
<td>539,623</td>
<td>39,817</td>
<td>244,454</td>
<td>45.30%</td>
<td>295,169</td>
</tr>
<tr>
<td>101-215 City Clerk</td>
<td>208,224</td>
<td>16,088</td>
<td>99,133</td>
<td>47.61%</td>
<td>109,091</td>
</tr>
<tr>
<td>101-226 Personnel</td>
<td>358,602</td>
<td>46,667</td>
<td>192,723</td>
<td>53.74%</td>
<td>165,879</td>
</tr>
<tr>
<td>101-233 Purchasing</td>
<td>169,173</td>
<td>13,856</td>
<td>82,821</td>
<td>48.96%</td>
<td>86,352</td>
</tr>
<tr>
<td>101-253 City Treasurer</td>
<td>341,120</td>
<td>24,130</td>
<td>145,610</td>
<td>42.69%</td>
<td>195,510</td>
</tr>
<tr>
<td>101-254 City Income Tax</td>
<td>280,016</td>
<td>10,344</td>
<td>106,456</td>
<td>38.02%</td>
<td>173,560</td>
</tr>
<tr>
<td>101-258 Management Information Services</td>
<td>344,284</td>
<td>18,229</td>
<td>165,436</td>
<td>48.05%</td>
<td>178,848</td>
</tr>
<tr>
<td>101-265 City Hall &amp; Grounds</td>
<td>323,258</td>
<td>22,889</td>
<td>170,972</td>
<td>52.89%</td>
<td>152,286</td>
</tr>
<tr>
<td>101-276 Cemeteries</td>
<td>487,796</td>
<td>39,603</td>
<td>249,220</td>
<td>51.09%</td>
<td>238,576</td>
</tr>
<tr>
<td>101-299 Unallocated</td>
<td>491,817</td>
<td>36,203</td>
<td>286,544</td>
<td>58.26%</td>
<td>205,273</td>
</tr>
<tr>
<td></td>
<td><strong>4,817,671</strong></td>
<td><strong>362,917</strong></td>
<td><strong>2,373,846</strong></td>
<td><strong>49.27%</strong></td>
<td><strong>2,443,825</strong></td>
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<tr>
<td><strong>Police Department:</strong></td>
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<td></td>
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<tr>
<td>101-301 Police</td>
<td>8,999,923</td>
<td>696,084</td>
<td>4,257,693</td>
<td>47.31%</td>
<td>4,742,230</td>
</tr>
<tr>
<td>101-303 Police Youth Services - JPS</td>
<td>314,947</td>
<td>26,599</td>
<td>147,019</td>
<td>46.68%</td>
<td>167,928</td>
</tr>
<tr>
<td>101-308 STEP Grants</td>
<td>20,733</td>
<td>5,642</td>
<td>16,688</td>
<td>80.49%</td>
<td>4,045</td>
</tr>
<tr>
<td>101-311 JCCAIE Grant</td>
<td>1,143</td>
<td>2,220</td>
<td>10,761</td>
<td>N/A</td>
<td>(9,618)</td>
</tr>
<tr>
<td>101-313 Consortium Training</td>
<td>33,754</td>
<td>982</td>
<td>15,479</td>
<td>45.86%</td>
<td>18,275</td>
</tr>
<tr>
<td>101-314 In-Service Training</td>
<td>15,450</td>
<td>0</td>
<td>6,438</td>
<td>41.67%</td>
<td>9,012</td>
</tr>
<tr>
<td></td>
<td><strong>9,385,950</strong></td>
<td><strong>731,527</strong></td>
<td><strong>4,454,078</strong></td>
<td><strong>47.45%</strong></td>
<td><strong>4,931,872</strong></td>
</tr>
<tr>
<td><strong>Fire Department:</strong></td>
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<tr>
<td>101-337 Fire Administration</td>
<td>289,679</td>
<td>21,610</td>
<td>135,941</td>
<td>46.93%</td>
<td>153,738</td>
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<tr>
<td>101-340 Fire Suppression</td>
<td>5,119,121</td>
<td>357,707</td>
<td>2,336,451</td>
<td>45.64%</td>
<td>2,782,670</td>
</tr>
<tr>
<td>101-341 Fire Prevention</td>
<td>84,145</td>
<td>3,643</td>
<td>22,836</td>
<td>27.14%</td>
<td>61,309</td>
</tr>
<tr>
<td>101-343 Fire Training</td>
<td>238,885</td>
<td>5,676</td>
<td>99,771</td>
<td>41.75%</td>
<td>139,214</td>
</tr>
<tr>
<td></td>
<td><strong>5,731,930</strong></td>
<td><strong>388,636</strong></td>
<td><strong>2,594,999</strong></td>
<td><strong>45.27%</strong></td>
<td><strong>3,136,931</strong></td>
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<tr>
<td><strong>Other Public Safety:</strong></td>
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<td></td>
<td></td>
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<tr>
<td>101-350 Public Safety - Unallocated</td>
<td>1,345,312</td>
<td>64,187</td>
<td>653,895</td>
<td>48.61%</td>
<td>691,417</td>
</tr>
<tr>
<td>101-401 Planning</td>
<td>99,768</td>
<td>9,158</td>
<td>49,083</td>
<td>49.20%</td>
<td>50,685</td>
</tr>
<tr>
<td>101-426 Office of Emergency Measures</td>
<td>64,311</td>
<td>4,509</td>
<td>30,416</td>
<td>47.30%</td>
<td>33,895</td>
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<tr>
<td></td>
<td><strong>1,509,391</strong></td>
<td><strong>77,854</strong></td>
<td><strong>733,394</strong></td>
<td><strong>48.59%</strong></td>
<td><strong>775,997</strong></td>
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(Continued -)
City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 6 Months Ended December 31, 2008
(Prepared on the Adopted Budget - Basis)
-Continued-

<table>
<thead>
<tr>
<th>Function Department</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Works:</strong></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>101-441 Tax Property Maintenance</td>
<td>10,000</td>
<td>394</td>
<td>4,954</td>
<td>49.54%</td>
<td>5,046</td>
</tr>
<tr>
<td>101-442 Civic Affairs</td>
<td>73,358</td>
<td>3,372</td>
<td>24,881</td>
<td>33.92%</td>
<td>48,477</td>
</tr>
<tr>
<td>101-445 Drains at Large</td>
<td>72,053</td>
<td>62</td>
<td>18,187</td>
<td>25.24%</td>
<td>53,866</td>
</tr>
<tr>
<td>101-446 Storm Drain Construction</td>
<td>98,000</td>
<td>604</td>
<td>32,943</td>
<td>33.62%</td>
<td>65,057</td>
</tr>
<tr>
<td>101-447 Grounds Maintenance</td>
<td>177,108</td>
<td>57,155</td>
<td>108,481</td>
<td>61.25%</td>
<td>68,627</td>
</tr>
<tr>
<td>101-448 Sidewalk Construction</td>
<td>130,000</td>
<td>0</td>
<td>100,965</td>
<td>77.67%</td>
<td>29,035</td>
</tr>
<tr>
<td>101-450 Street Lighting</td>
<td>407,231</td>
<td>40,536</td>
<td>201,640</td>
<td>49.51%</td>
<td>205,591</td>
</tr>
<tr>
<td>101-455 Weed Control</td>
<td>23,684</td>
<td>0</td>
<td>10,574</td>
<td>44.65%</td>
<td>13,110</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>991,434</strong></td>
<td><strong>102,123</strong></td>
<td><strong>502,625</strong></td>
<td><strong>50.70%</strong></td>
<td><strong>488,809</strong></td>
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<tr>
<td><strong>Recreation &amp; Culture:</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>101-690 Forestry</td>
<td>577,031</td>
<td>78,155</td>
<td>338,163</td>
<td>58.60%</td>
<td>238,868</td>
</tr>
<tr>
<td>101-692 Parks, Recreation &amp; Grounds Admin.</td>
<td>761,911</td>
<td>54,381</td>
<td>371,876</td>
<td>48.81%</td>
<td>390,035</td>
</tr>
<tr>
<td>101-697 Parks &amp; Facilities Maintenance</td>
<td>515,050</td>
<td>51,201</td>
<td>259,632</td>
<td>50.41%</td>
<td>255,418</td>
</tr>
<tr>
<td>101-698 Lt. Nixon Memorial Pool</td>
<td>165,932</td>
<td>2,245</td>
<td>105,083</td>
<td>63.33%</td>
<td>60,849</td>
</tr>
<tr>
<td>101-699 Sharp Park Swimming Pool</td>
<td>132,195</td>
<td>516</td>
<td>83,449</td>
<td>63.13%</td>
<td>48,746</td>
</tr>
<tr>
<td>101-803 Historical District</td>
<td>38,100</td>
<td>2,320</td>
<td>20,973</td>
<td>55.05%</td>
<td>17,127</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>2,190,219</strong></td>
<td><strong>188,818</strong></td>
<td><strong>1,179,176</strong></td>
<td><strong>53.84%</strong></td>
<td><strong>1,011,043</strong></td>
</tr>
<tr>
<td><strong>Health &amp; Welfare:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>101-896 Human Relations</td>
<td>63,043</td>
<td>4,183</td>
<td>36,055</td>
<td>57.19%</td>
<td>26,988</td>
</tr>
<tr>
<td><strong>Contributions to Other Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101-999 Contributions to Other Funds:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total General Fund Expenditures:</strong></td>
<td><strong>25,135,502</strong></td>
<td><strong>1,864,729</strong></td>
<td><strong>11,931,030</strong></td>
<td><strong>47.47%</strong></td>
<td><strong>13,204,472</strong></td>
</tr>
</tbody>
</table>

1/14/2009

* See Notes on Page 7
### City of Jackson

**All Other Funds - Expenditure Summary**

As of and For the 6 Months Ended December 31, 2008

(Prepared on the Adopted Budget - Basis)

