

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN**

**TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10th FLOOR
124 W. MICHIGAN AVENUE**



AGENDA FOR JANUARY 10, 2022 AT 7:00 PM

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

Mask Requirement

Face coverings are required by all Council Members, City officials and staff, and members of the public at all City Council and committee meetings. For City of Lansing COVID-19 Information, please visit www.lansingmi.gov/coronavirus

Roll Call

Meditation And Pledge Of Allegiance

Approval Of Printed Council Proceedings

1. January 3, 2022

Consideration Of Late Items (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

Tabled Items

Special Ceremonies And Presentations

2. Tribute; in recognition of Pastor Melvin T. Jones upon his Retirement
3. Reading of Committee Assignments into the record by President Hussain

Comments By Council Members And City Clerk

Community Event Announcements (Time, place, purpose, or definition of event – 1 minute limit)

Speaker Registration For Public Comment On Legislative Matters

Mayor's Comments

Show Cause Hearings

4. In consideration of Orders to Make Safe or Demolish to the owners of property located at 4108 Deerfield Avenue (PEND-2637)

Public Comment On Legislative Matters (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on BLUE form.)

Scheduled Public Hearings

5. In Consideration of Obsolete Property Rehabilitation Act (OPRA) District; 1102 South Washington Avenue, Reo Ventures, LLC (PEND-2360)

6. In consideration of Obsolete Property Rehabilitation Act (OPRA) District; 224 S. Washington Sq., filed by 1247 Center Street LLC (PEND-2733)
7. In consideration of SLU-1-2021; Special Land Use Permit, 611 N. Butler to allow for the construction of a surface parking lot in the "R-6B" Urban Detached Residential Zoning District (PEND-2716)
8. Amend Chapter 1218 to conform to the Soil Erosion and Sedimentation Control Act Michigan Codified Law 324.9101 (PEND-2668)
9. Amend Chapter 890, Poverty Exemption Guidelines Reform (PEND-2719)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Ordinances For Passage

10. Readopting the Codified Ordinances (PEND-2703)

Consent Agenda

11. Appointment; Holli Seabury as an At-Large member of the Elected Officers Compensation Commission for a term to expire October 1, 2023 (PEND-2743)
12. Appointment; Lori Fuller as a member of the Board of Review for a term to expire January 31, 2023 (PEND-2753)
13. Tribute; in recognition of Greater Lansing Area Holiday Commission Martin Luther King Jr. Celebration (PEND-2758)
14. Tribute; in recognition of the City Human Relations and Community Services Martin Luther King Jr. Memorial Observance (PEND-2757)
15. Tribute; in recognition of Judge Louise Alderson upon her Retirement (PEND-2755)
16. Tribute; in recognition of Pastor Melvin T. Jones upon his Retirement (PEND-2759)

Resolutions For Action

17. Establishment of the Ad Hoc Committee on Housing and Resident Safety (PEND-2756)
18. Setting a Public Hearing in consideration of SLU-2-2021; Special Land Use Permit, 5411 Wise Road to allow for a new Board of Water and Light Electrical Power Substation in the "R-2" Suburban Detached Residential Zoning District (PEND-2745)
19. Grant Acceptance; Michigan Natural Resources Trust Fund for the Parks & Recreation Department (PEND-2740)
20. Workers Compensation Settlement; Claim #206-2876-01100 (PEND-2739)

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

Speaker Registration For Public Comment On City Government Related Matters

Reports Of City Officers, Boards, And Commissions; Communications And Petitions; And Other City Related Matters (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

21. Minutes of Boards and Commissions placed on file in the Clerk's Office

Item(s) from the Mayor re:

22. Setting a Public Hearing in consideration of Act-1-2022; Real Estate Purchase Agreement, Gryphon Group LLC for 1020 W. Hillsdale Street (PEND-XXXX)
23. Act-1-2022; Real Estate Purchase Agreement, Gryphon Group LLC for 1020 W. Hillsdale Street (PEND-XXXX)

Communications and Petitions

24. Communication from Nancy Mahlow regarding removal of lights at Bancroft and Regent Park

Motion Of Excused Absence

Remarks By Council Members

Remarks By The Mayor Or Executive Assistant

Public Comment On City Government Related Matters (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on YELLOW form.)

Adjournment



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

LANSING CITY COUNCIL MEETING

DATE & TIME: 1/10/2022-7:00 PM

Starting Time 7:03

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BETZ	☐	☒	_____
BROWN	☒	☐	_____
GARZA	☒	☐	_____
HUSSAIN	☒	☐	_____
JACKSON	☒	☐	_____
SPADAFORE	☒	☐	_____
SPITZLEY	☒	☐	_____
WOOD	☒	☐	_____

MEDITATION IN MEMORY OF: CW -

PLEDGE LED BY: _____

Adjournment Time 8:50

CHRIS SWOPE
LANSING CITY CLERK

S:\Clerk_Staff\City Council\Administrative\Council Attendance Sheet.doc

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MARKED AGENDA

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- 2* **SPITZLEY** 2. Tribute; in recognition of Pastor Melvin T. Jones upon his Retirement

- HUSSAIN** 3. Reading of Committee Assignments into the record by President Hussain

Comments By Council Members And City Clerk

Jessica Berens

Community Event Announcements (Time, place, purpose, or definition of event – 1 minute limit)

Speaker Registration For Public Comment On Legislative Matters

Show Cause - Green

Mayor's Comments

Show Cause Hearings

- Sub* **GARZA** 4. In consideration of Orders to Make Safe or Demolish to the owners of property located at 4108 Deerfield Avenue (PEND-2637)

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WOOD 10. Readopting the Codified Ordinances (PEND-2703)

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WOOD 19. Grant Acceptance; Michigan Natural Resources Trust Fund for the Parks & Recreation Department (PEND-2740)

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PLACE ON FILE 21. Minutes of Boards and Commissions placed on file in the Clerk's Office

Item(s) from the Mayor re:

- DEV. & PLANNING** 22. Setting a Public Hearing in consideration of Act-1-2022; Real Estate Purchase Agreement, Gryphon Group LLC for 1020 W. Hillsdale Street (PEND-XXXX)
- DEV. & PLANNING** 23. Act-1-2022; Real Estate Purchase Agreement, Gryphon Group LLC for 1020 W. Hillsdale Street (PEND-XXXX)

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- PUBLIC SAFETY** 24. Communication from Nancy Mahlow regarding removal of lights at Bancroft and Regent Park

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Adjournment

Chris Swope

8:50

CHRIS SWOPE, CITY CLERK

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Resolution #2022-008

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, Council Member Betz tendered his resignation as Council Member 1st Ward effective 3:33 p.m. on January 7, 2022.

BE IT RESOLVED that the Lansing City Council, hereby, accepts the resignation of Council Member Betz effective 3:33 p.m. on January 7, 2022.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-009
By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, a 1st Ward position of the Lansing City Council is vacant; and

WHEREAS, the process was determined at the Committee of the Whole by majority vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will use the following process:

1. Applications for the vacancy will be accepted in the City Clerk's Office starting Tuesday, January 11, 2022, until Friday, January 21, 2022, at 4:00 p.m.
2. The City Clerk will review the applications and supporting documentation and determine the applications that qualify to be considered for a 1st Ward vacancy.
3. On Monday, January 31, 2022 the Committee of the Whole will be held at 6:00 p.m. to interview the qualified applicants. Each interview shall last no longer than 10 minutes. 4. Following all interviews, the Council will select 3 candidates for the next round of interviews. The Council will select from these interviews three candidates as finalists from which they will select the appointee for the vacancy.
5. To narrow the field to three finalists at the January 31, 2022 Committee of the Whole meeting, Council Members will select up to three candidates on paper ballots, which will include each member's name and signature.
6. Each Council Member may select up to three candidates, but is not required to do so. Council Members may not vote for the same candidate more than once.
7. The ballots will be collected and the votes of each Council Member will be read into the record.
8. The top three vote getters from the compiled ballots will be the three finalists.
9. Following selection of the finalists, all votes will be reset and a final round of interviews will be conducted.
10. The interviews of the three finalists will occur during a Committee of the Whole meeting at 6:00 p.m. on Tuesday, February 1, 2022.
11. Prior to the finalist interviews occurring, public comment will be taken, which shall be limited to 30 minutes total and shall require advance sign-in pursuant to Council Rule 19. Each finalist's interview shall last no longer than 30 minutes.

12. Following discussion, at the Tuesday, February 1, 2022 meeting, Council Members will vote on which candidate shall receive the appointment.

13. The finalist candidate receiving the most votes will be selected as the appointee for the vacancy. The appointment will be by resolution, which shall be passed out of Committee of the Whole for consideration during the Special Council Meeting on Tuesday, February 1, 2022. With seven Council Members serving, four votes will constitute a majority and will be sufficient for passage of a motion and adoption of a resolution.

14. The only item on the agenda for the Tuesday, February 1, 2022 Special Council Meeting will be the resolution for appointing a new Council Member to fill the vacancy, and the swearing in of that new Council Member.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

BY COUNCIL MEMBERS BETZ, BROWN, GARZA, HUSSAIN,
JACKSON, SPADAFORE, SPITZLEY & WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the Reverend Dr. Melvin T. Jones preached his first sermon at Union Missionary Baptist Church on January 6, 1985 and was installed as Pastor on March 3, 1985 and will preach his last sermon on March 6, 2022; and

WHEREAS the mission and vision of the Union Missionary Baptist Church is to “Build the Kingdom of God (spiritual); improve the quality of community life (Social); promote and foster academic achievement (Education); develop initiatives for financial empowerment in the community (Economic). Our goal as a church is to be a thriving, multicultural expression of the Body of Christ at the geographic heart of Lansing”; and

WHEREAS Pastor Jones and his wife First Lady Minister Sallie L. Jones showed vision by purchasing land west of the original location of Union Missionary Baptist Church on the corner of Hillsdale and Martin Luther King Boulevard, establishing a 138,310 square foot worship facility which includes a sanctuary, chapel, and Family Life Center; and

WHEREAS Pastor Jones has served as the President of the Lansing Clergy Forum; and

WHEREAS Pastor Jones along established himself as a leader in the City of Lansing with his continuous advocacy of those in need, becoming a founding member of Black Lives Matter in Lansing, leading the effort to rename Logan Street to Martin Luther King Ave, and providing action and thoughtful counsel to City Leaders in times of crisis in the City; and

WHEREAS First Lady Sallie L. Jones a dedicated local leader in her own right, acknowledged her call to ministry in 2003 and founded the Mustard Seed Kids, a puppet ministry travelling throughout the United States and the Caribbean sharing her ministry.

THEREFORE BE IT RESOLVED the Lansing City Council wish to congratulate the Reverend Dr. Melvin T. Jones and First Lady Minister Sallie L. Jones on their retirement and to thank them for their many years of service to the City of Lansing. We would also like to thank their family for allowing us to share their parents. As leaders and service to this community you sacrificed many hours away from your loved ones and while we deeply appreciate your dedication we also owe a debt of gratitude to your children for sharing you with the City.



ECONOMIC PLANNING & DEVELOPMENT CODE ENFORCEMENT SECTION

316 N. Capitol Avenue, Suite C-2 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0100

12/13/2021

Certified Number: 7021 0950 0002 2533 9990

WILLIAM J. & BRENDA TITUS
6672 AMBASSADOR AVE #312
GRAND LEDGE, MI 48837

DEAR WILLIAM J. & BRENDA TITUS

RE: DANGEROUS BUILDING AT 4108 Deerfield Ave. SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 4108 Deerfield Ave., Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: JANUARY 10, 2022 @ 7:00 p.m.
HEARING PLACE: COUNCIL CHAMBERS 10TH FLOOR CITY HALL
124 W. MICHIGAN Lansing, MI 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesaid laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Manager of Code Enforcement

SS/lmp

Attachment

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	4108 DEERFIELD
PARCEL NUMBER:	33-01-01-31-251-141

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2021-D001

LISTED TAXPAYER:	WILLIAM J & BRENDA TITUS
INTERESTED PARTIES:	WILLIAM J & BRENDA TITUS
SEV INFORMATION:	\$29,400.00
LAND VALUE:	\$10,740.00
BUILDING VALUE:	\$48,073.00
LOT SIZE:	FRONTAGE 60 X 100.120 DEPTH

HOUSING CODE VIOLATION LTR:	4/10/2018
ORIGINAL RED TAG DATE:	4/10/2018
ZONING:	
ESTIMATE OF REPAIRS:	
PICTURES:	
OTHER:	

LEGAL DESCRIPTION:	LOT 118 PLEASANT SUB NO 1
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	5/27/2021
ORDER:	MAKE SAFE OR DEMOLISH BY 8/22/2021
REASON/CONDITIONS:	
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	OPEN NO INSPECTION OR ACTIVITY
ELECTRICAL:	OPEN NO INSPECTION OR ACTIVITY
MECHANICAL:	OPEN NO INSPECTION OR ACTIVITY
PLUMBING:	OPEN NO INSPECTION OR ACTIVITY
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Officer has determined that the building located at 4108 Deerfield Ave., Parcel # 33-01-01-31-251-141 legally described as LOT 118 Pleasant Subdivision, No. 1., City of Lansing is an unsafe or dangerous building as defined in Section 108.1 of the International Property Maintenance Code as adopted by Lansing Codified Ordinance 1460.01, and the Housing Law of Michigan, and the building was red tagged on April 10, 2018; and

WHEREAS, hearings were held by the Lansing Demolition Board on March 25, April 22, May 27, and July 22, 2021, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by August 22, 2021; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Codified Ordinances and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Lansing Codified Ordinances require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public show cause hearing on October 25, 2021, to review the findings and the order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred.

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 4108 Deerfield Avenue, as legally described above, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 30 days from the date of this resolution, _____, 2021.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Code Compliance Officer is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED, whether demolition is accomplished by said property owner or the City, that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that if the demolition is accomplished by the City, the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owner's failure to pay the same

within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

You will not be called to speak unless all required blanks on this form are completed.



Interested Party Comment on Show Cause Hearing Registration

Only persons who have received notice from the City as an interested party, or the interested party's agent with written permission, may speak on the agenda item which is the subject of a show cause hearing, for up to a total of three minutes.*

You **MUST** complete this card and submit it to the City Clerk or City Clerk Staff **prior** the close of registration as announced by the City Clerk. Each person who has registered to speak will have up to a total of three minutes* to address Council on the Show Cause Hearing.

Show Cause Agenda Item Number _____ Property Address # 4108 S. Deerfield Lansing, Mich. 48904

Name (print) Brenda Titus E-Mail (optional) _____

Address (street, city, zip) 7707 Briarbrook Ave #2B Lansing, Mich. 48917

Company or organization represented, etc. (if applicable) _____

Signature Brenda Titus

- Speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

- * The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

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Public Comment on Legislative Matters Registration

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Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to ^{LANSING} ~~three~~ ⁶⁰ minutes*.

Agenda Item Number(s) #17 Item Description SU-1-2021, 611 N. BUTER
Name (print) AARON WILLIAMS E-Mail (optional) LAWCAT42@GMAIL.COM
Address (street, city, zip) 909 W. SAGINAW ST., LANSING, MI 48915
Company or organization represented, etc. (if applicable) A.L. WILLIAMS CONSULTING, LLC
Signature [Handwritten Signature]

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
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Agenda Item Number(s) 18+19 Item Description Wise Rd Parks

Name (print) Loretta Staraway E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong Rd Lansing 48911

Company or organization represented, etc. (if applicable) _____

Signature L Staraway

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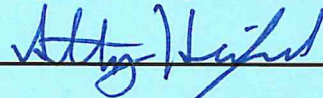
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Agenda Item Number(s) 18 Item Description Wise Substation

Name (print) Tony Heriford E-Mail (optional) Tony.Heriford@LBWL.com

Address (street, city, zip) 1201 S. Washington Lansing MI 48910

Company or organization represented, etc. (if applicable) LBWL

Signature 

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Agenda Item Number(s) Pen 2716 Item Description Special use

Name (print) CHUCK HALLMAN E-Mail (optional) _____

Address (street, city, zip) 1014 W Lapeer

Company or organization represented, etc. (if applicable) GNA

Signature [Signature]

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Agenda Item Number(s) 2716 Item Description Parking Lot
Name (print) HAZEL E-Mail (optional) Bethelady0843@aol.com
Address (street, city, zip) 1602 W Shanksse
Company or organization represented, etc. (if applicable) Genesee Neighbor
Signature Hazel Bethel

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Agenda Item Number(s) 24 Item Description Park Lighting
Name (print) Nancy Mahlow E-Mail (optional) nmahlow2012@gmail.com
Address (street, city, zip) 430 N Fairview Ave
Company or organization represented, etc. (if applicable) _____
Signature Nancy Mahlow

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Agenda Item Number(s) 24 Item Description Park lighting

Name (print) Ryan Kost E-Mail (optional) _____

Address (street, city, zip) 1310 Magnolia Ave Lansing MI 48912

Company or organization represented, etc. (if applicable) _____

Signature _____

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Agenda Item Number(s) 24 Item Description Commerce & Tourism

Name (print) Dwight E-Mail (optional) washington@lansingmi.gov

Address (street, city, zip) 2600 Clark Rd Bath TN

Company or organization represented, etc. (if applicable) _____

Signature [Handwritten Signature]

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CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, January 10, 2022 at 7:00 p.m., at Lansing City Hall, 124 W. Michigan Avenue 10th Floor, Tony Benavides Lansing City Council Chambers for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 1102 South Washington Avenue, Lansing, Michigan, but more particularly described as follows:

N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT CITY OF LANSING, COUNTY OF INGHAM; PARCEL NUMBER: 33-01-01-21-178-040

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



OFFICE OF MAYOR ANDY SCHOR
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

UNIVERSAL DEVELOPMENT AGREEMENT

TABLE OF CONTENTS

- I. STATEMENT OF PURPOSE
- II. DEFINITIONS
- III. APPLICANT INFORMATION
- IV. PROJECT DETAILS
- V. TERMS AND CONDITIONS FOR PROJECT COMPLETION
- VI BREACH OF AGREEMENT BY APPLICANT
- VII ADDITIONAL ITEMS
- VIII SIGNATURES

THIS UNIVERSAL DEVELOPMENT AGREEMENT (“Agreement”) is made by and between the City of Lansing, Michigan, a Michigan municipal corporation (“City”), and Reo Ventures, LLC, a Limited Liability Company (“Applicant” and collectively with the City, the “Parties” and each a “Party”).

I. STATEMENT OF PURPOSE

THIS AGREEMENT IS INTENDED FOR USE WITH DEVELOPMENT PROJECTS, USING ECONOMIC INCENTIVES, WHICH DO NOT REQUIRE THE TRANSFER OF CITY-OWNED PROPERTY OR ASSETS. FOR THOSE PROJECTS THAT DO REQUIRE THE TRANSFER OF CITY-OWNED PROPERTY, ASSETS, LIMITED FULL FAITH AND CREDIT, OR OTHER CITY LIABILITIES, A COMPREHENSIVE DEVELOPMENT AGREEMENT (CDA) WILL BE REQUIRED.

Introduction:

The City welcomes new investment and the creation and retention of jobs. To achieve these goals, the City can offer a variety of economic incentives that are designed to facilitate the expansion, retention and attraction of businesses within the City, as well as the rehabilitation and redevelopment of underutilized, vacant or environmentally contaminated properties.

Economic incentives (“Incentives”) typically do not provide City funds directly to developers or businesses, but rather encourage and reward them for undertaking and completing economic development projects (“Projects”). The completion of these Projects generates benefits to the citizens of Lansing including employment opportunities, new tax revenues to pay for City services and schools, the elimination of blight, a healthier environment and better places to live, work and play. Thus, incentives can be thought of as investments made by the City to receive the benefits created by economic development projects.

Universal Development Agreement Purpose:

Economic incentives are conditionally granted by the City based upon specific commitments made by businesses and developers (“Applicants”) during the incentive application and approval process. The purpose of this Agreement is for the Parties to define and agree on the specific commitments an Applicant is making as a condition for receiving an Incentive. Furthermore, it holds Applicants accountable in a clear and consistent way to fulfill their pledges made to receive the Incentive. The Agreement also provides a transparent document where the public can observe the terms under which the Incentive was granted. Finally, the Agreement establishes a reporting and verification process to ensure the Applicant fulfills its obligations to the City and its citizens.

Applicant's Commitments to the City:

As a condition of receiving economic incentives from the City, Applicants are required to agree to the following Project Commitments:

1. Starting and completing the Project on time
2. Hiring local labor and Lansing based firms
3. Paying all required City Income and Property Taxes
4. Meeting Project performance measures
5. Providing the City with annual Project progress reports and a Project completion report

This Agreement specifies the details of these commitments and clearly establishes the expectations the City has for each Project granted an incentive.

II. DEFINITIONS

As used in this Agreement, the definitions herein shall be the mutually understood meaning of the following terms:

“Acts” means the acts referenced in the definition of “Incentive.”

“Annual Report” means a required written Project update due to the LEDC by January 31st of each calendar year prior to the Completion of Construction.

“Construction Phase of Project” means the period of time between the Commencement of Project and Completion of Construction.

“Commencement of Project” means the initiation by the Applicant of any material physical improvements made to land or real property within the Project Area after the Effective Date of this Agreement, consistent with the site and building plans approved by the City for the Project.

“Completion of Construction” means the passage of final inspection and/or issuance of a Certificate of Occupancy by the City for the Project, whichever occurs first.

“Effective Date of this Agreement” means the date on which all of the Incentives requested in the Applicant's application(s) are granted.

“Full-time Equivalent (FTE)” means a combination of full-time and part-time employees that represents all employees as a comparable number of full-time employees.

“Incentive” means a reimbursement from new tax revenue generated from a new development project or a reduction in City taxes levied on new real or personal property, or other financial benefit to Applicant from the City, for a limited number of years as specified in the applicable Incentive agreement, and which may include, but is not limited to, those authorized by the Obsolete Property Rehabilitation Act (Public Act 146 of 2000, as amended), Neighborhood Enterprise Zone Act (Public Act 147 of 1992, as amended), Brownfield Redevelopment Financing Act (Public Act 381 of 1996, as amended), Plant Rehabilitation and Industrial Development Districts (Public Act 198 of 1974, as amended), and the Personal Property Tax Exemption authorized by Public Act 328 of 1998.

“Lansing-based Firm” means a business entity that owns or leases an operationally-staffed office, warehouse, distribution center, wholesale or retail store, or other place of business, located within the corporate limits of the City.

“LEDC” means the Lansing Economic Development Corporation.

“Local Labor” means employees whose permanent domicile address is within the corporate limits of the City.

“Michigan Labor” means employees whose permanent domicile address is within the state of Michigan.

“Michigan-based Firm” means a business entity that owns or leases an operationally-staffed office, warehouse, distribution center, wholesale or retail store, or other place of business, located within the State of Michigan.

“Project” means the improvement of land or real property through private investment and/or creation or retention of jobs in the City as defined in this Agreement.

“Project Area” means the property parcel(s) upon which the Project will occur.

“Project Completion” means the Project has been completed per this Agreement

“Project Completion Date” means the date when Project Completion occurs.

“Project Completion Report” means a detailed written report and signed affidavit attesting to the of the Applicants attainment of the Applicants Project Commitments.

“Project Performance Measures” means the qualitative and quantitative measures of a completed Project’s size and scope.

“Regional Labor” means employees whose permanent domicile address is within the Michigan Counties of Clinton, Eaton or Ingham.

“Regional-based Firm” means a business entity that owns or leases an operationally-staffed office, warehouse, distribution center, wholesale or retail store, or other place of business, located within the Michigan Counties of Clinton, Eaton or Ingham.

III. APPLICANT INFORMATION

A. Name of Project: 1102 South Washington Redevelopment

B. Address Location of Project: 1102 South Washington Avenue

C. Business Name of Applicant: Reo Ventures, LLC

D. Name of Applicant’s Parent Company: (if applicable):

E. List Applicant’s Managing Partner:

Leo Trumble 33.33 %

G. List all Federal, State or other incentives and their estimated value that may be part of this Project:

None

H. Name of Financial Institution(s) funding the Project (if unavailable upon execution of this Agreement, Applicant agrees to furnish commitment letter(s) from lending institution(s) to the LEDC when available):

developer Financed

I. The City Treasurer has verified in writing that the Applicant is not delinquent or late on any property taxes owed to the City for all properties in which the Applicant has an ownership interest of greater than 50%.

J. The City Treasurer has verified in writing that the Applicant, if an employer in the City, is in compliance with all required City wage withholding and income reporting requirements for all of its employees.

K. The City Treasurer has verified in writing that the Applicant is not delinquent or late on any corporate or other business income taxes owed to the City. Further, that the Applicant has submitted all applicable City Treasurer forms required for the payment and collection of taxes for Applicant.

L. LEAP has verified that all application fees due have been paid in full by the Applicant.

M. The City Attorney has received a written and signed affidavit from the Applicant and each person that has a 20% or greater ownership interest in the Applicant. The affidavit shall state either: (A) that the person is not currently engaged in litigation with the City, or (B) that the person is currently engaged in litigation with the City and has provided a basic description of the litigation.