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable (Unfavorable)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Special Revenue Funds:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>202 Major Street</td>
<td>6,154,159</td>
<td>235,918</td>
<td>1,291,005</td>
<td>20.98%</td>
<td>4,863,154</td>
</tr>
<tr>
<td>203 Local Street</td>
<td>1,065,972</td>
<td>79,116</td>
<td>695,019</td>
<td>65.20%</td>
<td>370,953</td>
</tr>
<tr>
<td>208 Ella W. Sharp Park Operating</td>
<td>757,037</td>
<td>23,263</td>
<td>411,592</td>
<td>54.37%</td>
<td>345,445</td>
</tr>
<tr>
<td>210 Land Acquisition Fund</td>
<td>50,000</td>
<td>4,689</td>
<td>19,916</td>
<td>39.83%</td>
<td>30,084</td>
</tr>
<tr>
<td>211 Housing Initiative Fund</td>
<td>47,775</td>
<td>670</td>
<td>6,081</td>
<td>12.73%</td>
<td>41,694</td>
</tr>
<tr>
<td>245 Public Improvement</td>
<td>1,355,583</td>
<td>2,442</td>
<td>146,374</td>
<td>10.80%</td>
<td>1,209,209</td>
</tr>
<tr>
<td>249 Building Department</td>
<td>528,917</td>
<td>59,760</td>
<td>217,482</td>
<td>41.12%</td>
<td>311,435</td>
</tr>
<tr>
<td>257 Budget Stabilization</td>
<td>65,000</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td>65,000</td>
</tr>
<tr>
<td>265 Drug Law Enforcement</td>
<td>57,452</td>
<td>10,176</td>
<td>45,444</td>
<td>79.10%</td>
<td>12,008</td>
</tr>
<tr>
<td>266 Project Safe Neighborhood Grant</td>
<td>0</td>
<td>1,236</td>
<td>15,362</td>
<td>N/A</td>
<td>(15,362)</td>
</tr>
<tr>
<td>268 BYRNE/JAG Grants</td>
<td>11,689</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td>11,689</td>
</tr>
<tr>
<td>270 LAWNET Grant</td>
<td>84,066</td>
<td>9,437</td>
<td>61,752</td>
<td>73.46%</td>
<td>22,314</td>
</tr>
<tr>
<td>288 Lead Hazard Control Grant</td>
<td>1,432,783</td>
<td>11,463</td>
<td>221,398</td>
<td>15.45%</td>
<td>1,211,385</td>
</tr>
<tr>
<td>293 Waterfront Redevelopment Grant</td>
<td>256,310</td>
<td>0</td>
<td>2,000</td>
<td>0.78%</td>
<td>254,310</td>
</tr>
<tr>
<td>295 2008 Brownfield Assessment Grant</td>
<td>300,000</td>
<td>0</td>
<td>58,523</td>
<td>19.51%</td>
<td>241,477</td>
</tr>
<tr>
<td>296 Recreation Activity</td>
<td>307,896</td>
<td>11,903</td>
<td>73,714</td>
<td>23.94%</td>
<td>234,182</td>
</tr>
<tr>
<td>297 JPS Recreation Millage Program</td>
<td>258,000</td>
<td>10,375</td>
<td>139,550</td>
<td>54.09%</td>
<td>118,450</td>
</tr>
<tr>
<td><strong>Debt Service Funds:</strong></td>
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<td></td>
<td></td>
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<tr>
<td>323 Mich. Urban Land Assembly D/S</td>
<td>144,000</td>
<td>12,000</td>
<td>72,000</td>
<td>50.00%</td>
<td>72,000</td>
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<tr>
<td>324 2003 MTF Bond D/S</td>
<td>279,005</td>
<td>0</td>
<td>263,360</td>
<td>94.39%</td>
<td>15,645</td>
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<tr>
<td>365 City Hall D/S</td>
<td>601,586</td>
<td>0</td>
<td>210,668</td>
<td>35.02%</td>
<td>390,918</td>
</tr>
<tr>
<td>368 Building Authority D/S</td>
<td>128,500</td>
<td>0</td>
<td>110,094</td>
<td>85.68%</td>
<td>18,406</td>
</tr>
<tr>
<td>395 2001 DDA TIF D/S</td>
<td>1,051,513</td>
<td>0</td>
<td>202,981</td>
<td>19.30%</td>
<td>848,532</td>
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<tr>
<td>398 2002 BRA TIF D/S</td>
<td>565,148</td>
<td>0</td>
<td>232,449</td>
<td>41.13%</td>
<td>332,699</td>
</tr>
<tr>
<td>399 2007 BRA TIF Refunding D/S</td>
<td>450,304</td>
<td>0</td>
<td>209,902</td>
<td>46.61%</td>
<td>240,402</td>
</tr>
<tr>
<td><strong>Capital Projects Funds:</strong></td>
<td></td>
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<td></td>
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<tr>
<td>401 Capital Projects Fund</td>
<td>415,075</td>
<td>79,605</td>
<td>203,173</td>
<td>48.95%</td>
<td>211,902</td>
</tr>
<tr>
<td>402 Water Equipment and Replacement</td>
<td>2,239,424</td>
<td>70,950</td>
<td>670,768</td>
<td>29.95%</td>
<td>1,568,656</td>
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<tr>
<td>404 Sanitary Sewer Maintenance Fund</td>
<td>501,025</td>
<td>35,889</td>
<td>245,687</td>
<td>49.04%</td>
<td>255,338</td>
</tr>
<tr>
<td>405 Sanitary Sewer Replacement</td>
<td>836,500</td>
<td>10,660</td>
<td>411,394</td>
<td>49.18%</td>
<td>425,106</td>
</tr>
<tr>
<td>406 Wastewater Equipment Replacement</td>
<td>460,000</td>
<td>218,621</td>
<td>1,248,648</td>
<td>271.45%</td>
<td>(788,648)</td>
</tr>
<tr>
<td>494 Brownfield Redevelopment Authority</td>
<td>1,267,763</td>
<td>17,195</td>
<td>471,087</td>
<td>37.16%</td>
<td>796,676</td>
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<tr>
<td>496 DDA Project</td>
<td>1,227,002</td>
<td>15,680</td>
<td>299,763</td>
<td>24.43%</td>
<td>927,239</td>
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<tr>
<td><strong>Enterprise Funds:</strong></td>
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<td></td>
</tr>
<tr>
<td>583 Sharp Park Golf Practice Center</td>
<td>83,265</td>
<td>19</td>
<td>30,576</td>
<td>36.72%</td>
<td>52,689</td>
</tr>
<tr>
<td>585 Auto Parking System</td>
<td>102,733</td>
<td>6,579</td>
<td>22,226</td>
<td>21.63%</td>
<td>80,507</td>
</tr>
<tr>
<td>586 Parking Assessment</td>
<td>208,643</td>
<td>218,621</td>
<td>411,394</td>
<td>49.18%</td>
<td>425,106</td>
</tr>
<tr>
<td>590 Sewer</td>
<td>6,620,897</td>
<td>382,972</td>
<td>2,439,426</td>
<td>36.84%</td>
<td>4,181,471</td>
</tr>
<tr>
<td>591 Water</td>
<td>8,492,452</td>
<td>918,088</td>
<td>3,476,417</td>
<td>40.94%</td>
<td>5,016,035</td>
</tr>
<tr>
<td>599 Parking Deck Fund</td>
<td>433,237</td>
<td>15,138</td>
<td>90,350</td>
<td>20.85%</td>
<td>342,887</td>
</tr>
</tbody>
</table>

(Continued -)

1/14/2009

*See Notes on Page 7*

Page 3
City of Jackson  
All Other Funds - Expenditure Summary  
As of and For the 6 Months Ended December 31, 2008  
( Prepared on the Adopted Budget - Basis )

- Continued -

<table>
<thead>
<tr>
<th>Fund Type/Fund Name</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Spent</th>
<th>Variance - Favorable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Service Funds:</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>641 Public Works Administration</td>
<td>667,550</td>
<td>37,175</td>
<td>280,477</td>
<td>42.02%</td>
<td>387,073</td>
</tr>
<tr>
<td>642 Engineering Administration</td>
<td>338,770</td>
<td>29,400</td>
<td>167,603</td>
<td>49.47%</td>
<td>171,167</td>
</tr>
<tr>
<td>643 Local Site Remediation Revolving</td>
<td>300,000</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td>300,000</td>
</tr>
<tr>
<td>661 Motor Pool and Garage</td>
<td>1,719,056</td>
<td>124,091</td>
<td>647,291</td>
<td>37.65%</td>
<td>1,071,765</td>
</tr>
<tr>
<td>663 Equipment Revolving Fund</td>
<td>58,484</td>
<td>0</td>
<td>51,273</td>
<td>87.67%</td>
<td>7,211</td>
</tr>
<tr>
<td>677 Workers' Compensation</td>
<td>299,450</td>
<td>5,819</td>
<td>98,607</td>
<td>32.93%</td>
<td>200,843</td>
</tr>
<tr>
<td>678 Prescription Drug</td>
<td>950,700</td>
<td>77,551</td>
<td>381,638</td>
<td>40.14%</td>
<td>569,062</td>
</tr>
<tr>
<td>679 Health Care Deductible Reimbursement</td>
<td>194,300</td>
<td>14,335</td>
<td>97,840</td>
<td>50.36%</td>
<td>96,460</td>
</tr>
</tbody>
</table>

| Trust & Agency Funds:                      |                        |                      |                     |               |                      |
| 702 County & School Tax Collection         | 140,000                | 0                    | 0                   | 0.00%         | 140,000              |
| 711 Cemetery Perpetual Maintenance         | 71,000                 | 0                    | 2,129               | 3.00%         | 68,871               |
| 718 Ella W. Sharp Endowment                | 55,000                 | 0                    | 0                   | 0.00%         | 55,000               |
| 731 Employees' Retirement System           | 2,180,000              | 178,798              | 1,052,424           | 48.28%        | 1,127,576            |
| 732 Policemen's/Firemen's Pension          | 1,310,000              | 283,391              | 478,855             | 36.55%        | 831,145              |
| 733 Policemen's/Firemen's Pens.-345        | 3,350,000              | 559,600              | 2,202,537           | 65.75%        | 1,147,463            |
| 736 Public Employees Health Care           | 10,000                 | 0                    | 18,900              | 189.00%       | (8,900)              |

| Special Assessment Funds:                  |                        |                      |                     |               |                      |
| 895 Special Assessment                     | 641,801                | 0                    | 0                   | 0.00%         | 641,801              |

Note 2

* See Notes on Page 7
### City of Jackson

**All Funds - Revenue Summary**

**As of and For the 6 Months Ended December 31, 2008**

<table>
<thead>
<tr>
<th>Fund/Fund Name</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Taxes</td>
<td>7,718,516</td>
<td>464,140</td>
<td>6,705,446</td>
<td>86.87%</td>
</tr>
<tr>
<td>Income Taxes</td>
<td>8,575,000</td>
<td>197,588</td>
<td>3,564,306</td>
<td>41.57%</td>
</tr>
<tr>
<td>Licenses &amp; Permits</td>
<td>237,250</td>
<td>1,533</td>
<td>54,134</td>
<td>22.82%</td>
</tr>
<tr>
<td>Federal Grants</td>
<td>15,517</td>
<td>7,061</td>
<td>113,537</td>
<td>731.69%</td>
</tr>
<tr>
<td>State Grants</td>
<td>113,070</td>
<td>0</td>
<td>8,439</td>
<td>7.46%</td>
</tr>
<tr>
<td>State Revenue Sharing</td>
<td>5,260,054</td>
<td>0</td>
<td>2,096,855</td>
<td>39.86%</td>
</tr>
<tr>
<td>Contributions From Local Units</td>
<td>168,984</td>
<td>0</td>
<td>12,785</td>
<td>7.57%</td>
</tr>
<tr>
<td>Charges For Goods &amp; Services</td>
<td>1,141,121</td>
<td>15,744</td>
<td>267,590</td>
<td>23.45%</td>
</tr>
<tr>
<td>Fines &amp; Forfeits</td>
<td>274,500</td>
<td>17,327</td>
<td>105,361</td>
<td>38.38%</td>
</tr>
<tr>
<td>Investment Income</td>
<td>300,000</td>
<td>3,840</td>
<td>24,039</td>
<td>8.01%</td>
</tr>
<tr>
<td>Contributions From Other Funds</td>
<td>282,000</td>
<td>604</td>
<td>67,943</td>
<td>24.09%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>528,755</td>
<td>13,577</td>
<td>250,949</td>
<td>47.46%</td>
</tr>
</tbody>
</table>

**Total General Fund Revenues**

24,614,767 721,414 13,271,384 53.92%

| **Special Revenue Funds:**            |                        |                      |                     |                   |
| 202 Major Street                      | 5,994,531              | 140,347              | 725,600             | 12.10%            |
| 203 Local Street                      | 962,395                | 42,406               | 194,702             | 20.23%            |
| 208 Ella W. Sharp Park Operating      | 758,000                | 384                  | 309,065             | 40.77%            |
| 210 Land Acquisition Fund            | 28,000                 | 4                    | 95                  | 0.34%             |
| 211 Housing Initiative Fund          | 50,000                 | 0                    | 0                   | 0.00%             |
| 245 Public Improvement               | 1,227,000              | 75,202               | 1,053,728           | 85.88%            |
| 249 Building Inspection              | 529,200                | 19,711               | 179,123             | 33.85%            |
| 257 Budget Stabilization             | 65,000                 | 2,329                | 15,664              | 24.10%            |
| 265 Drug Law Enforcement             | 44,905                 | 9,079                | 126,749             | 282.60%           |
| 266 Project Safe Neighborhood Grant  | 0                      | 4,566                | 14,126              | N/A Note 2        |
| 268 BYRNE/JAG Grants                 | 11,689                 | 0                    | 0                   | 0.00%             |
| 270 LAWNET Grant                     | 84,066                 | 4,718                | 47,484              | 56.48%            |
| 288 Lead Hazard Control Grant        | 1,432,783              | 135,090              | 194,972             | 13.61%            |
| 293 Waterfront Redevelopment Grant   | 256,294                | 0                    | (380)               | -0.15%            |
| 295 2008 Brownfield Assessment Grant | 300,000                | 0                    | 58,523              | 19.51%            |
| 296 Recreation Activity              | 312,000                | 9,843                | 58,092              | 18.62%            |
| 297 JPS Recreation Millage Program   | 258,000                | 125,000              | 125,000             | 48.45%            |

**Debt Service Funds:**

| 323 Mich. Urban Land Assembly D/S     | 144,000                | 12,000               | 72,000              | 50.00%            |
| 324 2003 MTF Bond D/S                 | 279,005                | 0                    | 263,360             | 94.39%            |
| 365 2003 City Hall D/S                | 584,000                | 43,336               | 527,726             | 90.36%            |
| 368 Building Authority D/S            | 128,500                | 0                    | 110,094             | 85.68%            |
| 395 2001 DDA TIF D/S                  | 1,051,000              | 0                    | 202,981             | 19.31%            |
| 398 2002 BRA TIF D/S                  | 565,000                | 0                    | 232,449             | 41.14%            |
| 399 2007 BRA TIF Refunding D/S        | 450,000                | 0                    | 209,902             | 46.64%            |

**Capital Projects Funds:**

| 401 Capital Projects Fund             | 415,075                | 0                    | 81                  | 0.02%             |
| 402 Water Equipment and Replacement   | 1,775,000              | 144,661              | 869,995             | 49.01%            |
| 404 Sanitary Sewer Maintenance Fund   | 501,025                | 35,889               | 245,587             | 49.02%            |
| 405 Sanitary Sewer Replacement        | 698,000                | 55,914               | 337,431             | 48.34%            |
| 406 Wastewater Equip. Replacement     | 660,000                | 54,820               | 335,201             | 50.79%            |

(Continued-)

1/14/2009

* See Notes on Page 7
City of Jackson  
All Funds - Revenue Summary  
As of and For the 6 Months Ended December 31, 2008  
- Continued -  

<table>
<thead>
<tr>
<th>Fund/Fund Name</th>
<th>2008/09 Amended Budget</th>
<th>Actual Month To Date</th>
<th>Actual Year To Date</th>
<th>Percent Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Projects Funds : (Continued)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>494 Brownfield Redevelopment Authority</td>
<td>1,535,700</td>
<td>3,398</td>
<td>26,584</td>
<td>1.73%</td>
</tr>
<tr>
<td>496 DDA Project</td>
<td>1,072,326</td>
<td>2,611</td>
<td>13,861</td>
<td>1.29%</td>
</tr>
<tr>
<td><strong>Enterprise Funds :</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>583 Sharp Park Golf Practice Center</td>
<td>75,700</td>
<td>0</td>
<td>20,707</td>
<td>27.35%</td>
</tr>
<tr>
<td>585 Auto Parking System</td>
<td>111,608</td>
<td>1,504</td>
<td>44,363</td>
<td>39.75%</td>
</tr>
<tr>
<td>586 Parking Assessment</td>
<td>192,276</td>
<td>12,241</td>
<td>36,609</td>
<td>19.04%</td>
</tr>
<tr>
<td>590 Sewer</td>
<td>5,616,000</td>
<td>174,480</td>
<td>2,264,558</td>
<td>40.32%</td>
</tr>
<tr>
<td>591 Water</td>
<td>6,850,600</td>
<td>420,554</td>
<td>3,451,470</td>
<td>50.38%</td>
</tr>
<tr>
<td>599 Parking Deck Fund</td>
<td>281,155</td>
<td>251,200</td>
<td>258,469</td>
<td>91.93%</td>
</tr>
<tr>
<td><strong>Internal Service Funds :</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>641 Public Works Administration</td>
<td>668,000</td>
<td>91,593</td>
<td>346,137</td>
<td>51.82%</td>
</tr>
<tr>
<td>642 Engineering Administration</td>
<td>340,000</td>
<td>43,480</td>
<td>210,063</td>
<td>61.78%</td>
</tr>
<tr>
<td>643 Local Site Remediation Revolving</td>
<td>205,500</td>
<td>217</td>
<td>1,456</td>
<td>0.71%</td>
</tr>
<tr>
<td>661 Motor Pool and Garage</td>
<td>1,345,972</td>
<td>139,322</td>
<td>759,781</td>
<td>56.45%</td>
</tr>
<tr>
<td>663 Equipment Revolving Fund</td>
<td>58,484</td>
<td>0</td>
<td>51,273</td>
<td>87.67%</td>
</tr>
<tr>
<td>677 Workers' Compensation</td>
<td>375,600</td>
<td>22,788</td>
<td>150,826</td>
<td>40.16%</td>
</tr>
<tr>
<td>678 Prescription Drug</td>
<td>1,208,300</td>
<td>79,203</td>
<td>527,382</td>
<td>43.65%</td>
</tr>
<tr>
<td>679 Health Care Deductible Reimb.</td>
<td>437,350</td>
<td>32,692</td>
<td>207,329</td>
<td>47.41%</td>
</tr>
<tr>
<td><strong>Trust &amp; Agency Funds :</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>702 County &amp; School Tax Collection</td>
<td>140,000</td>
<td>2,421</td>
<td>32,409</td>
<td>23.15%</td>
</tr>
<tr>
<td>711 Cemetery Perpetual Maintenance</td>
<td>106,000</td>
<td>683</td>
<td>38,989</td>
<td>36.78%</td>
</tr>
<tr>
<td>718 Ella W. Sharp Endowment</td>
<td>55,000</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>731 Employees' Retirement System</td>
<td>2,056,911</td>
<td>1,138,983</td>
<td>(5,663,429)</td>
<td>-275.34%</td>
</tr>
<tr>
<td>732 Policemen's/Firemen's Pension</td>
<td>1,261,212</td>
<td>(501,919)</td>
<td>(988,031)</td>
<td>-78.34%</td>
</tr>
<tr>
<td>733 Policemen's/Firemen's Pension-345</td>
<td>6,139,716</td>
<td>(2,503,655)</td>
<td>(6,938,839)</td>
<td>-113.02%</td>
</tr>
<tr>
<td>736 Public Employees Health Care</td>
<td>11,000</td>
<td>1</td>
<td>1,751</td>
<td>15.92%</td>
</tr>
<tr>
<td><strong>Special Assessment Funds :</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>895 Special Assessment</td>
<td>641,801</td>
<td>743</td>
<td>8,219</td>
<td>1.28%</td>
</tr>
</tbody>
</table>

1/14/2009  
* See Notes on Page 7
City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 6 Months Ended December 31, 2008

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

**Note 2:** Budget amendments are pending that will eliminate these variances.
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Board of Review

In accordance with City Charter, Sec. 14.5 (MCLA 211.107) Three members, all City residents, appointed by the Mayor subject to Council confirmation. One board member shall be appointed each January for three-year terms.

It is my desire, therefore, to reappoint Carol Kobert to the Board of Review for a three-year term, beginning February 1, 2009, and ending January 31, 2012.

JFL:skh
City of Jackson Board/Commission Application

Name: Carol F. Cobert
Address: 207 S. Durand St
Zip: 
Home Phone: 517-788-2441 Other Phone: 
Occupation: Retired Realtor

Community Involvement/Activity

City Hall Renewals
Health

Are you a registered voter? Yes
Ward? 2

Which Board or Commission(s) are you interested in?
1. Board of Review (Write-in)
2. 
3. 

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


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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant: Carol F. Cobert
Date: 1-13-07
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Citizens Advisory Council for Community Development (CAC)

Pursuant to the November, 1974, Resolution of the City Council creating the Citizens Advisory Council (CAC) for Community Development provides for Mayoral appointment, with City Council concurrence, of officers to that body.

It is my desire, therefore, to appoint Lisa M. Gowdy to the Citizens Advisory Council for Community Development filling a current vacancy beginning immediately and ending December 31, 2009.

JFL:skh
City of Jackson Board/Commission Application

Name: LISA M GOWDY

Address: 1107 LANSING AVE Zip: 49202
982-3753

Home Phone: 517-69 Other Phone: 517-780-4547

Occupation: BUSINESS OFFICE

Community Involvement/Activity

Relay for Life  Jr. Achievement

Cascades Humane Society

Are you a registered voter? Yes Ward? 

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

1. Citizens Advisory Council

2. 

3. 

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

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Signature of Applicant  21 Oct 2008

Date

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

Thank you
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Downtown Development Authority

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

It is my desire to appoint Wendy R. Clifton to the Downtown Development Authority filling a current vacancy beginning immediately, and ending on March 29, 2012.

JFL:skh
City of Jackson Board/Commission Application

Name: Wendy R. Clifton
Address: 1108 1st St. Zip: 49203
Home Phone: Other Phone: 517-745-6070
Occupation: Owner of A Frame Above

Community Involvement/Activity

President Cascade Pro
Member Midtown Assn

Are you a registered voter? Yes
Which Board or Commission(s) are you interested in?
1. Downtown Development Assn
3. 

List additional information you feel may be pertinent to board or commission
I am a Downtown Business Owner dedicated to promoting the growth of our city and develop our downtown.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

[Signature]
Wendy R. Clifton
[Date]
12-22-08
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Ella W. Sharp Park Board of Trustees

In accordance with City Code, Chapter 19, Ordinance No. 98-7, five (5) members, one (1) of whom is a member of the City Council selected by the City Council and four (4) citizen members appointed by the Mayor and confirmed by City Council. Three-year terms, may be reappointed. Citizen members shall not serve more than three (3) consecutive three-year terms after effective date of the Ordinance without at least a one-year gap in service. Terms shall be staggered with existing board members holding office for remainder of current term and with new appointments made so no more than two members’ terms expire in any year.

It is my desire, therefore, to reappoint myself to the Ella W. Sharp Park Board of Trustees for a three-year term, beginning February 1, 2009, and ending January 31, 2012.

JFL:skh
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Jackson District Library Board of Trustees

Pursuant to the provisions of Act 24 of the Public Acts of 1989, City/County District Library System resolution adopted August 23, 1977, and the City/County amendment dated January 4, 1993, a seven member voting board is appointed serving four-year terms. Three members appointed by City Council, three members appointed by County Commission and *seventh member appointed alternately by City and County.

It is my desire, therefore, to reappoint Teressa T. Delph to the Jackson District Library Board of Trustees for a four-year term beginning February 3, 2009, and ending February 2, 2013.

JFL:skh
City of Jackson Board/Commission Application

Name: Jessica T. Delph
Address: P.O. Box 318 Jackson MI Zip: 49204
Home Phone: 517-784-4347 Other Phone: 517-740-5576
Occupation: Retired Elementary Teacher

Community Involvement/Activity

Jackson District Library
American Association of University Women (AAUW)

Are you a registered voter? Yes Ward: 1

Which Board or Commission(s) are you interested in?
1. Jackson District Library
2. Human Relations
3. Civil Service

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

Feel free to attach any information. (Resume, press clippings)
APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Jessica T. Delph
Signature of Applicant

Date: 12/1/08
I would like to continue to serve on the Jackson District Library board. I believe this endeavor goes hand in hand with some of my other involvements in the community. Currently, I chair the JDL Personnel Committee. The goal of this committee is to work to help to ensure quality services for the community.

Recently, I wrote an article for the JDL newsletter prior to the millage proposal to sustain operations. I’m so thankful the community supported the millage to sustain these operations. Attached is that article.

Teressa T. Delph
People at JDL

Meet Board Trustee - Teressa T. Delph

I have served on the Jackson District Library Board since 1994. However, I have been a consistent user of the library for many years.

One day before the City and the County libraries were consolidated, I was using the County Library and Mrs. Eudacia Stratton, County Library Director, suggested that I should consider serving on the library Board. At the time, I was working on my degree in social science at Spring Arbor University. I agreed that some day I would be happy to serve. After I earned my degree, Elementary Teachers Certificate and Masters Degree in Education at Michigan State University, I never forgot how much the library contributed to my education experience. Also, I never forgot the conversation I had with Mrs. Stratton.

Since I have been a Board trustee, I have served as President, Vice-President, and Secretary/Treasurer at different times in my term of office. Currently, I chair the personnel committee. The personnel committee usually meets once a month and members include the Director of the library, the Human Resources Administrator, the Board President and two Trustees. The team’s role is to discuss personnel matters, review library policies, and make recommendations to the full Board for their consideration or discussion. This is important as it shows that we work together to ensure quality services for the community because Jackson District Library was established to provide services for all residents of Jackson County.