IV. PROJECT DETAILS

A. Project Description:

Will be redeveloped into a location that includes restaurant/food concept on vacant/obsolete building and a vibrant outdoor space on the undeveloped land. The concept will be similar to Little Fleet in Traverse City

B. Project Area:

The location of the Project is commonly known as 1102 South Washington Avenue and legally described as follows:

[Insert all parcel numbers with their respective legal descriptions here]

Legal Description: N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG
PLAT
CITY OF LANSING, COUNTY OF INGHAM
Parcel Number: 33-01-01-21-178-040

C. Below is a list of City Incentive(s) requested for Project and number of years requested for each:

Obsolete Property Rehabilitation Act (OPRA)	12	Years
_____	_____	Years
_____	_____	Years
_____	_____	Years

D. List all federal, state or other incentives and their estimated value that may be part of the Project:

None

E. Name of financial institution(s) funding the Project (if uncertain upon execution of this Agreement, Applicant agrees to furnish commitment letter(s) from financial institution(s) to the LEDC when available):

Developer Financed

F. Estimated total investment in real property improvements for the Project. (Do not include real property purchase prices or soft costs such as architectural, engineering, financing and legal fees and other pre and post-construction expenses): \$ 275,000

G. Estimated total investment in personal property to be located in the Project Area. (Do not include personal property that was previously purchased by the Applicant in connection with another location or project within the City of Lansing, provide this information separately): \$ 0

H. Estimated number of new, permanent full-time equivalent Jobs Created (FTE) upon Project Completion: 0

I. Estimated average hourly wage or annual salary of new permanent Jobs created at Project Completion: \$0 average annual wage.

J. Will these new jobs provide fringe benefits, such as medical and dental insurance and retirement contributions? 0 Estimate the average hourly rate or annual amount attributable to such benefits 0.

K. Estimated number of permanent, full-time equivalent Jobs Retained (FTE) upon Project Completion: 0

L. Estimated average hourly wage or annual salary of Jobs Retained: \$0 average annual wage.

M. Will these retained jobs provide fringe benefits, such as medical and dental insurance and retirement contributions? 0 Estimate the average hourly rate or annual amount attributable to such benefits 0.

N. Estimated average number of full-time equivalent (FTE) construction jobs onsite during the Construction Phase of Project: 6

O. Estimated average hourly wage of full-time equivalent (FTE) construction jobs onsite during the Construction Phase of Project (if applicable): \$20 per hr.

P. Will these construction jobs provide fringe benefits, such as medical and dental insurance and retirement contributions? some Estimate the average hourly rate or annual amount attributable to such benefits \$2/hour.

V. TERMS AND CONDITIONS FOR PROJECT COMPLETION

The Parties acknowledge that the Applicant has made representations contained within its application, and the additions above, with the purpose and intent of City's reliance thereon, as well as for compliance with the Act, as amended, and the City relies upon these representations in its determination that the Incentive should be approved.

The Applicant and the City desire to enter into this Agreement whereby the Applicant and City specify and agree on the Applicant's Project Commitments under which the Incentive will be granted. Nothing in this Agreement supersedes or diminishes any rights of the City or the State of Michigan established by federal, state, or local law or regulations.

NOW, THEREFORE, in consideration of the above recitals and premises set forth above, and the mutual covenants, agreements, and promises herein contained and pursuant to all state and federal laws, the Parties agree the City verified fulfillment of the following Applicant Project Commitments will meet the City's requirements for Project Completion:

Applicant Project Commitments:

A. Commitment to Commencement and Completion of Project Dates:

Applicant agrees the Commencement of Project shall occur by: June 1, 2021

Applicant agrees the Project Completion Date shall be no later than: June 31, 2022

B. Commitment to Hiring Local Labor and Lansing-based Firms:

The Parties, in order to clarify the intent that projects receiving development incentives from the City employ as much Local Labor as is reasonably possible agree as follows:

1. The Applicant agrees and commits to employing and contracting with as much Local Labor and Lansing-based Firms as commercially practical to complete the Construction Phase of the Project. After Local Labor and Lansing-based Firms have been deemed exhausted, the Applicant agrees and commits to employing and contracting with Regional, and then Michigan, Labor and Firms, with notice to the LEDC at each step, as described below.

2. Local Labor Preference:

a. Applicant agrees that if it deems necessary to not hire Local Labor or Lansing-based Firms for any portion of the Construction Phase of the Project, Applicant must, within 30 business days of Commencement of Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

b. Applicant agrees that once it has deemed necessary to not use Local Labor or Lansing-based Firms, it will focus next on Regional Labor or Regional-based Firms to complete the Construction Phase of the Project. If Applicant deems necessary to not hire Regional Labor or Regional-based Firms for any portion of the Construction Phase of Project, Applicant must, within 30 business days of Commencement of the Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

c. Applicant agrees that once it has deemed necessary to not use Regional Labor or Regional-based Firms, it will focus next on Michigan Labor or Michigan-based Firms to complete the Construction Phase of the Project. If Applicant deems necessary to not hire Michigan Labor or Michigan-based Firms for any portion of the Construction Phase of Project, Applicant must, within 30 business days of Commencement of the Project, provide to the LEDC a written statement of that fact and an explanation of why it was necessary.

3. Applicant (if applicable) agrees to post, and to contractually require its agents to post, all initial bid solicitations or request for bids (“Bid Solicitations”) by the Applicant or their agents for a minimum of 15 days (“Posting Period”) on the Builders Exchange of Lansing and Central Michigan (“Builders Exchange”) and to document such Bid Solicitations, unless Applicant deems the use of certain contractors or subcontractors are critical to the success of the Project or portions of the Project. If Applicant bypasses Builders Exchange because it deems the use of a certain contractor or subcontractor as critical to the success of the Project or portions of the Project, Applicant must, within 30 business days of such hiring, provide to the LEDC a written statement of that fact and an explanation of why the use of the contractor or subcontractor was so critical. The Bid Solicitations must be available to all Builders Exchange users.

4. Within 45 business days of the Commencement of Construction and at the close of each quarter of the fiscal year thereafter, the Applicant must provide to the LEDC, a list of all contractors and subcontractors selected to enter into an agreement to perform all or part of the work solicited in the Bid Solicitation ("Selected Bidders List"). The Selected Bidders List must include the following information:

- a. Business Name
- b. Address (number, street, and apt. or suite no.)
- c. City, state, and ZIP code
- d. Telephone Number
- e. Employer ID Number (EIN)
- f. Primary Contact Person (Authorized Representative)
- g. Corresponding Builders Exchange Bid Solicitation Number

5. The Applicant will not be required to participate in the above Bidding Process, if doing so would result in the violation of federal rules, including but not limited to, homeland security or the disclosure of classified information.

6. The City acknowledges and agrees that some information submitted by Applicant is confidential and proprietary. Accordingly, the City agrees to reasonably assert to the extent applicable to the information provided and as allowable by law, that such information reported by Applicant to the City is exempt from disclosure pursuant to, including without limitation Section 13 of, the Michigan Freedom of Information Act, 1976 PA 442, as amended.

C. Commitment to Pay City Income and Property Taxes:

1. Applicant agrees to notify the City Treasurer and City Assessor of any and all ownership or legal structure changes during the term of any incentives approved for the Project.
2. Applicant recognizes that all employees, contractors and sub-contractors related to this Project are required to pay all City individual income taxes. Applicant further recognizes that all contractors and sub-contractors are required to report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees. The Applicant is not required to withhold, pay or be responsible for City Income Tax for or on behalf of the general contractor(s)/construction manager(s) or any subcontractors working on the Project. The Applicant agrees to allow and facilitate the display, in a prominent place for everyone at the Project site to see, of an informational poster containing details about the obligation to pay, and steps for paying, City Income Tax. The Applicant's agreement with its general contractor(s)/construction manager(s) shall require the general contractor(s)/construction manager(s) to include in subcontractor agreements language notifying subcontractors of their individual and corporate obligation to comply with all City Income Tax requirements, including: the obligation to make

quarterly estimated tax payments if withholding is not being done, and to quarterly provide to the City Treasurer a list of all employees active on the Project. All such information collected for purposes of City Income Tax requirements are confidential per the Uniform City Income Tax Act of Michigan.

3. Applicant agrees that if property taxes applicable to the personal property owned by the Applicant that is identified with the Project are not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may exercise any and all remedies available to it under law, including the commencement of litigation to recover the amount of tax and interest thereon.
4. Applicant agrees that if any property tax applicable to the real property owned by the Applicant that is identified with the Project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may exercise any and all remedies available to it under law, including the commencement of litigation to recover the amount of tax and interest thereon.

D. Commitment to Project Performance Measures:

The Applicant and the City agree the Applicant must meet all the following "Project Performance Measures":

1. A minimum of \$275000 in private investment shall be expended on improvements to the Project's real property.
2. A minimum of \$0 in private investment shall be expended to purchase and locate personal property for the Project.
3. The Project shall create 0 new, permanent full-time equivalent jobs.
4. The Project shall retain 0 permanent full-time equivalent jobs.
5. Other Project-Specific Performance Measures as agreed upon by the Parties in this Agreement: _____
(Attach more pages if necessary)

E. Commitment to Reporting Requirements:

Prior to Project Completion the Applicant shall file an Annual Report with the LEDC on the Applicant's progress toward fulfilling their Applicant Project Commitments: Reports shall be submitted in compliance with all LEDC reporting requirements. Applicant understands and agrees that the information submitted to the LEDC will be available for public viewing, unless prior approval is requested and granted for specific confidential business information that is not subject to disclosure under the Freedom of Information Act (Public Act 442 of 1976, being MCL 15.231 et. seq., as amended). The Applicant shall file an Annual Report, Exhibit A, to the LEDC by no later than January 31st of each year for the term of this Agreement or upon Project Completion, whichever occurs first.

No later than sixty (60) days after the Project Completion Date, the Applicant shall provide in writing to the LEDC a Project Completion Report that includes a detailed written documentation and a signed affidavit attesting to the Applicants fulfillment of the Applicant Project Commitments Exhibit B. Within 60 days of receiving the Project Completion Report, or 90 days after the end of the Project Completion Date, the LEDC shall review all submitted documents for completeness and forward to the City Administration.

Within 60 days after receiving the Project Completion Report and supporting documents the City Administration shall review and determine if the Applicant has met all Terms and Conditions of Project Completion. Upon determining the Applicant Project Commitments were fulfilled, the City's Chief Executive Officer shall notify the Applicant in writing that Project Completion has been achieved per this Agreement.

If the City Administration finds the Applicant Project Commitments have not been met per this Agreement, the Applicant will be notified in writing and given a thirty (30) day extension to provide additional documentation to the City. Within 60 days after the end of the extension period, the City Administration shall make its final review and determine if the Applicant Project Commitments were fulfilled. Upon determining the Applicant Project Commitments were fulfilled, the City's Chief Executive Officer shall notify the Applicant in writing that Project Completion has been achieved per this Agreement. If the City Administration determines the Applicant has not fulfilled the Applicant Project Commitments per this Agreement, the Applicant will be considered in default of the Agreement.

VI BREACH OF AGREEMENT BY APPLICANT

Failure of performance or non-compliance with this Agreement and to the, Terms and Conditions for Project Completion, shall constitute a breach of this Agreement by Applicant and, in addition to other available remedies available to the City under this Agreement and under law and regulation, shall subject the Applicant to incentive revocation and/or the suspension of the incentive. Further, such failure and non-compliance shall be considered as relevant information in consideration of the approval of all future incentive applications to the LEDC, LBRA, or City by the Applicant or any person or entity with (25%) or more ownership in the Project.

A. Default by Applicant

If Applicant shall fail to perform any of its obligations under this Agreement, including any of the Terms and Conditions for Project Completion, the City shall provide written notice of such failure to perform and serve Applicant in person, or by certified mail with return receipt, of a Notice of Default specifying the performance failures. After service of the notice, the Applicant shall have a cure period of: ten (10) business days from the service of such notice to cure any monetary failure; and thirty (30) days to cure any non-monetary failure. If any failure to perform shall not have been cured by the expiration of the applicable cure period, then a “Default” by Applicant shall be deemed to have occurred and declared and the City may terminate this Agreement and shall have all rights and remedies at law, including Incentive Revocation.

B. Default Procedures, Remedies

City shall have all the rights and remedies available at law, in equity or in this Agreement to enforce the rights and obligations under this Agreement. All remedies shall be cumulative, and none will be exclusive of any other. The exercise of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same Default or breach or of any of its remedies for any other Default or breach by the other party. No waiver made by with respect to the performance, or manner or time thereof, or any obligation under the Agreement shall be considered a waiver of any rights with respect to the particular obligation or condition beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the City.

VII ADDITIONAL ITEMS

A. City’s Rights

Nothing in this Agreement shall supersede the City’s ability to request the State Tax Commission to revoke the Incentive as otherwise provided, or as may hereafter be provided, under the Acts, as amended. Nothing in this Agreement supersedes or diminishes any rights of the City or the State of Michigan established by federal, state, or local law or regulations.

B. Governing Law

This Agreement shall be construed in accordance with Michigan law.. All actions arising from this Agreement shall be brought in a state court of competent jurisdiction in Ingham County, Michigan, or in the federal courts in the Western District of Michigan, Southern Division.

C. Ambiguity

This Agreement and all its terms and conditions shall be considered as if drafted by both Parties.