Through the efforts of Ishwar Laxminarayan, Director, and staff, many activities have been improved for the community at Jackson District Library. These programs include excellent story hours for babies and children, computer training, programs for teens and adults and so much more.

Since budgets are limited, I hope to see more improvement in the future. The library is seeking community support county-wide to sustain these operations.

Please remember to vote on November 4, 2008.

Just Plain Interesting Non-Fiction
by Jackie Merritt, Springport Branch

As a committed fiction lover (especially mysteries) I seldom peruse the non-fiction shelves unless helping a patron. I mean, non-fiction is so... non-fiction! But, prejudices aside, there are many titles that I find fun and interesting. Here are a few:

The Joys of Yiddish by Leo Rosten—Wonderful and humorous collection of definitions and stories of the origins of this expressive German-Hebrew-English language.

The Secret Universe of Names by Roy Feinson—Are you maternal, romantic, generous? Subtitled The Dynamic Interplay of Names and Destiny, these are detailed descriptions of personal characteristics associated with names.

Book Smart by Jane Mallison and Bibliotherapy by Nancy Peske and Beverly West—Who can resist a book about books? The first title has essential recommendations, the second is an eclectic and just-plain-funny collection.
January 14, 2009

TO: City Councilmembers

FROM: Jerry F. Ludwig, Mayor

RE: Parks & Recreation Commission

In accordance with the joint resolution of the City Commission and the Board of Education of Jackson Public Schools dated December 15, 1970, the City Council appoints one of its members to a two-year term, and one other person to a three-year term. The City Council appointee must be a City resident.

It is my desire, therefore, to reappoint Elywn Rider to the Parks and Recreation Commission for a two-year term beginning February 1, 2009, and ending January 31, 2011.

JFL:skh
City of Jackson Board / Commission Application

Name: Edward "Rabbit" River

Address: 822 N. East Ave Zip 49202

Home Phone: 517-782-3452 Other Phone: 

Occupation: Retired

Community Involvement / Activity

Jackson Parks & Recreation

Are you a registered voter? Yes Ward? 3

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

1. Parks & Recreation

2. 

3. 

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

I have been member of Parks & Recreation 45 yrs.

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

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR.

Signature of Applicant: Edward River

Date: Jan 23/2006
January 14, 2009

TO:       William R. Ross, City Manager
FROM:     Angela Arnold, Deputy City Clerk
RE:       Public Hearing and Resolution Regarding the Necessity For 2008-2009 Meterless Parking Special Assessments

Attached please find a resolution determining the necessity for 2008-2009 meterless parking special assessments. Please place this resolution on the January 20th agenda for the City Council to consider after the public hearing is held.

Thank you.

/aa
Attachment
RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the DDA and City staff have diligently studied the question of continuing the operation of a downtown meterless parking system as a public improvement with an estimated total annual assessable cost of $61,546.32; and

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, the City Council has reviewed the necessity of continuing the operation of a meterless parking system for the downtown area; and

WHEREAS, notice had been duly given that the City Council would hold a public hearing in the City of Jackson on Tuesday, the 20th day of January, 2009, at 7:00 p.m. to hear any and all objections and suggestions by interested parties to said public improvement; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines that the continuation of the meterless parking system for the downtown area is a necessary public improvement and directs the Assessor to prepare Assessment Roll No. 4173 in the amount of $4,750.00 and Roll No. 4174 in the amount of $56,796.32 reflecting the estimated costs of same, assessing such costs to the property owners receiving a benefit therefrom in accordance with the benefits to be received by each.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that a public hearing will be held on Tuesday, the 24th day of February, 2009, at the hour of 7:00 p.m. in the Council Chambers of City Hall in the City of Jackson to hear any and all objections and suggestions by interested parties that may be made as to the assessments contained in said rolls.

* * * * *

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

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 20th day of January, 2009.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 21st day of January, 2009.

Lynn Fessel, City Clerk
January 20, 2009

Honorable Mayor and City Council
City of Jackson, Michigan

Subject:  PC 08-19 – Consideration of a rezoning request to C-2 (community commercial) for property located at 206 & 216 Page Avenue

Dear Mayor and Councilpersons:

The City Planning Commission recently considered a rezoning request to C-2 (community commercial) from R-4 (high density apartment and office) by Orthopaedic Rehab Specialists PC. Allegiance Health is located directly to the north on Michigan Avenue.

The City Planning Commission (CPC) held public hearings on the proposal at its meetings on December 3, 2008 and January 7, 2009. The rezoning request now comes to City Council for public hearing and possible action. Staff recommended disapproval of the proposal. The CPC recommends approval of the rezoning. An ordinance is attached for your consideration as well as the staff report, which includes the notices of public hearing, and the January 7, 2009 CPC meeting minutes.

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

Sincerely,

Grant E. Bauman, AICP
Principal Planner
January 7, 2009
Application PC 08-19
Rezoning Request – Staff Recommendation #2

General Information

Applicant
Orthopaedic Rehab Specialists PC
ORS Land Development LLC
206 Page Avenue
Jackson, MI 49201

Project Description
A medical clinic —allowed as a permitted use in the R-4 and all commercial districts— occupies the parcels proposed for rezoning. The sign ordinance (chapter 21.5 of the city code) allows the placement of an ‘electronic message center’ in any commercial or industrial district (Sec. 21.5-24 (g)(2)). The provision allows signs that “have a static message or image that change,” and to provide standards regarding message change and illumination.

‘Electronic message centers’ are specifically not permitted in residential districts, including the high-density apartment and office (R-4) district, except that time or temperature display is permitted with limited illumination on a freestanding or wall sign. Orthopaedic Rehab Specialists PC is requesting C-2 zoning which allows an ‘electronic message center.’

Location of Parcel
206 & 216 Page Avenue

Request
A change in zoning from R-4 (high-density apartment and office) to C-2 (community commercial) is requested. Sec. 28-183 regulates the review and approval of rezoning requests.

Notes:
The City Planning Commission delayed action on this request at its last meeting in order “to allow time to consider possible revisions to the sign ordinance.” This is the second rezoning request the City has considered whose sole purpose is to allow for the installation of an ‘electronic message center.’

Existing Land Use
Orthopaedic Rehab Specialists PC, a medical office building, occupies the properties.

Future Land Use Plan
The property is located within the City’s ‘healthcare area,’ according to the future land use map included in the City’s comprehensive plan.
Adjacent Land Use/Zoning

<table>
<thead>
<tr>
<th>North</th>
<th>Land Use — Jackson Outpatient Surgery Center</th>
<th>East</th>
<th>Land Use — Bhavana Patel, DDS, PC Jackson Cardiology Assoc., PC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning — R-4/C-4 (General Commercial)</td>
<td>Zoning — R-4/C-2</td>
<td></td>
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</tbody>
</table>

South | Land Use — Lily Mission Baptist Church | West | Land Use — ENT Associates of Jackson Jackson Hearing Clinic |
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</thead>
<tbody>
<tr>
<td>Zoning — R-4</td>
<td>Zoning — R-4</td>
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</tbody>
</table>

Staff Analysis/Findings

Factor(s) Favoring Approval

- The properties are partially adjacent on one side to land zoned C-2 (community commercial).

Factor(s) Favoring Disapproval

- A medical clinic, the current/proposed use, is allowable under the existing R-4 (high-density apartment and office) zoning [Sec. 28-71 (38)].
- The properties are adjacent on three sides to land zoned R-4 (high-density apartment and office).
- Commercial zoning would allow commercial land uses to be established in an area planned as the City’s ‘healthcare area.’
  
  Although commercial zoning exists along Michigan Avenue, the ‘healthcare area’ generally equates to the R-4 (high-density apartment and office) or PUDD (planned unit development) zoning districts.
- The City recently rezoned commercially zoned land along Page Avenue within the ‘healthcare area’ to R-4 (high-density apartment and office).

Notes:

City Council adopted resolutions rezoning 401 Page Ave. and other properties at the intersection of Page Ave. and Plymouth St. from C-2 (community commercial) to R-4 (high-density apartment and office) at meetings held on September 12, 2006 (PC 06-20) and November 14, 2006 (PC 06-22), respectively. Staff also suggests that the Commission consider rezoning the C-2 zoned portions of 205 Page Ave. and 1207 Teneyck St. to R-4.

Recommendation

Options available to the City Planning Commission:

- Recommend approval of the rezoning as an expansion of an existing commercially zoned area along Page Avenue.

- Recommend disapproval of the rezoning in support of the City’s comprehensive plan and to avoid the potential for commercial land uses along Page Avenue in this area of Jackson.

Staff recommends DISAPPROVAL of the rezoning.
City Planning Commission

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

Origin of the request:
Orthopaedic Rehab Specialists PC
ORS Land Development LLC
206 Page Avenue
Jackson, MI 49201

The location of the properties:
206 & 216 Page Avenue

The rezoning request:
Rezone from R-4 (high-density apartment and office) to C-2 (community commercial)

The proposed use:
A physical therapy clinic (medical) is located on the properties.

You are invited to attend the public hearings before the City Planning Commission and City Council to be held on:
City Planning Commission – Wednesday, January 7, 2009 at 7:15 pm
City Council – Tuesday, January 20, 2009 at 7:00 pm

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

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

By: Grant E. Bauman, AICP
R2PC Principal Planner
City Planning Commission

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

PC 08-19
Notice of Public Hearing

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

Origin of the request:
Orthopaedic Rehab Specialists PC
ORS Land Development LLC
206 Page Avenue
Jackson, MI 49201

The location of the properties:
206 & 216 Page Avenue

The rezoning request:
Rezone from R-4 (high-density apartment and office) to C-2 (community commercial)

The proposed use:
A physical therapy clinic (medical) is located on the properties.

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

City Planning Commission – Wednesday, December 3, 2008 at 7:00 pm
City Council – Tuesday, December 16, 2008 at 7:00 pm

The meetings will be held in the
City Hall Council Chambers, 2nd floor
161 W. Michigan Avenue

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

By: Grant E. Bauman, AICP
R2PC Principal Planner
The properties as they appear looking southward from Teneyck Street.

The public notice was sent to property owners and residents within 300 feet of the property proposed for rezoning. The following map displays the 300-ft notification buffer and the properties contained within or intersecting with the buffer.
ORDINANCE NO. _________________

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

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1.

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

Change parcel located at 206 & 216 Page Ave. from R-4 (high-density apartment and office) to C-2 (community commercial).

Section 2.

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

****

Adopted:
DRAFT MEETING MINUTES

Wednesday, January 7, 2009
Council Chambers, City Hall

Members present: Patrick Colligan; Ryan Doll; John Guidinger, Vice-Chairman; Jeanne Kubish; Jerry Ludwig, Mayor; John Polaczyk, Councilperson; and William Ross, City Manager

Members absent: Richard Lawson and Clyde Mauldin, Chairman

Staff present: Grant Bauman, R2PC Principal Planner; Frank Donovan, Acting Chief City Building Inspector; Susan Murphy, Deputy City Attorney; and Charles Reisdorf, R2PC Executive Director.

Item 1 Call to order
Vice-Chairman Guidinger called the meeting to order at 7:05 p.m.

Item 2 Pledge of allegiance
Those in attendance rose for the pledge of allegiance.

Item 3 Consideration of approval for the meeting minutes of December 3, 2008
A motion was made by Comm. Kubish, and supported by Mayor Ludwig, to approve the minutes of the December 3, 2008 meeting of the City Planning Commission.

The motion passed by unanimous voice vote.

Item 4 PC 08-19 – Consideration of a rezoning request from R-4 (High-Density Apartment and Office) to C-2 (Community Commercial) for properties at 206 & 216 Page Ave.
The staff recommendation to disapprove the rezoning was presented by Mr. Bauman (see the staff report for PC 08-19).
Vice-Chairman Guidinger opened the public hearing.

Karen Clow, representing Orthopaedic Rehab Services, Inc, spoke in favor of the rezoning. She noted the need for the business to be competitive, especially with other similar service providers in the immediate area. No one spoke in opposition to the rezoning.
Vice-Chairman Guidinger closed the public hearing.
Comm. Polaczyk noted the preponderance of businesses and offices in the immediate area.

1/07/09 CPC MIN-1
A motion was made by Comm. Polaczyk and supported by Comm. Kubish to recommend approval of the rezoning to the Jackson City Council.

The motion passed by the following vote: Yeas – 5 (Colligan, Doll, Kubish, Ludwig and Polaczyk); Nays – 2 (Guidinger and Ross), Absent – 2 (Lawson and Mauldin).

**Item 5  PC 09-01 – Consideration of a rezoning request from I-2 (General Industrial) to I-1 (Light Industrial) for properties at 103 N. Horton St. and 2301-2309 E. Ganson St.**

Mr. Bauman presented the staff recommendation of approval of the rezoning (see the staff report for PC 09-01). However, he also noted that the City Assessor’s Office had recommended against the lot-split proposed for the parcel. The split, if approved, would divide an existing industrial building between two separate properties, creating difficulties for assessing.

Vice-Chairman Guidinger opened the public hearing.

No one appeared to speak before the Planning Commission.

Vice-Chairman Guidinger closed the public hearing.

The Planning Commission had questions regarding the existing and proposed uses of the building, building layout, and expressed concerns regarding enforcement.

A motion was made by Comm. Ross, and supported by Mayor Ludwig, to table the request until the applicant is present.

The motion passed by unanimous voice vote.

**Item 6  PC 09-02 – Review of a conditional use permit request for a church proposed for 123 Porter St.**

Mr. Bauman provided the staff recommendation of approval with conditions (see the staff report PC 09-02). He also noted that the Zoning Board of Appeals had granted variances with conditions to certain ordinance provisions.

Vice-Chairman Guidinger opened the public hearing.

Andrew Hershberger, representing the church, spoke in favor of the conditional use permit. He noted that because restrictions were placed upon sale, the building cannot be used as a bowling alley. A letter from Donald Webb, opposing the conditional use permit, was provided to Commissioners.

Vice-Chairman Guidinger closed the public hearing.

The Commission discussed the existence of an undeveloped street Newton St., an undeveloped right-of-way (ROW), which extends south of Porter St. and the 32 parking spaces located in the ROW. The Planning Commission also discussed the possibility of access to Cooper St., through two lots which extend from the parcel to that thoroughfare. However, the site plan shows that all access is to be provided from Porter St.

A motion was made by Mayor Ludwig and supported by Comm. Ross to approve the conditional use permit for the church at 123 Porter St. with the conditions that the proposed landscaping within the Porter St. ROW be removed and the issue of a conditional use permit amendment prior to finishing the sanctuary, but excluding the staff recommendation for the vacation of the Newton St. right-of-way south of Porter St.
The motion passed by the following vote: Yeas – 7 (Colligan, Doll, Guidinger, Kubish, Ludwig, Polaczyk and Ross); Nays – 0, Absent – 2 (Lawson and Mauldin).

Item 7 Election of officers

Vice-Chairman Guidinger opened the floor for nominations for officers for the City Planning Commission. Mayor Ludwig placed in nomination for Chair, Clyde Mauldin. Comm. Polaczyk placed in nomination for the position of secretary, John Guidinger. No other nominations were offered.

A motion was made by Comm. Kubish and supported by Comm. Polaczyk to close the nominations and cast a unanimous ballet for Comm. Mauldin as Chairman, and Comm. Guidinger as Secretary.

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

Item 8 Approval of 2008 annual report

Staff presented the 2008 Annual Report of the Jackson City Planning Commission. The Commission reviewed the report.

A motion was made by Comm. Polaczyk and supported by Mayor Ludwig to receive the report and forward it to the Jackson City Council

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

Item 9 Other Business

A motion was made by Mayor Ludwig and supported by Comm. Colligan to revise the start time for City Planning Commissions from 7:15 p.m. to 7:00 p.m.

The motion passed by unanimous voice vote.

Item 10 Adjournment

Their being no further business, the meeting was adjourned at 8:10 p.m.

Charles Reisdorf
Recording Secretary
January 14, 2009

TO: William R. Ross, City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: Public Hearing to Receive Public Comments for 2009-2010 Community Development Block Grant (CDBG) Housing and Community Development Needs

On November 18, 2008, City Council adopted a Timetable for the 2009-2010 CDBG and HOME programs. The Timetable included establishment of a Public Hearing on January 20, 2009 to receive public comments regarding housing and community development needs, as required by 24 CFR 91.105(e)(1), which was reaffirmed by City Council on January 6, 2009. Historically, agencies requesting 2009-2010 CDBG funding also make presentations to City Council regarding their funding applications at this Public Hearing, although it is not a HUD requirement they do so.

Attached is a matrix of each eligible application received and the amount each agency is requesting. As always, the requests for funding outweigh the amount of grant funds the City anticipates receiving from HUD. The Citizens Advisory Council held agency presentation meetings on January 8 and January 13, 2009, and will meet again on Thursday, January 15 to formulate their recommendations to City Council. Those recommendations, together with City Administration recommendations, will be revealed before February 10, 2008 when City Council is scheduled to make its preliminary allocations.

Requested action is for City Council to hold a Public Hearing to receive comments on housing and community development needs and allow applicants to present their proposals. Please place this item on the January 20, 2009 City Council agenda for consideration.

cc: Heather L. Soat, Financial Analyst
    Michelle L. Pultz, CD Project Coordinator
## 2009-2010 Community Development Block Grant
### Funding Proposal Recommendations

<table>
<thead>
<tr>
<th>Applicants</th>
<th>Funding Request</th>
<th>Citizens Advisory Council</th>
<th>City Admin.</th>
<th>Prelim. Allocation</th>
<th>Final Allocation</th>
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<tr>
<td><strong>Public Services</strong></td>
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<tr>
<td>1 American Red Cross</td>
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<td>2/10/08 City Council</td>
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<tr>
<td>2 Big Brothers Big Sisters of Jackson County</td>
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<td>3 Community Action Agency</td>
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<td>4 Community Development (Neighborhood Resource Center)</td>
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<td>5 Family Services &amp; Children’s Aid</td>
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<td>6 Helping All People Excel (HAPE)</td>
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<td>7 Human Relations Commission</td>
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<td>8 Jackson Affordable Housing (Foreclosure Prevention)</td>
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<td>9 Jackson Affordable Housing (Homeownership Program)</td>
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<td>10 Jackson School of the Arts</td>
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<td>11 Legal Services of South Central Michigan</td>
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<tr>
<td>12 Parks &amp; Recreation (King Center Summer Youth Program)</td>
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<td>13 Partnership Park Downtown Neighborhood Assoc.</td>
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<td>14 The Salvation Army</td>
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<td>15 United Way of Jackson County</td>
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<td><strong>$0</strong></td>
<td>4/21/08 City Council</td>
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</table>

**Note:** We expect to receive $1,321,957 in CDBG and $322,957 in HOME funds; with program income added to these figures, we will have approximately 1,421,957 available in CDBG funds. The amount for Public Services cannot exceed $213,294.

<table>
<thead>
<tr>
<th>Administration and Planning</th>
<th>Funding Request</th>
<th>Citizens Advisory Council</th>
<th>City Admin.</th>
<th>Prelim. Allocation</th>
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<td>4/21/08 City Council</td>
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<td>Applicants</td>
<td>Funding Request</td>
<td>Citizens Advisory Council</td>
<td>City Admin.</td>
<td>Prelim. Allocation</td>
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<td><strong>Other Projects</strong></td>
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<td>17 BRCNS</td>
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<td>18 Community Development (Code Enforcement)</td>
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<td>19 Community Development (Residential Rehabilitation)</td>
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<td>22 Department of Public Services</td>
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<td>23 John George Home</td>
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<tr>
<td>24 Parks &amp; Recreation (Forestry)</td>
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<td><strong>Other Projects Subtotal</strong></td>
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<td><strong>Total Funding Available</strong></td>
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<td>(estimate)</td>
<td></td>
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</tbody>
</table>
January 14, 2009

TO: William R. Ross, City Manager

FROM: Carol Konieczki, Community Development Director

RE: Public Hearing and Consideration of the Adoption of Resolution Approving the Brownfield Plan for 228 W. Michigan Ave. as recommended by the Jackson Brownfield Redevelopment Authority

The January 20, 2009, City Council meeting has been established as a public hearing to consider adoption of a Brownfield Plan for the property located at 228 W. Michigan Ave. The Plan identifies property tax identification number 1-008100000.

The property has been identified as a facility and is functionally obsolete. The total amount of investment is $6,140,000 (including contingency). The estimated tax revenues after the project completion in 2013 is approximately $44,000. Estimated Michigan Business Tax (MBT) credit is $1,097,000 based on an eligible investment of $5,485,000. The plan will remain in effect for thirty years or until complete capture of the MBT.

At their regularly scheduled meeting on December 10, 2008, the JBRA accepted the Brownfield Plan from Hotel Hayes Development, LLC and moved to forward the plan to the City Council for approval. The Brownfield Plan was prepared in order to allow Hotel Hayes Development, LLC to pursue a Michigan Business Tax Credit for eligible investments they intend to make during development. The Plan will not use any Brownfield tax increment financing; however, the developer does intend to pursue an Obsolete Properties Rehabilitation Act (OPRA) in the near future.

All requisite public notices and notification to taxing jurisdictions (although no taxes will be captured) have been performed in accordance with PA 381.

Requested action of the City Council is to conduct the public hearing and consider adoption of the attached Resolution approving the Brownfield Plan for 228 W. Michigan Ave. Please place this item on the January 20, 2009 agenda for City Council consideration.

cc: Barry Hicks, Economic Devel. Proj. Mgr
    Bruce Inosencio, Hayes Commons, LLC
    Tom Wackerman, ASTI, Inc.
CITY OF JACKSON, MICHIGAN

RESOLUTION APPROVING A BROWNFIELD PLAN
FOR THE CITY OF JACKSON PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

WHEREAS, the Brownfield Redevelopment Authority of the City of Jackson (the "Authority"); pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has reviewed, adopted and recommended for approval by the Jackson City Council, a Brownfield plan (the "Plan"), as described on Exhibit "A", attached hereto and incorporated by reference, for property located at 228 W. Michigan Ave. (tax identification number 1-008100000); and

WHEREAS, the Jackson City Council has, at least ten (10) days before the meeting of the Council at which this resolution has been considered, provided notice to and fully informed the taxing jurisdictions that levy taxes subject to capture within the site (the "Taxing Jurisdictions") about the fiscal and economic implications of the Plan, and the Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, the Jackson City Council has made the following determinations and findings:

A. The Plan constitutes a public purpose under the Act;
B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;
C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and will not require the Authority to arrange the financing;
D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
E. The amount of captured taxable value estimated to result from adoption of the plan is reasonable.

WHEREAS, as a result of its review of the amended Plan, and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Jackson City Council desires to proceed with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the Jackson City Council, by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit "A" to this Resolution.
2. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
AYES:
NAYES:
ABSTAINED:
RESOLUTION DECLARED ADOPTED.

State Of Michigan  )
County Of Jackson  )ss
City Of Jackson  )

I, Lynn Fessel, City Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on the 20th day of January, 2009.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 21st day of January, 2009.

__________________________________
City Clerk
EXHIBIT A

Brownfield Plan – 228 West Michigan Avenue

Hayes Commons
CITY OF JACKSON  
BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD REDEVELOPMENT PLAN  
Amendment No. ___  
FOR

Hayes Commons  
228 West Michigan Avenue  
Jackson, Michigan

October 24, 2008  
Amended January 8, 2009

Prepared For:  
Hotel Hayes Development, LLC  
740 West Michigan Avenue  
Jackson, MI 49204

Prepared By:  
ASTI Environmental  
10448 Citation Drive  
Brighton, Michigan 48116  
ASTI Project No. 6693

Approved by the Brownfield Redevelopment Authority on

Approved by the City of Jackson on
CITY OF JACKSON
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
HAYES Commons
JANUARY 8, 2009

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CITY OF JACKSON
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
HAYES COMMONS
JANUARY 8, 2009

Project Summary

Project Name: Hayes Commons
Developer: Hotel Hayes Development, LLC
Project Location: One parcel located at the northwest corner of West Michigan Avenue and Hayes Street, at 228 West Michigan Avenue, Jackson, Michigan.