D. Assignability

The Developer shall have the right with the City's written approval, including fulfillment of any conditions contained in such approval, to assign or transfer this Agreement with allof their rights, title and interests therein to any person, firm or corporation at any time during the term of this Agreement. Developer shall provide the City with written notice of any intent to assign, or transfer all or a portion of the Project, at least 30 days in advance of such proposed action. Developer may free itself from further obligations relating to the assigned interest, if approved by City, provided that the permitted assignee expressly assumes the obligations under this Agreement as provided herein.

E. Notices

All notices and other communications required or permitted under this Agreement must be in writing, shall be addressed to the Party to be notified at the address set forth below or at such other address as each Party may designate for itself from time to time by notice hereunder, and shall be deemed to have been given, delivered or served upon the earliest of: (i) 5 business days after deposit in the U.S. Mail, for delivery by certified or registered mail, with proper postage prepaid and return receipt requested, or (ii) 1 business day after deposit with a nationally recognized overnight delivery carrier for next day delivery, or (iii) on the date of personal delivery.

If to Developer: Reo Ventures, LLC
6850 Aurelius Rd
Lansing, MI 48911

With a copy to:

If to the City: Office of the Mayor, City of Lansing
124 W. Michigan Avenue, 9th Floor
Lansing, MI 48933

With a copy to: Office of the City Attorney, City of Lansing
124 W. Michigan Avenue, 5th Floor
Lansing, MI 48933

F. Right in Third Parties

This Agreement is not intended nor shall it create any rights, expectations or benefit to any third party, including but not limited to, any creditor of the Parties.

G. Severability

The invalidity of any portion of this Agreement shall not affect the validity of the remainder thereof.

H. Subsequent Waivers

One or more waivers of any provision, covenant, or condition of this Agreement shall not be construed as a waiver of a subsequent breach of the same provision, covenant, or condition, or as a waiver of a subsequent breach of other provisions, covenants, or conditions. The consent or approval to or for any act shall not be deemed to render unnecessary the consent or approval to or for any subsequent similar act.

I. Termination

Unless terminated earlier pursuant to the terms and conditions of this Agreement, this Agreement shall terminate on: This Agreement terminates upon the end of the life of the incentive, or upon written agreement of the Parties.

J. Covenant to Abide by Law

In the performance of all Project activities, Applicant agrees to abide by federal, state, and local law and regulation.

K. Amendments and Modification

The term and conditions of this Agreement cannot be waived, modified or amended unless agreed and executed in writing by both Parties.

L. Entire Agreement

This Agreement contains the entire Agreement between the Parties and any representations, oral or written, which occurred between the Parties prior to the date of execution of this Agreement and which are not contained in this Agreement are not binding on either Party.

M. Delays, Extensions and City Approval

In the event of an unavoidable delay (“Enforced Delay”) in the performance by the Developer of its obligations under this Agreement due to unforeseeable causes beyond its control and without fault or negligence, including, but not restricted to, acts of God or acts of war or terrorism; legislative regulatory acts of the federal, state, county, city or local government that directly impact the Project; acts of the judiciary not resulting from the Developer’s breach of this

Agreement or fault of the Developer, including injunctions, temporary restraining orders and decrees; fires; floods; epidemics; unanticipated and reasonably unforeseen environmental contamination not discoverable by the exercise of reasonable Developer due diligence; strikes; lock-outs, labor trouble; inability to procure materials; failure of power; riots, insurrection, war, acts of gross negligence of the City or its agents or other reason of like nature not the fault of the Developer, the time for performance of such obligations shall be extended for the period of the Enforced Delay. Provided, however, in order to claim any such time extension or period of Enforced Delay, Developer shall notify City of such claim no later than ten days from the occurrence of any such unforeseeable cause arising under this Section VII (M).

With respect to any matters that are within the discretion or approval of the City, the City shall: (i) act reasonably in all dealings with the Developer, (ii) not unreasonably withhold, condition, or delay any approvals within its discretion, and (iii) act reasonably to assist the Developer in completion of the Project.

N. Cooperation

The Parties shall take such further actions and deliver and execute such additional documents as are reasonably necessary to effectuate the terms and intent of this Agreement. The Parties shall work cooperatively to obtain any and all permits, approvals, waivers, certificates of occupancy, rental licenses, liquor licenses, and any other approval required to effectuate the Parties' intent contemplated under the terms of this Agreement.

O. Prior Activities

This Agreement shall not govern the activities of the Developer prior to the Effective Date of this Agreement.

P. Authority

The City and the Developer each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the City, its City Council and all other authorities whose approval may be required as a precaution to the effectiveness hereof, and as to the Developer, by the members or managers thereof, as applicable. The Parties agree to provide such opinions of counsel as to the due authorization and binding effect of this Agreement as the other Party shall reasonably request.

Q. Survival

The terms, conditions, promises, representations, obligations, and covenants set forth in Section V (C) shall survive Project Completion and the terms, conditions, promises, representations, obligations, and covenants set forth in Sections VI and VII shall survive any termination of this Agreement.

VIII SIGNATURES

IN WITNESS WHEREOF, the undersigned Parties hereto execute this Agreement as of the day and year first above written.

WITNESSES:

APPLICANT NAME:

Reo Ventures, LLC

By: _____

Its: Partner

CITY OF LANSING:

By: _____
Andy Schor

Its: Mayor

Approved as to form:

James D. Smiertka
City Attorney

I hereby certify that funds are available
in Account No.: _____

City Controller

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) Reo Ventures, LLC			
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) 6850 Aurelius Road, Lansing, MI 48911			
Location of obsolete facility (Number and Street, City, State, ZIP Code) 1102 South Washington Avenue, Lansing, MI 48910			
City, Township, Village (indicate which) Lansing		County Ingham	
Date of Commencement of Rehabilitation (mm/dd/yyyy) 06/01/2021	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 06/31/2022	School District where facility is located (include school code) 33020	
Estimated Cost of Rehabilitation \$290,000.00		Number of years exemption requested 12	
Attach legal description of obsolete property on separate sheet.			
Expected Project Outcomes (Check all that apply)			
☒ Increase commercial activity		☐ Retain employment	
☒ Create employment		☐ Prevent a loss of employment	
		☒ Revitalize urban areas	
		☐ Increase number of residents in the community in which the facility is situated	
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. _____			
☐ Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.			

APPLICANT CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (No authorized agents) Nicholas Pope	Telephone Number (517) 346-5165	Fax Number (517) 301-9069
Mailing Address 1146 South Washington Avenue, Lansing, MI 48910	E-mail Address npope@waadvisors.com	
Signature of Company Officer (no authorized agents) 	Title Partner	

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.

Signature	Date Application Received
-----------	---------------------------

FOR STATE TAX COMMISSION USE

Application Number	Date Received	LUCI Code
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LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date

☐ Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)

☐ Denied

Date District Established

LUCI Code

School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit.

A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.

A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.

A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.

A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.

A statement that the applicant is not delinquent in any taxes related to the facility.

If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.

A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.

A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.

A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.

A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.

A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.

A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.

PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)

Building Taxable Value

Building State Equalized Value

\$

\$

Name of Government Unit

Date of Action Application

Date of Statement of Obsolescence

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.

Name of Clerk

Telephone Number

Clerk Mailing Address

Mailing Address

Telephone Number

Fax Number

E-mail Address

Clerk Signature

Date

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

February 12, 2020

Lansing City Clerk
City Hall
124 West Michigan Ave.
Lansing, MI 48933

Re: Obsolete Property Rehabilitation Act District and Certificate for 1102 South Washington Ave., Lansing

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act (OPRA), Act 146 of 2000, the undersigned applicant REO Ventures, LLC, owner of the property commonly known as 1102 S. Washington Ave., Lansing 48910 (the "Property"), legal description attached, hereby requests the establishment of an OPRA District and granting of an OPRA Certificate by the City of Lansing on the Property. The Property has been inspected by the City of Lansing Assessor and determined to suffer from functional obsolescence (determination of obsolescence attached).

General Description of Obsolete Facility

This building (1813 square feet) was built in approximately 1925. The building was originally constructed as a gas station. Building use continued as gas station until the 1960. From the 1960 to the 2000's building was used as service station. Most recently building was used as storage. The building has not been occupied for several years. The previous owner started a remodeling process; however, the property was left in disrepair. The building currently has no heating or plumbing system nor a restroom.

The building could be adapted for many uses; however, the small size of the building and interior masonry partition walls limits financially feasible for occupancy.

The property is listed on Leaking Underground Storage Site according to Phase 1 report prepared by PM Environmental.

Proposed Use of the Rehabilitated Facility

The applicant intends to rehabilitate the facility as follows:

1102 South Washington Ave will be redeveloped into a location that includes restaurant/food concept on the vacant/obsolete building and a vibrant outdoor space on the undeveloped land. The concept of this location will be similar to Little Fleet In Traverse City (www.thelittlefleet.com)

Expected Economic Advantages

In an effort to maximize the utility value of the functionally obsolete building, the applicant is committed to doing a complete rehabilitation of the building. In that context, and as more fully detailed below, the developer will incur considerable renovation costs. The establishment of the OPRA District, with its multi-year property tax deferment benefit is vital to making the economics of the project work.

Redevelopment of the property will provide numerous benefits to the City. While the specific facility would undergo considerable renovation, the entire area would benefit from the transformation of the vacant building and undeveloped land on the riverfront into a thriving property and outdoor space.

Detailed Description of Hard Costs

The OPRA tax abatement is a significant component of this project. The petitioner has estimated the renovation costs of the project combined at approximately \$290,000. The renovation estimate are as follows:

1102 South Washington	1st Floor	Totals
Architect Drawings	\$15,000	\$15,000
Renovations	\$210,000	\$210,000
Environmental Assessments	\$5,000	\$5,000
Remediation Work	\$20,000	\$20,000
Site preparation	\$10,000	\$10,000
Grading Pavement	<u>\$30,000</u>	<u>\$30,000</u>
Total	\$290,000	\$290,000

An itemized list of renovations and fixed building equipment as part of the rehabilitated facility is attached.

Time Schedule for Rehabilitation

Commencement of construction is scheduled for June 2021 with completion of the project expected by June 31, 2022. Environmental mitigation activities on the property will occur winter 2021 prior to commencement.

Property Taxable Value and Legal Description

The specifics on the property are as follows:

Property Address: 1102 South Washington Ave.
Lansing, MI 48910
Owner's Name: REO Ventures, LLC
Sq Feet of Building: Approximately 1,813
Tax ID Number: 86-1481293
Tax Value Land: \$28,600 (2020)
Tax Value Building: \$39,729 (2020)
SEV Value Total: \$47,000 (2020)
Legal Description: N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195
ORIG PLAT
CITY OF LANSING, COUNTY OF INGHAM
Parcel Number: 33-01-01-21-178-040

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'NP' followed by a stylized flourish.

REO Ventures, LLC., Owner Nicholas Pope

Obsolete Property Rehabilitation Act District and Certificate for
1102 South Washington Avenue, Lansing

List of Improvements

- Perform environmental mitigation \$25,000
- Perform selective demolition - \$5,000
- Upgrade Mechanical, Electrical, and Plumbing systems \$130,000
- Provide insulation to code \$5,000
- Build-out interior to include restrooms, bar / kitchen \$30,000
- Provide interior finishes \$55,000
- Provide exterior improvements including paving, signage, landscaping, paint - \$40,000



Andy Schor, Mayor

CITY ASSESSORS OFFICE

**Sharon Frischman, MMAO
City Assessor**

3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-7624

FAX: (517) 483-4101

www.lansingmi.gov/City-Assessor

July 23, 2020

Functional Obsolescence Determination

**1102 S Washington St.
Lansing, MI 48910**



This building was constructed in about 1925. It was originally constructed as a gas station / vehicle repair facility. It was occupied for this purpose until the 1960s. At that time, the repair services were still available until as recently as about 2000. It has been used for storage most recently. Remodeling began a few years ago but has not been finished. There is not heating system or plumbing. There is no restroom.

The building could be adapted to many uses, however, the small size of the building and interior masonry partitions limit the financially feasible options for occupancy.

The site is listed on the Leaking Underground Storage Tank site according to a Phase I environmental report performed by PM Environmental.

I have determined that the property is suffering from functional obsolescence due to the size, configuration, lack of interior heating/plumbing and previous use.

Sharon Frischman
City Assessor

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Establish an Obsolete Property Rehabilitation Act District at 1102 South Washington Avenue, Lansing

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the "Act"), the City of Lansing has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Lansing, and

WHEREAS, REO Ventures, LLC, hereinafter called the "Developer" has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by the Act, for the property commonly known as 1102 South Washington Avenue located in the City of Lansing hereinafter described, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on **[INSERT DATE]**;

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT CITY OF LANSING, COUNTY OF INGHAM; PARCEL NUMBER: 33-01-01-21-178-040, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, January 10, 2022 at 7:00 p.m. in the Tony Benavides Lansing City of Lansing Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Ave., Lansing, MI 48933, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 224 South Washington Square, Lansing, Michigan, legally described as:

Lots 25 and 26, Board of State Auditor's Subdivision of the East one-half of Block 115, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 26, Ingham County Records.