Project Overview: The project will redevelop approximately 0.76 acres. The Property consists of one 10-story building, the former Hayes Hotel, constructed in 1920 and totaling approximately 122,600 square feet. The subject building is currently vacant, except for one unit on the first floor currently occupied by Christian Science Reading Room (book store).

The project is currently in the Downtown Development Authority (DDA) district and is also pursuing financing under the Obsolete Properties Rehabilitation Act (OPRA) and therefore will not use Brownfield tax increment financing.

Estimated Total Investment: $6,140,000 (including contingency)

Annual Tax Revenues Before Project: $0

Annual Tax Revenues After Project: $44,000 (based on project completion in 2013 and OPRA approval).

Basis for Eligibility: The property is a facility and is functionally obsolete

Eligible Activities: Environmental assessment, abatement/remediation, and demolition/renovation.

Plan Duration: 30 years

Estimated MBT Credit: $1,097,000 based on an Eligible Investment of $5,485,000, including equipment
I. INTRODUCTION

The City of Jackson Brownfield Redevelopment Authority (the Authority) was created by the City of Jackson (the City) under the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (Act 381). The primary purpose of Act 381 and the Authority is to encourage the redevelopment of contaminated, blighted and functionally obsolete property by providing economic incentives through tax increment financing for eligible activities and Brownfield Redevelopment Michigan Business Tax Credits for eligible investments.

The City of Jackson Brownfield Plan (the Plan) describes what defines a property as an “eligible property”, including conditions for classifying a property as a “facility”, blighted and functionally obsolete. In addition, it describes the extent of the proposed redevelopment project, the methods for redevelopment, and the amount of tax dollars generated by the project that will be used to finance the redevelopment. Because this property is located in a Downtown Development Authority (DDA) zone and will use tax incentives available under the Obsolete Properties and Rehabilitation Act (OPRA), no tax dollars will be captured as a part of this Plan. Once approved, the Plan will serve as a guide for implementation of the project.

This Plan Amendment describes the redevelopment of the former Hayes Hotel site located at the northwest corner of West Michigan Avenue and Hayes Street in Jackson, Michigan. The Plan includes all information required by the Authority for review and approval.
The identification or designation of a developer or proposed use for the eligible property that is the subject of this Plan shall not be integral to the effectiveness or validity of this Plan. This plan is intended to apply to the eligible property identified in this Plan and, if tax increment revenues are proposed to be captured from that eligible property, to identify and authorize the eligible activities to be funded by such tax increment revenues. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified or amended in accordance with the requirement of Act 381, as necessary to achieve the purposes of Act 381. All terms used in this Plan are defined as provided in the applicable statues, including; The Brownfield Redevelopment Financing Act, 1996, Michigan Public Acts 381, M.C.L. § 125.2651 et seq., as amended; The Michigan Business Tax Act, 2007 Michigan Public Acts 36, M.C.L. § 208.1437, as amended; and Part 201 of The Natural Resources and Environmental Protection Act, 1994 Michigan Public Acts 451, M.C.L. § 324.20101 et seq., as amended (Part 201). All references in section headers are for The Brownfield Redevelopment Financing Act, 1996, Michigan Public Acts 381, M.C.L. § 125.2651 et seq., as amended.

II. GENERAL PROVISIONS

A. Description of Eligible Property (Section 13(1)(h))

The eligible property for this Plan consists of one parcel, approximately 0.76 acres, located at 228 West Michigan Avenue, City of Jackson, Jackson County, Michigan (the Property). Parcel 1-008100000 (Site Location Map attached) contains a mostly vacant residential and office building (approximately 123,000 square feet) on the Property (Site Features Map attached).
Based on the information reviewed, the building, which occupies the entire Property, was constructed in 1920. Prior to the construction of the subject building, the Property was occupied by residences, the Jackson City Club, and an undertaker. The subject building has been occupied by numerous commercial businesses, including a dry cleaner from at least 1930 through 1940 (at 234 W. Michigan). The Property is currently vacant except for a portion of the first floor with is currently being leased by a book store. The developer, Hotel Hayes Development, LLC (the Developer) intends to renovate the Property and lease spaces for commercial, office and residential use.

The adjoining properties consist primarily of commercial businesses. To the north is a parking lot and vacant building. To the east is a vacant office building. To the west is a church and the Jackson Public Library (refer to attached site photos).

The legal description for the parcel that comprises the Eligible Property is provided on the following page.

<table>
<thead>
<tr>
<th>Tax ID</th>
<th>1-008100000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
<td>City of Jackson</td>
</tr>
<tr>
<td>Legal Description</td>
<td>LOTS 7,8,9 EX E 22.5 FT OF LOTS 7&amp;9, ALSO ALL OF VACATED ALLEY ADJOINING LOTS 8&amp;9 TO THE WEST B1N R1W OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG</td>
</tr>
</tbody>
</table>

**Personal Property:** Personal property will be included as part of the Eligible Property and the value of the personal property is an eligible investment for the purpose of calculating the amount of the Michigan Business Tax Credit for the project.

The Property and improvements, including tangible personal property to be located thereon, will comprise the eligible property (the Eligible Property).
B. Basis of Eligibility (Section 13(1)(h))

The Property is an Eligible Property because it is a facility as defined in Part 201 of Act 451 and is functionally obsolete as defined by Act 381. A review of historical sampling data indicates concentrations of arsenic in soil at several locations outside of the elevator shafts of the subject building on the Property that exceed the MDEQ’s Generic Residential Cleanup Criteria (refer to the Baseline Environmental Site Assessment dated August 14, 2008 previously provided to the City of Jackson).

Environmental conditions were initially observed by ASTI Environmental of Brighton, Michigan during a Phase I Environmental Site Assessment conducted on July 1, 2008. This assessment revealed evidence of the following recognized environmental conditions (RECs):

- The historical use of the Property (tenant suite 234) as a drycleaner from at least 1930 through 1940;
- A gas tank identified beneath W. Pearl Street in the 1930 through 1990 Sanborn maps;
- The Property listed as a BEA site;
- The northern adjoining property listed as a LUST site.

A Phase II Environmental Site Assessment was conducted by ASTI Environmental on July 11, 2008 to address the RECs identified in the Phase I ESA and to provide current data for preparation of a Category “N” BEA. Relevant exposure pathways and criteria for contaminants in soils at the Property were determined to be groundwater/surface water interface protection (G SIP), soil volatilization to indoor air criteria (SVIIC), soil drinking water protection (DWP) and soil direct contact (DC).

Arsenic was the only tested parameter determined to exceed the Part 201 cleanup criteria. Arsenic exceeded both Direct Contact (DC) and Drinking Water Protection (DWP) criteria. Contaminant concentrations and criteria exceeded are summarized in the following table.
Table 1

<table>
<thead>
<tr>
<th>Chemical Name</th>
<th>CAS Number</th>
<th>Criteria Exceeded</th>
<th>Highest Concentration</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>7440360</td>
<td>DC, DWP</td>
<td>29,000 ug/kg</td>
<td>HH-SS-03, HH-SS-04, and Duplicate-2</td>
</tr>
</tbody>
</table>

DC – Direct Contact  
DWP – Drinking Water Protection

III. PROJECT DESCRIPTION

A. Description of Cost to be Paid With Tax Increment Revenues & Summary of Eligible Activities (Section 13(1)(b))

There will be no tax increment revenues captured as a part of this Project for eligible activities. However, costs for eligible activities will be incurred by the Developer. The eligible activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Act 381, and include pre-demolition/renovation asbestos abatement, building demolition and renovation, and environmental assessments. In specific, these activities include, but are not limited to, the following:

1. **Environmental Investigations**  
   Asbestos Survey, Site Assessment and preparation of Brownfield Plan documents.

2. **Demolition/Asbestos Abatement**  
   Demolition, renovation and asbestos abatement of the former Hayes Hotel.

3. **Contingency**  
   A 15% contingency factor has been included to accommodate unexpected conditions that may be encountered during redevelopment.

The estimated costs for the eligible activities are listed in Table 2 on the following page.
Table 2
Estimated Costs of Eligible Activities

<table>
<thead>
<tr>
<th>Eligible Activities</th>
<th>Estimated Tax Capture</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Environmental Assessment</td>
<td>$32,500</td>
</tr>
<tr>
<td>2. Demolition/Abatement</td>
<td>$638,831</td>
</tr>
<tr>
<td>3. Contingency (15%)</td>
<td>$100,700</td>
</tr>
<tr>
<td>Total Eligible Activities</td>
<td>$772,031</td>
</tr>
</tbody>
</table>

Financial support for this project will be provided by the City in the form of EPA Site Assessment Grant expenses, and OPRA tax abatement to allow a qualified taxpayer to apply for a State of Michigan Brownfield Redevelopment Michigan Business Tax Credit. No costs shall be reimbursed by taxes under this Plan unless they are activities implemented pursuant to a Development Agreement approved by the City.

B. Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(1)(c))

This Plan will not capture tax increment revenues for financing costs of eligible activities under this Plan. The eligible activities are to be financed solely by the Developer. The Authority is not responsible for any cost of eligible activities and will incur no debt. No advances have been or shall be made by the City or the Authority for the costs of eligible activities under this Plan.

C. Impact of Tax Increment Financing on Taxing Jurisdictions (Section 13(1)(g))

Because this Plan will not capture tax increment revenues, there is no impact on the revenues of the taxing jurisdictions in which the Eligible Property is located.

The Property includes one school district: 38170 – Jackson Public
D. Method of Financing and Description of Advances by the Municipality (Section 13(1)(d))

The project will be financed through private financing arranged by the Developer. No advances have been or shall be made by the City or the Authority for the costs of eligible activities under this Plan. Additional funding sources include the following:

<table>
<thead>
<tr>
<th>Sources</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. EPA Site Assessment Grant</td>
<td>$14,450</td>
</tr>
<tr>
<td>Total Additional Funding</td>
<td>$14,450</td>
</tr>
</tbody>
</table>

E. Maximum Amount of Indebtedness (Section 13(1)(e))

The Authority is not responsible for any cost of eligible activities and will incur no debt.

F. Duration of Plan (Section 13(1)(f))

The Plan will remain in effect for 30 years, or until complete capture of the MBT credit plus five additional years, which ever is less.

G. Effective Date of Inclusion in Brownfield Plan

The Property will become a part of this Plan on the date this Plan is approved by the Authority.
H. Displacement/Relocation of Individuals on Eligible Property (Section 13(1)(i-l))

There are no persons residing on the eligible property to which this Plan applies, and therefore there are no families to be displaced or relocated.

I. Local Site Remediation Revolving Fund (Section 13(1)(m))

Taxes will not be captured from this Project for the Local Site Remediation Revolving Fund.

No funds from the Local Site Remediation Revolving Fund shall be used to finance the costs of eligible activities on the Eligible Property under this Plan.