Parcel Number: 33-01-01-16-328-062

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

10/22/2021

Lansing City Clerk's Office
124 W Michigan Avenue, 9th Floor
Lansing, MI 48933

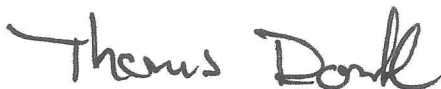
Re: Requesting an OPRA District for 224 S. Washington Square Lansing, MI 48933

Dear Clerk Swope,

I'm writing to you to formally notify the City of Lansing that 1247 Center Street LLC hereby grants RBM Properties LLC permission to request an Obsolete Property Rehabilitation Act (OPRA) District be established on the property 1247 Center Street LLC owns located at 224 S. Washington Square Lansing, MI 48933 (Property), legally described as: Lots 25 and 26, Board of State Auditor's Subdivision of the East one-half of Block 115, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 26, Ingham County Records.

RBM Properties LLC, has executed a purchase agreement with 1247 Center Street LLC to acquire the Property and intends to submit an OPRA District Request and OPRA Certificate application for consideration by the City of Lansing.

Sincerely,



1247 Center Street LLC

10/22/21

Lansing City Clerk

City Hall

124 West Michigan Ave.

Lansing, MI 48933

Re: Obsolete Property Rehabilitation Act District and Certificate for 224 S. Washington Square Lansing, MI 48933

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act (OPRA), Act 146 of 2000, the undersigned applicant RBM Properties LLC , having executed a tentative purchase agreement for the property commonly known as 224 S. Washington Square Lansing, MI 48933 (the "Property"), legal description attached, hereby requests granting of an OPRA Certificate by the City of Lansing on the Property. The Property has been inspected by the City of Lansing Assessor and determined to suffer from functional obsolescence (determination of obsolescence attached).

General Description of Obsolete Facility

This one-story building consists of 6,615 square feet with basement storage. The property was built in 1915 as the original Knapps store. The building has had a variety of uses throughout the years. The most recent use was a nightclub, and the tenant vacated in 2018, and the facility remains vacant.

The current floor plan does not support any feasible uses. The building is excessive for any retail or restaurant use. Ingress and Egress is limited by a single door in the front and rear. There are two sets of restrooms on the main floor and one bathroom in the basement. A ceiling (deteriorating) has been installed approximately six feet below the roofline. The interior consists of one larger area surrounded by small rooms around the perimeter. The interior is dark, a smoke odor permeates the interior. The current ventilation is insufficient.

Proposed Use of the Rehabilitated Facility

The applicant intends to use the rehabilitated facility as follows:

The facility will become one of the most popular and storied music and performance venues in the Midwest.

It will be considered a top destination for live music in Michigan, while earning the accolades of local musicians, industry leading and nationally touring artists.

Performances will include all genres of music, as well as other entertainment events. These will include pop, rock, classic rock, R&B, hip hop, country, bluegrass, folk, latin, jazz, comedy and more.

The rehabilitated facility's open design will allow for unobstructed sightlines throughout the hall to the stage and video displays, and provide comfortable access to bathrooms and service. The open ceiling design to the roof, will provide for optimal heights for production elements (audio and lighting). In house production elements, including acoustics and sight lines to the stage are all critical to the customer experience at a live event, and the applicant has deep experience and expertise in this area.

The facility will provide cutting edge production elements for live performances, as well as the streaming and recording of performances. This will include professional audio, event lighting, LED wall(s), and more!

Upon completion of renovation, the facility will have an estimated capacity of 600 attendees in a general admission (GA) setting and approximately 250 for table seating. The open design will also allow for customizable space for seating configurations, e.g. a portion GA & a portion table seating; a portion general admission & a portion theater seating; and a portion theater seating & a portion table seating.

In addition to public paid admission performances, the facility will also be available for private functions, including weddings, meetings, and corporate events. The customizable space will offer flexible configurations for a luncheon, team outing, networking mixer, or holiday party. The facility bars can be stocked and customized to meet an event's specific needs.

There is no venue within the Lansing-East Lansing MSA of this size, which provides a comparable experience, including the in house production elements, to a broad array of audiences.

This property will require demolition and rehabilitation of the outdated structure to accommodate the new use.

We will remove the current failing materials overlaid on the east side facade of the building (Washington Square). In addition, we will install LED signage.

We will remove interior rooms and non load bearing walls, and restore the open structure to its original brick walls.

The installed and failing ceiling will be removed to reveal the original turn of the century iron trusses.

The original wooden flooring will be refurbished.

We will update and relocate the beverage service/bar area, and update, relocate and increase restroom capacity. Electrical services will be updated, HVAC system will be updated.

A catering kitchen, offices, and artist green rooms will be built in the lower level to accommodate industry-leading entertainers and speakers.

We will install state-of-the-art theatrical lighting, audio, and video displays for live event productions.

The rehabilitated facility will be accessible for guests with disabilities.

Expected Economic Advantages

Our target market for attendees is the Lansing- East Lansing metropolitan statistical area (MSA). The MSA is a three-county metropolitan area located in Central Michigan encompassing the counties of Eaton, Clinton, and Ingham. As of the 2010 Census, the MSA had a population of 464,036. It ranks as Michigan's third-largest metropolitan area behind metropolitan Detroit and Grand Rapids.

A recent University of Chicago impact study found that for every \$1 spent on a ticket, a total of \$12 in economic activity was generated (hotels, food, beverage, shopping etc.).

Upon renovation, the rehabilitated facility projects to average 50,000 attendees annually, spending an average of one million (\$1m) dollars annually on tickets, generating twelve (\$12m) million in annual economic activity.

The rehabilitated property will be the starting point for a revitalization of arts and culture in downtown and greater Lansing. The cultural impact of these venues on local communities is priceless. We are the steadfast incubators and launch pads for the most popular talent in the world. Our stages give artists like Adele, U2, Keith Urban, Prince, Lizzo, the Eagles, Wu-Tang Clan and Foo Fighters their start.

Detailed Description of Rehabilitation and Fixed Building Equipment

The OPRA tax abatement is a significant component of this project. The applicant has estimated the renovation costs of the project \$400,000. The renovation estimates are as follows: See Attached ITEMIZED LISTS OF RENOVATIONS AND FIXED BUILDING EQUIPMENT AS PART OF THE REHABILITATED FACILITY.

Time Schedule for Rehabilitation

Purchase closing 12/15/2021. Commencement of construction is scheduled for January 1, 2022 with completion of the project expected by August 1, 2022.

Property Taxable Value and Legal Description

The specifics on the property are as follows:

Property Address: 224 S Washington Avenue, Lansing, MI 48933

Owner's Name: 1247 Center Street LLC

Sq Feet of Building: 6,615

Tax ID Number: Parcel Number: 33-01-01-16-328-062

Tax Value Land: \$106,600

Tax Value Building: \$130,600

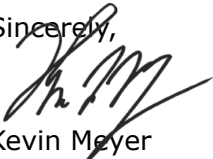
SEV Value Total: \$237,200

Legal Description: Lots 25 and 26, Board of State Auditor's Subdivision of the East one-half of Block 115, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 26, Ingham County Records.

Parcel Number: 33-01-01-16-328-062

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Meyer', written over the word 'Sincerely,'.

Kevin Meyer

RBM Properties LLC

ITEMIZED LISTS OF RENOVATIONS AND FIXED BUILDING EQUIPMENT AS PART OF THE REHABILITATED FACILITY.		
1	Two 8' retractable decorative garage doors;	\$10,000.00
2	One 16' retractable garage door	\$5,000.00
3	three (3) two door emergency exits/entrance	\$10,000.00
4	(8) toilet w washing Women, new flooring, painting/finishing;	\$7,500.00
5	(5) toilet/trough w washing Men, new flooring, painting/finishing;	\$5,000.00
6	(1) employee bathroom lower level w toilet, sink, shower, painting/finishing;	\$2,500.00
7	(3) performer bathrooms lower level each w toilet, sink, shower, painting/finishing;	\$7,500.00
8	(1) Main Floor Bar painting/finishing;	\$7,500.00
9	(1) Lift/Elevator to lower level/main level/loft level	\$25,000.00
10	(1) new stairway to lower level/main level/loft level	\$5,000.00
11	(1) Loft steel structure and finish	\$50,000.00
12	(1) forced air heating unit	\$25,000.00
13	(1) forced air cooling unit	\$25,000.00
14	new central ductwork for heating/cooling	\$10,000.00
15	(4) Ceiling fans	\$5,000.00
16	Misc lighting fixtures main floor, loft, lower level	\$5,000.00
17	Painting/finishing exterior facade, (1) LED marquee	\$25,000.00
18	Main floor, wood floor refinish	\$20,000.00
19	Painting Interior ceiling	\$10,000.00
20	Painting/finishing green rooms lower level	\$7,500.00
21	Painting/finishing office space lower level	\$2,500.00
22	Removal of deteriorating ceiling	\$40,000.00
23	Removal of obsolete boiler lower level	\$10,000.00
24	Removal of obsolete electric throughout facility	\$40,000.00
25	Finishing & restoration of interior walls	\$40,000.00
		\$400,000.00

Draft Resolution #2021-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolution to Establish an Obsolete Property Rehabilitation Act District at 224 South Washington Square, Lansing, MI

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the "Act"), the City of Lansing has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Lansing, and

WHEREAS, RBM Properties LLC, hereinafter called the "Developer" has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by the Act, for the property commonly known as 224 South Washington Square, Lansing, Michigan, and

WHEREAS, the Developer has executed a purchase agreement with 1247 Center Street LLC, legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and has received written permission from said owner to request establishment of a District, and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on **[INSERT DATE]**.

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

Lots 25 and 26, Board of State Auditor's Subdivision of the East one-half of Block 115, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 26, Ingham County Records, Parcel Number: 33-01-01-16-328-062; and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Property Rehabilitation

Exemption Certificate for the Developer or any other applicant.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

611 N. Butler Blvd.
SLU-1-2021, Special Land Use Permit – Parking Lot

The Lansing City Council will hold a public hearing on Monday, January 10, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, Lansing City Hall, 124 W. Michigan Avenue, 10th Floor, Lansing, Michigan to consider SLU-1-2021. This is a request by A.L. Williams Consulting, LLC for a special land use permit to construct a parking lot at 611 N. Butler Boulevard which is the vacant parcel of land located directly north of 609 N. Butler Boulevard (parcel #: 33-01-01-17-226-182). Parking lots are permitted in the "R-6B" Urban Detached Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, January 10, 2022 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

GENERAL INFORMATION

APPLICANT/OWER: A.L. Williams Consulting, LLC
" 30311 Fox Club Drive
Farmington Hills, MI 48331

REQUESTED ACTION: Special land use permit to construct a parking lot at 611 N. Butler Blvd.

EXISTING LAND USE: Vacant

EXISTING ZONING: "R-6B" Urban Detached Residential District

PROPERTY SIZE & SHAPE: 50.1' x 126.4' = 6,332 square feet

SURROUNDING LAND USE: N: Parking lot
S: Single & 2-family residential
E: Single Family Residential
W: 4-unit residential

SURROUNDING ZONING: N: "MX-C" Mixed Use Corridor
S: "R-6B" Urban Detached Residential
E: "R-6B" Urban Detached Residential & "MX-C" Mixed Use Corridor
W: "R-6B" Urban Detached Residential

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for medium/low density residential use. Butler Blvd. is designated as a local road.

REQUEST

This is a request for a special land use permit to utilize the property at 611 N. Butler Blvd. (vacant parcel north of 609 N. Butler) for a parking lot to provide additional parking for the retail businesses on the adjacent property to the north. Parking lots are permitted in the residential zoning districts, if a Special Land Use permit is approved by the Lansing City Council.

ANALYSIS

Section 1262.02(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

1. **Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

The applicant owns the adjacent property to the north of 611 N. Butler Blvd. and intends to combine the two properties into one parcel that would be developed into a parking lot for use by the businesses along Saginaw Street. The parking lot on the subject property would directly adjoin two properties that are zoned and being used for residential purposes. If not constructed, managed and properly designed, the parking lot could have negative impacts on these properties in terms of noise created by vehicles, activity in the parking lot and headlight glare. If the special land use permit is approved, it should be conditioned upon the installation of a 6-foot high, opaque fence along the south and west property lines. It should also mandate that the parking lot is designed to have the drive aisle located along the south property line (north of the required 5-foot landscape buffer strip) so that the row of parking on the subject property will be north of the drive and hence, the parked vehicles will face north so that the headlights will not shine towards the residential properties.

2. **Will the proposed special land use change the essential character of the surrounding area?**

The proposed parking lot will not necessarily change the essential character of the area as it is merely intended to provide additional parking for existing uses. The special land use permit will, however, allow parking to encroach into the residential neighborhood. With the conditions described above, the parking lot should not negatively impact the surrounding residential properties. The primary concern is that authorization of the special land use permit could set a negative precedent for future requests to utilize residential land for parking to support adjoining or nearby commercial uses, which would change the essential character of the area.

3. **Will the proposed special land use interfere with the enjoyment of adjacent property?**

The conditions of approval described in the analysis for the first evaluation criterion should prevent any negative impacts of the parking lot on the adjacent residential parcels.

4. **Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?**

Not applicable. The site is currently vacant.

5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The noise, headlight glare and increased level of activity in general could negatively impact

the peaceful enjoyment of the adjoining residential properties. If approved, a 6-foot high, opaque fence in the buffer areas between the parking lot and the adjoining residential properties to the south and west would need to be installed to help mitigate these types of nuisances.

6. **Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?**

A site plan, prepared by a civil engineer, that includes a storm-water management plan would need to be submitted to the City for review and approval, prior to construction of the parking lot.

7. **Will the proposed special land use place demand on public services and facilities in excess of current capacity?**

The proposed special land use is not expected to increase the demand on public services and facilities in excess of current capacity. The proposed parking lot would not draw additional traffic to the site but merely provide more off-street parking to accommodate the needs of the existing businesses along Saginaw Street. If approved, a storm water management would need to be reviewed and approved by the City Public Service Department as part of the site plan review process.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The proposed parking lot is clearly not consistent with the intent of the R-6B zoning district or the objectives of the Design Lansing Comprehensive Plan as described below:

Zoning Ordinance: “ preserve the historic character of Lansing’s most urban neighborhoods maintaining the scale of medium-density single-family detached residences. These neighborhoods feature small lots, early 20th century-built homes often with alleys and rear loading garages. Infill development in this district should respect the historic single-family character. Typical character types include Four-Square, Craftsman, and Queen Anne vernacular types. Front-facing gable and hip roofs are typical. The intent of sub-district R-6B is to integrate attached residential units into appropriate locations at the perimeter of established residential neighborhoods. Attached residential units are intended to provide a physical transition from the adjacent busier street types, and/or non-residential uses to the purely residential neighborhood.”

Comprehensive Plan: “To provide an environment for medium-low density single-family detached; single family attached (townhomes); and two-family dwelling units.”

With only one exception, the zoning ordinance designates the north, approximately ½ of the 900 and 1000 blocks of Saginaw Street for commercial use and the south ½ for residential use. If the subject property were to be used for parking, even though it would not result in changing the zoning, it would breach the line between the commercial and residential areas which could set a negative precedent for future requests to utilize residential properties in the area for parking lots. This would not only be contrary to the intent of the zoning ordinance but to the master plan as well, a primary goal of which is to preserve the character of residential neighborhoods.

9. Will the proposed special land use meet the dimensional requirements of the district in which the property is located?

The applicant has not provided a plan for the proposed parking lot. The site is 50.1 feet wide by 126.4 feet deep. No parking is permitted within the 20-foot front yard setback. The required dimensions for a parking space are 9 feet wide by 18 feet deep with a 24-foot-wide drive aisle. In addition, a 5-foot-wide landscape buffer is required between the parking lot and all adjoining residential properties (south and west). Based on the dimensions of the lot, 1 row of parking with 10 spaces can be accommodated on the subject property by itself. If approved, the applicant intends to combine the subject property with the property to its north to provide a larger site for a new parking lot. The number of parking spaces that could be provided would depend on how the lot is designed such as whether it has a one-way or 2-way traffic circulation pattern.

SUMMARY

This is a request for a special land use permit to utilize the property at 611 N. Butler Blvd. (vacant parcel north of 609 N. Butler) for a parking lot to provide additional parking for the retail businesses on the adjacent property to the north. Parking lots are permitted in the residential zoning districts, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings described in this staff report, the proposal does not comply with some of the following criteria set forth in Section 1262.01(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use could be harmonious with the character of adjacent properties and surrounding uses, if conditions are imposed to mitigate any negative impacts of the parking lot such as noise and light glare.
2. The proposed Special Land Use will not necessarily change the essential character of the surrounding properties.
3. The proposed Special Land Use may interfere with the general enjoyment of adjacent properties, unless conditions are put in place to mitigate noise and light glare.
4. The proposed Special Land Use does not necessarily represent an improvement to the lot since it is currently vacant.
5. The proposed Special Land Use may create some nuisances for the adjacent properties, unless mitigated by screening, buffering and parking lot design.

6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is not consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use can comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends denial of SLU-1-2021, to permit a parking lot on the property at 611 N. Butler Blvd., based on the findings described in this staff report.

Should the Planning Board and/or City Council determine that the special land use permit does comply with the evaluation criteria listed above, staff recommends the following conditions of approval:

- * Installation of a 6-foot high, opaque fence along the south and west property lines, except within the 20-foot front yard setback area (the fence along the south property line may not extend closer than 20 feet to the front property line along Butler Blvd.), and
- * The parking lot is designed with the drive aisle located along the south property line (north of the required 5-foot landscape buffer strip) so that the row of parking on the subject property will be north of the drive and the headlights from the parked vehicles will face north rather than towards the adjoining residential properties.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**





Zoning Map



Zoning Districts

- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- MFR - Multi-Family Residential
- R-AR - Residential Adaptive Reuse
- S-C - Suburban Corridor
- MX-C - Mixed-Use Corridor
- MX-1 - Mixed-Use Neighborhood Center
- MX-2 - Mixed-Use Community Center
- MX-3 - Mixed-Use District Center



SLU-1-2021 is a request by A.L. Williams Consulting, LLC for a special land use permit to allow the construction of a surface parking lot at 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182). The is the vacant lot located directly north of 609 N. Butler.

The applicant owns the adjacent property to the north of 611 N. Butler Blvd. and, if the special land use permit is approved, intends to combine the two properties into one parcel that would be developed into a parking lot for use by the businesses along Saginaw Street.

The Planning Board voted 4-3 to recommend approval of the request. Josh Hovey, Thomas Morgan & John Ruge cast the dissenting votes, expressing concerns about a parking lot intruding into the residential area south of the commercial properties along W. Saginaw Street.

Only the applicant spoke at the public hearing.

The Planning Board's recommendation for approval included the following conditions designed to mitigate any negative impacts that the parking lot may cause on the adjoining residential properties:

- * Installation of a 6-foot high, opaque fence along the south and west property lines, except within the 20-foot front yard setback area (the fence along the south property line may not extend closer than 20 feet to the front property line along Butler Blvd.), and
- * The parking lot is designed with the drive aisle located along the south property line (north of the required 5-foot landscape buffer strip) so that the row of parking on the subject property will be north of the drive and the headlights from the parked vehicles will face north rather than towards the adjoining residential properties.

Draft Resolution #2021-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

SLU-1-2021

Parking Lot in the "R-6B" Urban Detached Residential Zoning District
611 N. Butler Boulevard, Parcel #: 33-01-01-17-226-182

WHEREAS, A.L. Williams Consulting, LLC has requested a special land use permit to allow the construction of a surface parking lot at 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182); and

WHEREAS, the property is zoned "R-6B" Urban Detached Residential District, where parking lots are permitted subject to obtaining a Special Land Use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact of the proposal on the surrounding area, the environment and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on November 2, 2021 at which the applicant spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board, at its November 2, 2021 meeting, voted (4-3) to recommend approval of SLU-1-2021 for a special land use permit allow the construction of a surface parking lot at 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182) with the following conditions:

1. Installation of a 6-foot high, opaque fence along the south and west property lines, except within the 20-foot front yard setback area (the fence along the south property line may not extend closer than 20 feet to the front property line along Butler Blvd.), and
2. The parking lot is designed with the drive aisle located along the south property line (north of the required 5-foot landscape buffer strip) so that the row of parking on the subject property will be north of the drive and the headlights from the parked vehicles will face north rather than towards the adjoining residential properties.

WHEREAS, the City Council held a public hearing regarding SLU-1-2021 on _____ 2021 and

WHEREAS, the Committee on Development and Planning has reviewed the report and residential development recommendation of the Planning Board and concurs therewith; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2021 for a special land use permit allow the construction of a surface parking lot at 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182) with the following conditions:

1. Installation of a 6-foot high, opaque fence along the south and west property lines, except within the 20-foot front yard setback area (the fence along the south property line may not extend closer than 20 feet to the front property line along Butler Blvd.), and
2. The parking lot is designed with the drive aisle located along the south property line (north of the required 5-foot landscape buffer strip) so that the row of parking on the subject property will be north of the drive and the headlights from the parked vehicles will face north rather than towards the adjoining residential properties.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

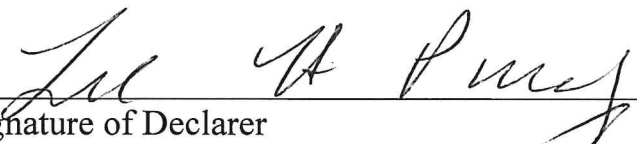
1. The proposed parking lot will be harmonious with the character of adjacent properties and surrounding uses, with the conditions of approval that are designed to mitigate any negative impacts such as noise and light glare.
2. The proposed parking lot will not change the essential character of the area.
3. The conditions of approval will mitigate any issues that would cause the parking lot to interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use represents an improvement to the lot since it is currently vacant.
5. The conditions of approval will mitigate any nuisances caused by the parking lot.
6. The proposed parking lot can be adequately served by public services and utilities.
7. The proposed parking lot will not place any demand on public services and facilities in excess of current capacities.
8. The proposed parking lot is consistent with the goals of the Zoning Code and the Design Lansing Comprehensive Plans.

9. The proposed Special Land Use can comply with the dimensional requirements of the Zoning Ordinance.

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-270 – Notice of Public Hearing SLU-1-2021 – Lansing City Clerk - appeared Wednesday, December 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of December 2021

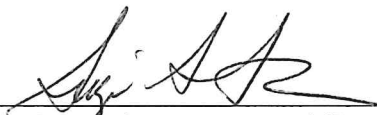


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

611 N. Butler Blvd.
SLU-1-2021, Special Land Use Permit – Parking Lot

The Lansing City Council will hold a public hearing on Monday, January 10, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, Lansing City Hall, 124 W. Michigan Avenue, 10th Floor, Lansing, Michigan to consider SLU-1-2021. This is a request by A.L. Williams Consulting, LLC for a special land use permit to construct a parking lot at 611 N. Butler Boulevard which is the vacant parcel of land located directly north of 609 N. Butler Boulevard (parcel #: 33-01-01-17-226-182). Parking lots are permitted in the "R-6B" Urban Detached Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, January 10, 2022 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-270



Andy Schor
Mayor

CITY OF LANSING NOTICE OF PUBLIC HEARING

611 N. Butler Blvd. SLU-1-2021, Special Land Use Permit – Parking Lot

The Lansing City Council will hold a public hearing on Monday, January 11, 2022 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-1-2021. This is a request by A.L. Williams Consulting, LLC for a special land use permit to construct a parking lot at 611 N. Butler Boulevard which is the vacant parcel of land located directly north of 609 N. Butler Boulevard (parcel #: 33-01-01-17-226-182). Parking lots are permitted in the "R-6B" Urban Detached Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

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Chris Swope, City Clerk

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, January 10, 2022, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance to amend the Lansing Codified Ordinances by amending Chapter 1218 Sections 1218.01 through 1218.99 to conform to the requirements of MCL 324.9101, et seq, the “Soil Erosion and Sedimentation Control” Act, and applicable state regulations.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1218 SECTIONS
1218.01 THROUGH 1218.99 ~~REGARDING SOIL EROSION~~ TO CONFORM TO THE
REQUIREMENTS OF mcl 324.9101, ET SEQ, THE "SOIL EROSION AND
SEDIMENTATION CONTROL" ACT AND APPLICABLE STATE REGULATIONS.

*(describe nature of Chapter/Section being amended because it's what is used by Clerk
for publication.)*

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1218, Section .01 through .99, of the Codified
Ordinances of the City of Lansing, Michigan, be and are hereby amended to read as
follows:

1218.01. - Definitions.

As used in this chapter:

Certification means a signed, written statement by the City Engineer that specific
constructions, inspections or tests required by this chapter have been performed and
that such comply with the applicable requirements of this chapter.

City Engineer means the City Engineer or his or her authorized representative.

Earth change means a human-made change in the natural cover or topography of land,
including cut and fill activities, which may result in or contribute to soil erosion or
sedimentation of the waters of the state and adjacent properties. Earth change does not
include the practice of plowing and tilling of the soil for the purpose of crop production.

1 *Designated agent* means a person who has written authorization from the land owner to
2 sign the application and secure a SESC permit in the land owner's name.