J. Other material that the Authority or Governing Body Deems Pertinent (Section 13(1)(n))

Upon completion of this project, commercial, office and residential space will be created where an underutilized, mostly vacant former hotel now exists. Due to the challenges and costs associated with redevelopment of the former Hayes Hotel, this project requires the Incentives outlined in this plan to fill a cost gap that makes the project financially unfeasible. Challenges include the cost of environmental assessments, asbestos abatement, some demolition and renovation, the potential for unanticipated impacts to be discovered during site preparation and construction, and the general market conditions. As described above and illustrated below, because tax increment financing is not available for this project, the Developer will apply for Michigan Business Tax (MBT) Credits in order to successfully complete the project.
<table>
<thead>
<tr>
<th>Investments</th>
<th>Total Cost</th>
<th>Grant Funded</th>
<th>Environmental Funded TIF</th>
<th>Development Funded TIF</th>
<th>M&amp;IT Credit</th>
<th>Developer Investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Acquisition and Pre-acquisition Costs</td>
<td>$20,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$20,000</td>
</tr>
<tr>
<td>Eligible Brownfield Expenses</td>
<td>$218,950</td>
<td>$14,460</td>
<td>$0</td>
<td>$0</td>
<td>$34,400</td>
<td>$170,100</td>
</tr>
<tr>
<td>Site Preparation Costs</td>
<td>$120,775</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$120,775</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>$113,400</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$113,400</td>
</tr>
<tr>
<td>Demolition</td>
<td>$406,831</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$93,366</td>
<td>$373,465</td>
</tr>
<tr>
<td>Construction Costs</td>
<td>$3,961,026</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$792,205</td>
<td>$3,168,821</td>
</tr>
<tr>
<td>Soft Cost and Fees</td>
<td>$438,400</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$23,100</td>
<td>$415,300</td>
</tr>
<tr>
<td>Total Above</td>
<td>$5,539,382</td>
<td>$14,460</td>
<td>$0</td>
<td>$0</td>
<td>$943,071</td>
<td>$4,381,361</td>
</tr>
<tr>
<td>Contingency</td>
<td>15%</td>
<td>15%</td>
<td>10%</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>$800,000</td>
<td>$2,768</td>
<td>$0</td>
<td>$0</td>
<td>$141,461</td>
<td>$658,539</td>
</tr>
<tr>
<td>Total With Contingency</td>
<td>$6,140,000</td>
<td>$17,228</td>
<td>$0</td>
<td>$0</td>
<td>$1,084,532</td>
<td>$5,039,400</td>
</tr>
</tbody>
</table>
APPENDIX A
CITY OF JACKSON
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
HAYES COMMONS
JANUARY 8, 2009
Former Hayes Hotel
228 W. Michigan Avenue, Jackson, MI

Created for: Hayes Hotel Development, LLC
Created by: JWS, June 18, 2008, ASTI Project 6757

Site Location Map
ATTACHMENT TO BROWNFIELD PLAN

228 W. Michigan Avenue, Jackson, Michigan

Photo 1. View of the Property facing northeast from Michigan Avenue

Photo 2. View of the Property facing south from Pearl Street

ASTI File 6715-3
June 12, 2008
Photographed By Shawn Shadley
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 3. Interior view of a former hotel room

Photo 4. Interior view of the boiler room

ASTI File 6715-3
June 12, 2008
Photographed By Shawn Shadley
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 5. Interior view of the lobby area

Photo 6. Interior view of a former restaurant in the subject building

ASTI File 6715-3
June 12, 2008
Photographed By Shawn Shadley
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 7. Interior view of a storage area in the basement

Photo 8. View of a natural gas generator located in the basement

ASTI File 6715-3
June 12, 2008
Photographed By Shawn Shadley
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 9. Interior view of Suite 234 (Christian Science Reading Room)

Photo 10. View of a vacant storefront suite

ASTI File 6715-3
June 12, 2008
Photographed By Shawn Shadley
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 11. View of the eastern adjoining property at 212 W. Michigan facing southeast

Photo 12. View of the 1st United Methodist Church located on the southern adjoining property
ATTACHMENT TO BROWNFIELD PLAN
228 W. Michigan Avenue, Jackson, Michigan

Photo 13. View of the Jackson Public Library located on the western adjoining property

Photo 14. View of the southern adjoining property facing south from the Property
EXHIBIT B

Parcel Description

LOTS 7, 8, 9 EX E 22.5 FT OF LOTS 7 & 9, ALSO ALL OF VACATED ALLEY ADJOINING LOTS 8 & 9 TO THE WEST B1N R1W OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG
TO: Honorable Mayor and City Councilmembers

FROM: Frank Weathers, Acting City Manager

DATE: January 13, 2009

RE: Elnora V. Moorman Community Help Center Lease

Attached is a lease agreement between the City and the Elnora V. Moorman Community Help Center to be located at the Southside Neighborhood Resource Center, 1015 Francis Street, at a rental rate of $1.00 per year. The proper insurance coverage has been received. Authorization for the Mayor and City Clerk to execute the appropriate documentation is also requested. Your consideration and approval of this Lease would be appreciated.

FW:skh

Attachment
LEASE

IT IS HEREBY AGREED between the CITY OF JACKSON, a Michigan municipal corporation, with offices at 161 West Michigan Avenue, Jackson, Michigan 49201 (hereinafter "City"), and ELNORA V. MOORMAN COMMUNITY HELP CENTER, a Michigan non-profit corporation, whose current address is P. O. Box 3086, Ann Arbor, Michigan 48106 (hereinafter "Lessee"), as follows:

1. CITY, in consideration of the rents and covenants herein specified, does hereby let, lease and demise to LESSEE, Room Nos. 3 and 4 at the property commonly known as 1015 Francis Street, Jackson, Michigan 49203 (the "Premises"), for a month-to-month tenancy, to commence on the 17th day of December 2008, on the terms and conditions hereinafter mentioned, to be occupied by said LESSEE for professional offices.

2. LESSEE shall be responsible for all upkeep, utilities, cleaning and maintenance at the Premises at Lessee’s sole expense.

3. LESSEE shall, at its expense, provide remodeling and renovation necessary for its purposes, and will receive prior written approval from CITY for any remodeling or renovation undertaken.
4. LESSEE does hereby hire the said Premises on a month-to-month tenancy, as above mentioned, at the rental rate of One Dollar ($1.00) per year.

5. LESSEE shall keep the said Premises and every part thereof in good repair and, at the expiration of said term, yield and deliver up the same in like condition as when taken, reasonable use and wear thereof excepted. Within ten (10) days of taking occupancy, LESSEE shall submit to LESSOR a list of all existing damages at the Premises. Upon termination of the Lease, the list shall be used to establish any damages to the Premises caused by LESSEE during its tenancy.

6. LESSEE shall observe and perform all rules and regulations in regard to said building, as contained in paragraph 15 of this Lease. LESSEE further agrees it will not assign or transfer this Lease or sublet the said Premises or any part thereof, nor use the same nor permit the same to be used for any other purpose than as above described, nor make any alterations therein or additions thereto, without the written consent of CITY, and that all additions, fixtures or improvements which may be made to or placed in or upon said Premises, except movable office furniture and professional equipment, shall be the property of CITY and shall remain upon and be surrendered with said demised Premises as a part thereof at the termination of this Lease.
7. All personal property in the demised Premises shall be at the risk of LESSEE only, and CITY shall not be liable for any damage to said personal property, to said Premises, or to LESSEE arising from the condition of the Premises, including, but not limited to, bursting or leaking of any water or steam pipes, or from any acts or neglect of any other persons.

8. CITY shall have the right to enter said Premises at any time to examine the same, or to make such repairs, additions or alterations as may be necessary for the safety, improvement or preservation thereof; provided that, unless an emergency makes it impossible, CITY will give reasonable notice of such entry to Lessee.

9. LESSEE shall maintain a valid commercial general liability insurance policy which is acceptable to the CITY, insuring against liability for bodily injury and property damage, with a minimum general aggregate limit of Five Hundred Thousand Dollars ($500,000.00). Said policy shall be maintained in full force and effect during the term of this lease, or any extension thereof, and shall name the CITY as an additional insured. In addition, LESSEE shall maintain in full force and effect during the term of this lease, or any extension thereof, a policy of Workers' Compensation to the statutory limits. LESSEE shall provide a certificate of insurance as proof of insurance coverage to CITY, which shall contain a provision for thirty (30) days notice of cancellation to the CITY.
Notwithstanding any other provision contained herein, failure to comply with this paragraph shall be grounds for immediate cancellation of this Lease by CITY.

10. LESSEE shall indemnify and hold CITY harmless against any claim of liability or loss from death, personal injury or property damage resulting from or arising out of the use and occupancy of the Premises or the negligent or willful misconduct by the LESSEE, any third party or their respective employees, servants, or agents, excepting, however, such claims or damages resulting from the sole negligence of the CITY, its agents, servants or contractors.

11. LESSEE agrees that any right of recovery against CITY which shall arise during the term of this Lease due to any loss or damage from fire or other peril, whether occurring by reason of the negligence of the CITY, is hereby waived regardless of whether same is covered by the policies of insurance carried by either party.

12. If default shall be made by LESSEE in the performance of any condition, agreement, rule or regulation, such action shall be deemed a material breach of this Lease and termination of this Lease agreement, and CITY may immediately commence legal proceedings to remove all persons from the Premises.

13. If during the continuance of this Lease, said demised Premises shall be so injured by fire or other casualty as to be rendered untenable, such injury may be repaired at CITY’s sole
discretion. However, CITY shall have no duty or obligation to restore or replace the Premises.

14. The covenants, conditions and agreements made and entered into by the parties hereto are declared binding on their respective heirs, successors, representatives and assigns.

15. RULES AND REGULATIONS

a. The entries, passages, corridors, and stairways shall not be obstructed by LESSEE or used for any other purpose than ingress and egress to and from their respective room.

b. No sign shall be put in or upon any part of the building, but a panel may be added to the free-standing sign located in the front yard as approved in writing by the CITY; nor shall any electric wires for lighting, telephone, power or for any purpose be brought into the Premises, except with the written permission of the CITY, and the same be located, and of such form, as may be specified by CITY.

c. The water closets or other water fixtures shall not be used for any purpose other than those for which they were designed and constructed, and any damage resulting to them from misuse shall be borne by the LESSEE.

d. Nothing shall be thrown out of the windows of the building by LESSEE, their clerks, agents, employees or servants.

e. Any janitor or janitorial service employed by LESSEE may be employed only with prior written permission of CITY.

16. Either party may terminate this Lease at any time during the tenancy, by providing the other party with a thirty (30) day notice of termination.

17. Upon termination of this Lease, LESSEE shall remove all personal property to the satisfaction of the CITY.
Otherwise, the CITY will have the LESSEE's personal property removed at LESSEE's expense.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this ____ day of __________, 2008.

In the presence of:

__________________________________________________________

By_____________________________________________________
   Jerry F. Ludwig, Mayor

By_____________________________________________________
   Lynn Fessel, City Clerk

In the presence of:

[Signature]

Approved as to substance:

William R. Ross
City Manager

Approved as to form:

Julius A. Giglio
City Attorney
January 14, 2009

TO: William R. Ross, City Manager

FROM: Carol L. Konieczki, Community Development Director

RE: New Neighbor Home Purchase Offer – 826 Wells Street

The City has received an offer of $45,000 for the purchase of the New Neighbor Home at 826 Wells Street. The property was originally listed for sale at $90,000. An appraisal on May 5, 2006 determined the value at $90,000; however, the most recent estimated market value provided by the Assessor’s office is $55,600 (SEV $27,800). The purchaser is obtaining a conventional mortgage and we intend to close on the sale of this property by March 31, 2009.

To-date the City has invested the following funds:

<table>
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<th>Source</th>
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<tr>
<td>CDBG Funds</td>
<td>$ 58,800</td>
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<td>Housing Initiative Funds</td>
<td>22,385</td>
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<td>Total invested prior to closing</td>
<td>$ 81,185</td>
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<tr>
<td>Estimated closing costs (realtor fee)</td>
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<td><strong>TOTAL INVESTMENT</strong></td>
<td><strong>$ 84,335</strong></td>
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The estimated amount to be received by the City is $41,850 and will be distributed back to the following accounts:

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<tr>
<td>Reimburse General Fund (#211) account</td>
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<td>CDBG Program Income</td>
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<td><strong>Total Estimated Proceeds</strong></td>
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Action requested is for the Mayor and City Council to approve the sale of this property, or to renegotiate on the price and/or terms, and authorize Mayor and Clerk (if necessary) to sign the purchase agreement. The purchase agreement is subject to minor modifications and approval by the City Attorney.

CLK:hls
Offer to Purchase City-Owned Property

Department of Community Development
161 W Michigan Avenue
Jackson, Michigan 49201

Date 1.12.09

1. Faryn F. O'Connor

(Name or Names as desired on deed),

4945 Maple Lane, (Address)

Rives Jct MI 49277, Telephone Number

H (517) 569.3819, Cell: (517) 581-1515

I am submitting an offer to purchase City-owned property located at:

826 Wells St., (Assessor's Stencil Number)

for the sum of $45,000.00 cash.

If purchased, I would use the Property for the following purpose:

Single home to live there.