3 ~~*Land owner* means the person who owns or holds the recorded easement on the~~
4 ~~property or who is engaged in construction in a public right-of-way in accordance with~~
5 ~~Sections 13, 14, 15, and 16 of Act No.~~
6 ~~368 of the Public Acts of 1925, as amended, being §§ 247.183, 247.184, 247.185 and~~
7 ~~247.186 of the~~
8 ~~Michigan Compiled Laws.~~

9 *LANDOWNER* MEANS A PERSON WHO FULFILLS 1 OR MORE OF THE
10 FOLLOWING REQUIREMENTS:

11 (i) THE PERSON OWNS OR HOLDS A RECORDED EASEMENT
12 ON THE PROPERTY.

13 (ii) THE PERSON IS ENGAGED IN CONSTRUCTION IN A
14 PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH SECTIONS
15 13, 14, 15, AND 16 OF 1925 PA 368, MCL 247.183, 247.184,
16 247.185, AND 247.186.

17 (iii) THE PERSON IS ENGAGED IN A PROJECT THAT
18 MEETS ALL OF THE FOLLOWING CONDITIONS:

19 (A) THE PROJECT IS RELATED TO 1 OR MORE ROADS,
20 HIGHWAYS, SIDEWALKS, TRAILS, DRIVEWAYS, PARKING
21 AREAS, FORMS OF PUBLIC TRANSIT, FORMS OF
22 NONMOTORIZED TRANSPORTATION, OR BOATING, INCLUDING

1 ALL STRUCTURES, IMPROVEMENTS, FEATURES, AND LANDS
2 RELATED TO THE PROJECT.

3 (B) ONE OR MORE STATE AGENCY OR LOCAL UNIT OF
4 GOVERNMENT OWNS, EXERCISES JURISDICTION OVER, OR
5 HOLDS A RECORDED EASEMENT ON THE PROPERTY IN THE
6 AREA WHERE THE EARTH CHANGE WILL OCCUR.

7 (C) ALL STATE AGENCIES OR LOCAL UNITS OF
8 GOVERNMENT THAT OWN, EXERCISES JURISDICTION OVER,
9 OR HAVE A RECORDED EASEMENT ON THE PROPERTY IN THE
10 AREA WHERE THE EARTH CHANGE WILL OCCUR GRANT A
11 PERMIT OR WRITTEN AUTHORIZATION TO THE PERSON THAT
12 SPECIFIES WHERE THE EARTH CHANGE IS ALLOWED TO
13 OCCUR.

14 (D) NO STATE AGENCY OR LOCAL UNIT OF GOVERNMENT
15 THAT OWNS, EXERCISES JURISDICTION OVER, OR HOLDS A
16 RECORDED EASEMENT IN THE AREA WHERE THE EARTH
17 CHANGE WILL OCCUR HAS CONTROL OVER THE PROJECT
18 DURING CONSTRUCTION. THE CONTROL PROHIBITED BY THIS
19 SUBPARAGRAPH INCLUDES, BUT IS NOT LIMITED TO, PAYING
20 FOR OR HAVING A FINANCIAL INTEREST IN THE PROJECT
21 DURING CONSTRUCTION OR DIRECTING CONTRACTORS AND
22 OTHER INDIVIDUALS ENGAGED IN CONSTRUCTION WORK. THE

CONTROL PROHIBITED BY THIS SUBPARAGRAPH DOES NOT
CONSIST SOLELY OF ESTABLISHING CONSTRUCTION
REQUIREMENTS OR CONDUCTING INSPECTIONS.

Nonerosive velocity means a speed of water movement which is not conducive to the development of soil erosion.

PART 91 MEANS PART 91 OF 1994 PA 451, MCL 324.9101 TO 324.9123.

Permit (ALSO SESC PERMIT) means a State prescribed permit CONTAINING INFORMATION AS REQUIRED BY R 323.1707 AND issued TO THE LANDOWNER by the City Engineer to authorize work to be performed under this chapter. THIS DOES NOT INCLUDE BUILDING, SEWER OR RIGHT-OF-WAY PERMITS.

Sediment means solid particulate matter, including both mineral and organic matter that is in suspension in water, is being transported or has been removed from its site of origin by the actions of wind, water, or gravity and has been deposited elsewhere.

SESC MEANS SOIL EROSION AND SEDIMENTATION CONTROL.

Soil erosion means the wearing away of land by the action of wind, water, gravity or a combination of wind, water or gravity.

Waters of the State means the Great Lakes and their connecting waters, inland lakes and streams as defined in the rules promulgated by the Michigan Department of ENVIRONMENT, GREAT LAKES, AND ENERGY ~~Environmental Quality~~ or its successors, and wetlands regulated under MCL 324.30301, et seq.

1218.02. - Enforcement by Department of Public Service; adoption of rules by reference.

1 The Department of Public Service, through the office of the City Engineer, shall be the
2 municipal enforcing agency responsible for the administration and enforcement OF
3 THIS CHAPTER AND OF PART 91, SOIL EROSION AND SEDIMENTATION
4 CONTROL, OF THE NATURAL RESOURCES AND ENVIRONMENTAL
5 PROTECTIONS ACT, 1994 PA 451, AS AMENDED, AND THE RULES
6 PROMULGATED THEREUNDER WITHIN THE CITY OF LANSING. ALL RULES
7 PROMULGATED UNDER PART 91 ARE HEREBY INCORPORATED BY
8 REFERENCE. ~~of this chapter, MCL 324.9101, et seq., and the promulgated rules and~~
9 ~~the Department of Agriculture, which are hereby adopted by reference as they are~~
10 ~~amended from time to time.~~ THE INDIVIDUALS WITH DECISION-MAKING
11 AUTHORITY WHO ARE RESPONSIBLE FOR ADMINISTERING THE SOIL EROSION
12 AND SEDIMENTATION CONTROL PROGRAM FOR THE MUNICIPALITY SHALL
13 HAVE CURRENT CERTIFICATES OF TRAINING PER MCL 924.9123.

14 1218.03. - Compliance required.

15 No site plan, development plan or plat shall be approved under this Planning and
16 Zoning Code unless such site plan, development plan, or plat includes soil erosion and
17 sediment control measures consistent with this chapter and the related regulations,
18 standards and specifications adopted by reference in this chapter.

19 ~~1218.04. - Certificates of occupancy.~~

20 ~~No certificate of occupancy for any building or structure shall be issued under the~~
21 ~~Zoning Code or the Building Code, unless the application for such certificate has~~
22 ~~complied with this chapter and related land development regulations and standards~~

1 ~~adopted pursuant hereto, and has satisfactorily completed, as evidenced by a certificate~~
2 ~~of completion issued pursuant to Section 1218.22 1218.21, the soil erosion and~~
3 ~~sediment control measures approved for such applicant.~~

4 1218.05. - Building permits.

5 Upon receipt of an application for a building permit proposing earth changes, which
6 work disturbs one or more acres of land or disturbs land located within 500 feet of A
7 LAKE OR STREAM ~~the waters of the State of Michigan~~, the Building Safety Division of
8 the Department of Planning and Neighborhood Development shall immediately notify
9 the City Engineer. The Building Safety Division shall not issue a building permit to such
10 applicant until the City Engineer has issued the required SESC permit pursuant to this
11 chapter.

12 1218.06. - Soil Erosion and Sedimentation Control.

13 Except as otherwise provided in this chapter, a land owner or designated agent, who
14 contracts for, allows or engages in any earth changes which disturbs one or more acres
15 of land, or which is within 500 feet of ~~the waters of the State of Michigan~~ A LAKE OR
16 STREAM, shall obtain a SESC ~~State-prescribed~~ permit issued by the City Engineer prior
17 to the commencement of such earth changes. THE SESC PERMIT SHALL BE ISSUED
18 TO THE LANDOWNER, AS DEFINED IN THE PROMULGATED RULES.

19 1218.07. - Soil erosion and sediment control plan.

20 The land owner or designated agent shall submit with their application for a SESC ~~State~~
21 ~~prescribed~~ permit and soil erosion and sedimentation control plan. This soil erosion and
22 sediment control plan shall be reviewed and approved by an employee of the

1 Department of Public Services with THE APPROPRIATE SESC TRAINING AND
2 CERTIFICATES PER MCL 924.9123. ~~the City Engineer~~. Prior to submittal to the
3 Department of Public Services, the soil erosion and sediment control plan shall be
4 prepared or approved and signed by a qualified person in the management of soil
5 erosion and sedimentation control. Such person may be a professional engineer,
6 registered architect, landscape architect, agronomist, soil scientist, soil engineer or
7 other person of established experience and training. However, the City Engineer may
8 waive the preparation or approval and signature by such qualified person when the work
9 for which a SESC permit is sought entails little or no hazard to adjacent property or to a
10 lake, stream, river or natural drain within 500 feet of the work site and does not include
11 the construction of a fill upon which a structure may be erected. This plan shall identify
12 factors that may contribute to soil erosion, sedimentation or both. The plan shall be
13 designed in a manner to effectively reduce accelerated soil erosion and sedimentation
14 AND SHALL MEET ALL THE REQUIREMENTS OF RULE 1703 OF THE SESC
15 PROMULGATED RULES. The plan submitted to the City Engineer shall include, but not
16 be limited to, all of the following:

- 17 1. A MAP OR MAPS AT A SCALE OF NOT MORE THAN 100 FEET TO THE INCH
18 OR AS OTHERWISE APPROVED BY THE CITY ENGINEER. THE MAP
19 SHALL INCLUDE A LEGAL DESCRIPTION AND SITE LOCATION SKETCH
20 THAT INCLUDES THE PROXIMITY OF ANY PROPOSED EARTH CHANGE
21 TO LAKES, STREAMS, RIVERS OR NATURAL DRAINS. THE MAP SHALL
22 SHOW PREDOMINANT LAND FEATURES, INCLUDING ROADS, BUILDINGS,

1 AND NATURAL FEATURES, AND SHALL INCLUDE CONTOUR INTERVALS
2 OR SLOPE DESCRIPTION.

3 2. A SOILS SURVEY OR A WRITTEN DESCRIPTION OF THE SOIL TYPES OF
4 THE EXPOSED LAND AREA CONTEMPLATED FOR THE EARTH CHANGE.

5 3. DETAILS FOR PROPOSED EARTH CHANGES, INCLUDING ALL OF THE
6 FOLLOWING:

7 (i) THE DESCRIPTION, LOCATION, ELEVATIONS, DIMENSIONS, EXTENT
8 AND SLOPE OF ALL PROPOSED EARTH CHANGES, INCLUDING
9 BUILDING AND DRIVEWAY GRADES. THIS SHALL INCLUDE THE
10 PHYSICAL LIMITS OF THE EARTH CHANGE

11 (ii) A DESCRIPTION AND THE LOCATION OF ALL EXISTING AND
12 PROPOSED ON-SITE DRAINAGE AND DEWATERING FACILITIES,
13 INCLUDING THE DELINEATION OF THE DRAINAGE AREA OF THE
14 LAND TRIBUTARY TO THE SITE AND THE ESTIMATED RUNOFF OF
15 THE AREA SERVED BY ANY DRAIN. ALL DRAINAGE STRUCTURES,
16 INCLUDING CATCH BASINS, AND DRAINAGE FACILITIES WITHIN 100
17 FEET OF THE SITE SHALL BE SHOWN.

18 (iii) THE TIMING AND SEQUENCE OF EACH PROPOSED EARTH
19 CHANGE, INCLUDING A SCHEDULE INDICATING THE ANTICIPATED
20 STARTING AND COMPLETION DATES OF THE DEVELOPMENT
21 SEQUENCE AND THE TIME OF EXPOSURE OF EACH AREA PRIOR

1 TO THE COMPLETION OF THE SOIL EROSION AND SEDIMENT
2 CONTROL MEASURES REQUIRED BY THIS CHAPTER;

3 (iv) THE LOCATION AND DESCRIPTION FOR INSTALLING AND
4 REMOVING ALL PROPOSED TEMPORARY SOIL EROSION AND
5 SEDIMENT CONTROL MEASURES, INCLUDING A STATEMENT ON
6 WHO IS RESPONSIBLE FOR THEIR MAINTENANCE.

7 (v) A DESCRIPTION, LOCATION, AND INSTALLATION INSTRUCTIONS
8 FOR ALL PROPOSED PERMANENT SOIL EROSION AND SEDIMENT
9 CONTROL MEASURES, INCLUDING A STATEMENT ON WHO IS
10 RESPONSIBLE FOR THEIR MAINTENANCE.

11 (vi) A PROGRAM PROPOSAL FOR THE CONTINUED MAINTENANCE OF
12 ALL PERMANENT SOIL EROSION AND SEDIMENT CONTROL
13 MEASURES THAT REMAIN AFTER PROJECT COMPLETION,
14 INCLUDING THE DESIGNATION OF THE PERSON RESPONSIBLE
15 FOR THE MAINTENANCE. MAINTENANCE RESPONSIBILITIES SHALL
16 BECOME A PART OF ANY SALES OR EXCHANGE AGREEMENT FOR
17 THE LAND ON WHICH THE PERMANENT SOIL EROSION CONTROL
18 MEASURES ARE LOCATED.