Disclaimers and Limitations. Notwithstanding anything to the contrary herein contained, Purchaser expressly understands, acknowledges and agrees that the conveyance of the Property shall be made by Seller to Purchaser on an "as is, where is" basis, and with all faults, including fire damage, the environmental condition of the Property, and Purchaser acknowledges that Purchaser has agreed to buy the Property in its present condition and that Purchaser is relying solely on its own examination and inspections of the Property and not on any statements or representations made by Seller or any agents or representatives of Seller. Additionally, Purchaser hereby acknowledges that Seller makes no warranty or representation, express or implied, or arising by operation of law, including, but in no way limited to, any warranty of condition, habitability, merchantability, or fitness for a particular purpose of the Property or any portion thereof, or with respect to the economical, functional, environmental or physical condition, or any other aspect, of the Property, including Seller's title to the Property. Seller hereby specifically disclaims any warranty, guaranty or representation, oral or written, past, present or future, of, as to, or concerning: (i) the nature and condition of the Property or any part thereof, including, but not limited to, its water, soil, or geology, or the suitability thereof for any and all activities and uses which Purchaser may elect to conduct thereon, or any improvements Purchaser may elect to construct thereon, or any income to be derived therefrom, or any expenses to be incurred with respect thereto, or any obligations or any other matter or thing relating to or affecting the same; (ii) the absence of asbestos or any environmentally hazardous substances on, in or under the Property or on, in or under any property adjacent to or abutting the Property; (iii) the manner of construction or condition or state of repair or lack of repair of any improvements; (iv) the nature or extent of any easement, restrictive covenant, right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or other similar matter pertaining to the Property, or portion thereof; and (v) the compliance of the Property or the operation of the Property or portion thereof with any laws, rules, ordinances or regulations of any government or other body. Purchaser hereby absolutely waives any right, claim or cause of action which Purchaser may have against Seller with respect to the environmental conditions existing at the Property on the date of closing. By way of example only and not by way of limitation of the foregoing: Seller does not warrant either clear title to the Property, or that Purchaser will be able to obtain title insurance to the Property. Nor shall Purchaser be allowed to return Property because of defect in title. Purchaser shall indemnify, defend and save Seller harmless from and against any and all claims, liability, costs, damages or losses from personal injury, including death, or property damage of any nature, resulting or arising from the sale of the Property. The provisions of this paragraph shall survive the execution and delivery of the deed by Seller and the closing of the transaction contemplated by this agreement.

(Purchaser Signature)

Acceptance of Offer to Purchase

For the City: ___________________________ Date: ___________________________

(Purchaser Signature)

Prepared Under the Supervision of Julius Giglio, City Attorney
Revised: December 10, 2003
January 15, 3009

TO: William R. Ross, City Manager

FROM: Carol Konieczki, Community Development Director

RE: Request for Extension of Closing Date for 228 West Michigan Avenue by Hotel Hayes Development, LLC

On December 11, 2007 City Council approved a purchase offer of $5,000 for 228 W. Michigan Ave. (Hotel Hayes) and authorized City staff to negotiate a development agreement with Hotel Hayes Development, LLC for redevelopment of the property. On February 22, 2008, City Staff received a letter from the developer requesting a 90-day extension (June 9, 2008), which was set to expire on March 11, 2008 to allow for additional time needed to finalize the development agreement for the project. On June 10, 2008 City Council approved another 150-day extension to continue the negotiation of a development agreement for the property. Then on September 23, 2008 City Council approved the Development Agreement with a closing date of February 20, 2009 and authorized the Mayor and Clerk to execute the appropriate document(s).

On December 9, 2008, City staff received a letter from the developer (attached for your reference) requesting a six (6) month extension. The proposal does not include any additional funds to cover holding costs during the requested extension period. Costs associated with the building between 3/1/07 and 3/1/08 is $106,785. The Consumers Energy bill for that period is $67,318. The carrying cost for the last ten months, from 3/1/08 to December 31, 2008 is $73,183 with $51,078 attributed to utilities. Snow removal cost for December 2008 is not yet included, nor is the latest Consumer Energy bill paid the first week of January 2009 in the amount of $15,291.

Requested action by Hotel Hayes Development, LLC is for the City Council to consider a request to extend the closing date until August 21, 2009 and extend all dates in the Development Agreement accordingly by six months. Attached is a copy of the developer’s letter along with the Third Addendum to the Purchase Agreement.

Several options are identified for Council to consider in taking action on the extension request.

Options City Council may wish to consider include:

- Approve request as proposed
- Approve the request contingent of receipt of funds to assist with carrying costs for the building
- Approve the request and turn the utility billing over to the prospective purchaser
- Approve the request and close the building down to reduce the utility costs.
- Deny the request and request proposals via the release of an RFQP and/or marketing of the building for reuse, which the developer could submit a new proposal to be considered
- Deny the request and close the building down
- Deny the request and pursue funds to demolish the building

Action requested is for Council to consider the options identified above or combination thereof; and authorize the Mayor and City Clerk to execute the appropriate documents and for staff to make minor modifications if needed, in accordance with the recommendation of the City Attorney.

Please place this item on the January 20, 2009 City Council Agenda for consideration.

cc:  Julius Giglio, City Attorney  
     Bruce Inosencio, Hotel Hayes Redevelopment, LLC  
     Barry Hicks, Economic Development Project Manager
December 8, 2008

City of Jackson
161 West Michigan Avenue
Jackson, Michigan 49201

Attention: Carol L. Konieczki, Community Development Director
Department of Community Development

Re: Hotel Hayes Development, LLC
Project: Hayes Commons, 228 West Michigan Avenue

Dear Ms. Konieczki:

On behalf of Hotel Hayes Development, LLC, I am formally requesting an extension of the closing date set forth in the Development Agreement between Hotel Hayes Development, LLC and the City of Jackson with respect to the Hayes Commons project. As we recently explained to you, we are in the process of completing our environmental due diligence and evaluating the impact of the Brownfield Redevelopment Incentives and the possibility of having the building listed on the National Register of Historic Places.

With respect to the State of Michigan historic preservation tax incentives, it is our understanding that pending legislation will soon be modifying those incentives, effective January 1, 2009. As a result, certain steps that we will need to complete to take advantage of those incentives cannot be undertaken until after January 1, 2009. This time frame makes it impossible for us to meet the closing deadline in mid-February, 2009.

While we know that the City of Jackson, and the community as a whole, is eager for us to proceed with the development of this project, the circumstances set forth above leave us with no choice but to request an extension for the closing date. To that end, we are formally requesting an extension of six months for the closing date. In addition, all other dates set forth in the Development Agreement which are tied to the closing date would also need to be extended for a period of six months.

I appreciate the anticipated cooperation from the City of Jackson and I plan to attend the upcoming City Council meeting on December 16, 2008, to answer any specific questions that City Council may have relative to this issue.

Very truly yours,

Bruce A. Inosencio, Jr.
Bruce A. Inosencio, Jr.,
Attorney for Hotel Hayes Development, LLC

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## Hayes Hotel Expenses

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| Total     |            |                     | 73,183.31| 10,631.26 | 4,424.93 | 1,958.00 | 598.74 | 51,078.41 | 4,845.69 | -13,031.08 | 1,436.00 | 11,241.36 |
THIRD ADDENDUM TO PURCHASE AGREEMENT

Date of Purchase Agreement:   Property Address:
January 23, 2008     228 West Michigan Avenue, Jackson MI

Seller:   Purchaser:
City of Jackson, Michigan    Hotel Hayes Development, LLC

This Third Addendum to Purchase Agreement is incorporated into the Purchase Agreement between the parties and is to be part of the Agreement. If terms of this Third Addendum conflict with the terms of the First Addendum, the Second Addendum, or the Purchase Agreement, the terms of the Third Addendum shall prevail.

This Third Addendum to Purchase Agreement, made as of the date appearing below, by and between the City of Jackson, a Michigan municipal corporation, with offices located at 161 West Michigan Avenue, Jackson, Michigan 49201 (“Seller”), and Hotel Hayes Development, LLC, a Michigan limited liability company, whose address is P. O. Box 4033, Jackson, Michigan 49204 (“Purchaser”). The parties agree as follows:

1. On January 23, 2008, the Seller and Purchaser entered into a Purchase Agreement for the property located at 228 West Michigan Avenue, Jackson, Michigan (“the Property”).
2. On October 9, 2008, the parties executed a Second Addendum to Purchase Agreement that extended the time for closing to February 20, 2009.
3. The parties have completed negotiations for a Development Agreement for the Property. However, the parties need additional time before a closing can be conducted.
4. The parties wish to extend the time for closing until August 21, 2009. Closing to be contingent upon compliance with all preclosing contingencies contained in the Purchase Agreement and Development Agreement.
5. The Development Agreement between Seller and Purchaser includes various deadlines that need to be adjusted in light of the revised closing date. The Development Agreement is hereby modified as follows:
   1.(A). This Development Agreement shall become null and void unless the parties close on the property by August 21, 2009.

6. Except as modified herein, all terms, conditions and provisions of the Purchase Agreement, First Addendum, and Second Addendum shall remain in full force and effect.

The parties hereto have executed this Agreement on the 20th day of January, 2009.

SELLER:
CITY OF JACKSON, A MICHIGAN MUNICIPAL CORPORATION

BY: ________________________________
    Jerry F. Ludwig, Mayor

BY: ________________________________
    Lynn Fessel, City Clerk

PURCHASER:
HOTEL HAYES DEVELOPMENT, L.L.C.,
A MICHIGAN LIMITED LIABILITY COMPANY

BY: ________________________________
    Bruce A. Inosencio, Jr.
    Its: Attorney
MEMORANDUM

DATE: January 6, 2009

TO: William R. Ross
    City Manager

FROM: Matthew R. Heins
    Chief of Police

SUBJECT: December Manager’s Report

Chief Matthew Heins

- Attended:
  - 12-Hour Shift meeting with police unions
  - Special City Council meeting for contract approval
  - Training Consortium meetings (2)
  - General Staff Meeting with all Police employees
  - MPELRA program
  - JNET Board meeting
  - Mortgage Fraud Task Force meeting
  - Meeting with JCC regarding campus security
  - Area Chiefs meeting
  - Sheriff’s Ad Hoc meeting
  - MSU School of Staff and Command Board meeting
  - POLC-NS contract signing
  - Meeting with City Attorney regarding medical marijuana
  - Employee Predetermination Hearing

- MSU Staff and Command Interviews
- Met with MACI’s new president, Mr. Suzuki
- Met with MAPE representative regarding grievance
- Met with Advanced Wireless representatives regarding new in-car computers
- 48 hours vacation
Deputy Chief John Holda

- Attended:
  - Sheriff/Ad-hoc Committee (Joint Facility Meeting)
  - City Council Meeting (MDCs approval)
  - 911 Changeover Meeting
  - Training Consortium meetings (2)
  - MPRI Subcommittee
  - Medical Marijuana Meeting w/city attorney
  - General Staff Meeting
  - PTO Meeting
  - Employee Predetermination Hearing

- MDC Project: Capital Improvement project request approved by Council and order placed with Advanced Wireless. Scheduled for installation in early January
- Update on 12-hour shift agreement during staff meeting
- Update to PTO training schedule and procedure for 12-hour shifts
- Distributed draft Records Retention Policy for review
- 40 hours of vacation

Lt. Aaron Kantor

- Attended:
  - Meeting with unions regarding 12-hour shifts
  - Interview for MSU School of Staff and Command
  - OEM meeting
  - Mortgage Fraud meeting
  - General Staff meeting
  - JNET Board meeting
  - Challenge Day
  - Leadership Training and Michigan State Police Academy
  - SRT Training
  - Project Safe Neighborhood meeting
  - Meeting regarding License to Purchase handgun federal law changes
- 48 hours vacation

Lt. Christopher Simpson

- Attended:
  - Meeting with union presidents to discuss relevant 12 hr shift issues
  - General Staff Meeting
  - Top Ten meeting
  - Meeting with City Attorney regarding medical marijuana
  - HRC annual Christmas Party
  - Performance Improvement Program training
  - Employee Predetermination Hearing
  - Training in Lansing hosted by MSP---Leadership Rethink seminar
- Met with patrol supervisors and picked officers for PACTs
- 88 hours of vacation