19 4. THE NAME, MAILING ADDRESS, EMAIL ADDRESS AND TELEPHONE
20 NUMBER OF THE OWNER, DEVELOPER AND APPLICANT;

21 5. THE ESTIMATED TOTAL COST OF THE REQUIRED SOIL EROSION AND
22 SEDIMENT CONTROLS;

1 6. ANY OTHER INFORMATION OR DATA AS MAY BE REQUIRED BY THE CITY
2 ENGINEER.

3 (a) ~~A site location sketch, at a scale of not more than one inch equals 200 feet,~~
4 ~~showing the proximity of any proposed earth changes to lakes or streams or~~
5 ~~both, as well as adjacent properties within 100 feet of the site boundaries;~~

6 (b) ~~A boundary line survey and legal description of the site on which the work is to~~
7 ~~be performed; and~~

8 (c) ~~A plan of the site, at a scale of not more than one inch equals 100 feet, showing:~~

9 (1) ~~The name, address and telephone number of the owner, developer and~~
10 ~~applicant;~~

11 (2) ~~A timing schedule and sequence description of each proposed earth~~
12 ~~change, including a schedule indicating the anticipated starting and~~
13 ~~completion dates of the development sequence and the time of exposure~~
14 ~~of each area prior to the completion of the soil erosion and sediment~~
15 ~~control measures required by this chapter;~~

16 (3) ~~A description, and location and installation instructions for of all proposed~~
17 ~~temporary and permanent soil erosion and sediment control measures~~
18 ~~required by this chapter;~~

19 (4) ~~A description and location of all existing and proposed on-site drainage~~
20 ~~facilities and dewatering facilities, including delineation of the drainage~~
21 ~~area of the land tributary to the site and estimated runoff of the area~~
22 ~~served by any drain;~~

- 1 (5) ~~A statement of the quantity of excavation or fill involved;~~
- 2 (6) ~~The existing topography at a maximum of two-foot contour intervals;~~
- 3 (7) ~~The proposed topography at a maximum of two-foot contour intervals;~~
- 4 (8) ~~The location of predominant land features, including structures or natural~~
5 ~~features on the~~
6 ~~site;~~
- 7 (9) ~~The location of any structure or natural feature on the land adjacent to the~~
8 ~~site and within one hundred feet of the site boundary line, including any~~
9 ~~catch basins tributary to the site;~~
- 10 (10) ~~The proximity of any earth change to any lake, stream, river or natural~~
11 ~~drain;~~
- 12 (11) ~~The location of any proposed additional structures or development on the~~
13 ~~site;~~
- 14 (12) ~~The description, location, elevations, dimensions, extent and slope of all~~
15 ~~proposed earth changes, including building and driveway grades. This~~
16 ~~shall include the limits of the earth change;~~
- 17 (13) ~~The estimated total cost of the required soil erosion and sediment~~
18 ~~controls;~~
- 19 (14) ~~A soil investigation report, which shall include, but not be limited to, data~~
20 ~~regarding the nature, distribution and supporting ability of existing soils~~
21 ~~and rock on the site;~~

1 ~~(15) A signed statement of assurance that Section 1218.17, pertaining to~~
2 ~~maintenance of the approved soil erosion and sediment control measures,~~
3 ~~both temporary and permanent, will be observed; and~~

4 ~~(16) Any other information or data as may be required by the City Engineer.~~

5 1218.08. - Bonds.

6 As part of the submittal for the soil erosion and sedimentation control permit, the
7 applicant, except where the applicant is a school district, community college district or
8 other governmental entity, shall post with the City Clerk either cash, a certified check, an
9 irrevocable letter of credit issued by a bank or a surety bond in an amount sufficient to
10 ensure the installation and completion of the soil erosion and sedimentation control
11 measures specified in the approved plan. The surety bond shall be open ended and
12 shall be executed by the applicant and a United States based corporate surety
13 authorized to do business in this State as a surety. Any surety bond or irrevocable letter
14 of credit shall be in a form approved by the City Attorney, and shall be made payable to
15 the City in the amount SUFFICIENT TO ASSURE THE INSTALLATION, REMOVAL,
16 AND COMPLETION OF SUCH PROTECTIVE OR CORRECTIVE MEASURES AS MAY
17 BE REQUIRED ~~of the estimated total cost of the required soil erosion and sediment~~
18 ~~controls approved~~ by the City Engineer pursuant to this chapter. The total cost of the
19 work shall be estimated by the City Engineer. The bond shall include penalty provisions
20 for failure to complete the work on schedule as specified in the SESC permit or in the
21 approved plan. Every bond and instrument of credit shall include, and every cash
22 deposit or certified check shall be made on, the condition that the applicant shall comply

1 with this chapter and all of the terms and conditions of the SESC permit and the
2 approved plan, and shall complete all of the work contemplated under the SESC permit
3 and approved plan within the time limit specified in the SESC permit or plan or, if no
4 time limit is specified, within 180 days after the date of the issuance of the SESC permit.

5 The bond, instrument of credit, cash deposit or certified check shall be released to the
6 applicant upon issuance of the certification of completion as per Section 1218.22.

7 1218.09. - Extension of time.

8 If an applicant is unable to complete the work within the specified time, he or she may,
9 at least ten days prior to the expiration of the SESC permit, present, in writing, to the
10 City Engineer, a request for an extension of time setting forth the reasons for the
11 requested extension. If such an extension is warranted, the City Engineer may grant
12 additional time for the completion of the work, but no such extension shall operate to
13 release the owner or the surety on the bond or the person furnishing the instrument of
14 credit, surety bond, cash or certified check. ADDITIONAL FEES FOR INSPECTION
15 MAY BE REQUIRED PRIOR TO GRANTING THE EXTENSION OF TIME.

16 1218.10. - Notice of violation; completion of work by City.

17 If the City Engineer determines that soil erosion or sedimentation of adjacent properties
18 or the waters of the State has or will reasonably occur from land in violation of MCL
19 324.9101, et seq., the promulgated rules adopted by the City, or in violation Chapter
20 1218 of the Codified Ordinances, the City Engineer may enforce a violation of this part
21 by notifying the land owner in writing, as identified by the most current Assessor's
22 records, either in person or by mail, with return receipt requested, of its determination.

1 This Notice of Violation shall include the following:

2 (a) The location of the property in violation.

3 (b) The owner of the property in violation.

4 (c) Description of the violation.

5 (d) The proposed remedy to the violation.

6 (e) The time specified to remedy the violation.

7 (f) If City corrects the violation, Notification of City costs if they exceed \$10,000.00.

8 Within five days after the Notice of Violation has been issued or the time specified in the
9 notice of violation, the person who owns the land shall bring the soil erosion and
10 sedimentation control into compliance, as described in the proposed remedy to the
11 violation.

12 After at least five days after the date of the Notice of Violation, or the time specified in
13 the Notice of Violation, if it is the City Engineer's opinion that the condition of the land
14 may result in or contribute to soil erosion or sedimentation of adjacent properties or the
15 waters of the State, and if the required soil erosion and sedimentation control measures
16 are not in place, the City Engineer, or his or her designee, may enter the site and
17 construct, implement and maintain soil erosion and sedimentation control measures in
18 order to bring the site within compliance of the Notice of Violation. If the cost for bringing
19 the site into compliance, including the work, materials, labor, and administration,
20 exceeds \$10,000.00, the City Engineer shall in the Notice of Violation inform the person
21 who owns the land that an expenditure of more than \$10,000.00 may be made. If more

1 than \$10,000.00 is to be expended, work shall not begin until at least ten days after the
2 Notice of Violation has been served.

3 All expenses incurred by the City, including administrative costs, to construct, implement
4 and maintain soil erosion and sedimentation control measures to bring the site into
5 conformance with the Notice of Violation shall be reimbursed to the City by the land
6 owner.

7 The City shall have a lien on the land for the expenses incurred to bring the site into
8 conformance with the Notice of Violation. With respect to single-family or multi-family
9 residential property, the lien for such expenses shall have priority over all liens and
10 encumbrances filed or recorded after the date of such expenditure. With respect to all
11 other property, the lien for such expenses shall be collected and treated in the same
12 manner as provided for property tax liens under the general property tax act, MCL
13 211.1, et seq.

14 1218.11. - Permit applications; review.

15 The land owner or designated agent, proposing to undertake earth changes shall submit
16 to the City Engineer an ~~State-prescribed~~ application for a SESC permit. A separate
17 application shall be required for each SESC permit.

18 The City Engineer shall approve, disapprove or require modification of the application
19 for a SESC permit within 30 calendar days following receipt of the application. THE
20 PLAN SHALL BE REVIEWED BY A PERSON WITH APPROPRIATE TRAINING AND
21 CERTIFICATES.

1 Upon a determination that a permit applicant has met all the requirements of this
2 chapter, the City Engineer shall issue a SESC permit for the proposed earth changes.

3 The SESC permit shall be posted at the work site and a copy of the approved soil
4 erosion and sedimentation control plan shall be available at the work site for inspection.

5 Notification of approval shall be made in writing, in person or by first class mail. If the
6 application is disapproved, the City Engineer shall advise the applicant in writing, in
7 person, or by certified mail of the reasons for disapproval and conditions required for
8 approval. A SESC permit given to the applicant either in person or by first class mail
9 shall constitute approval.

10 1218.12. - Conditions for nonissuance of SESC permits.

11 A SESC permit required by this chapter shall not be issued where:

12 (a) The work, as proposed by the applicant, will damage any public or private
13 property, interfere with any existing drainage course in such a manner as to
14 cause damage to any adjacent property or result in the deposition of debris or
15 sediment on any public way or into any waters of the State, or create an
16 unreasonable hazard to persons or property.

17 (b) The land area for which the project is proposed is subject to geological hazard to
18 the extent that no reasonable amount of corrective work can eliminate or
19 sufficiently reduce settlement, slope instability or any other such hazard to
20 persons or property.

21 (c) The applicant has not met the bond, cash, certified check or instrument of credit
22 deposit requirements of Section 1218.08.

1218.13. - Fees.

At the time of filing an application for a SESC permit required by this chapter, a nonrefundable filing fee, as determined by resolution of Council, shall be paid to the City Engineer. ~~An Additional nonrefundable feeS per acre of site area involved (rounded up to the nearest acre)~~, as determined by resolution of Council, shall be charged for plan and site inspections, with a minimum fee for such review and inspection as determined by resolution of Council.

1218.14. - Modification of approved plans.

All modifications of approved soil erosion and sedimentation control plans must be submitted to and approved by the City Engineer. All necessary sustaining reports shall be submitted with any proposal to modify such approved plans. No earth changes in connection with any proposed modification shall be undertaken without the approval of the City Engineer. Additional fees may be required, as provided in Section 1218.13.

1218.15. - Responsibilities of permittee.

During any earth change operation, the Land owner to whom a valid SESC permit has been issued shall be responsible for:

(a) The prevention of damage to any public utilities or services within the limits of earth changes and along any routes of travel by the equipment utilized in site operations;

(b) The prevention of damage to adjacent property, including not performing earth changes on the site so close to the property line as to endanger any adjoining public street, sidewalk, alley or public or private property without supporting and

1 protecting such property from settling, cracking or other damage which might
2 result;

3 (c) The carrying out of the proposed work in accordance with the approved plan and
4 in compliance with all the requirement of the SESC permit and this chapter;

5 (d) The prompt removal of all soil, miscellaneous debris or other materials applied,
6 dumped or otherwise deposited on public streets, highways, sidewalks or other
7 thoroughfares during transit to and from the construction site where such
8 spillage constitutes a public nuisance or hazard;

9 (e) The removal of sediment insofar as possible from any runoff water before it
10 leaves the permitted site;

11 (f) The design and installation of permanent or temporary control measures for the
12 conveyance of water around, through or from the earth change area to limit the
13 flow of water to a nonerosive velocity;

14 (g) The design, construction and completion of an earth change in a manner that
15 limits the exposed area of any disturbed land for the shortest possible period of
16 time as determined by the City Engineer; and

17 (h) The installation of temporary soil erosion and sedimentation control measures
18 before or upon commencement of earth change activity and the maintenance of
19 these measures on a daily basis. The removal of temporary soil erosion and
20 sediment control measures after permanent soil erosion and sediment control
21 measures have been implemented and the area stabilized.

22 1218.16. - Permanent and temporary soil erosion and sediment control measures.

1 A PERSON WHO OWNS LAND ON WHICH AN EARTH CHANGE HAS BEEN
2 MADE THAT MAY RESULT IN OR CONTRIBUTE SOIL EROSION OR
3 SEDIMENTATION OF THE WATERS OF THE STATE, WHETHER OR NOT A SESC
4 PERMIT WAS REQUIRED, SHALL IMPLEMENT AND MAINTAIN SOIL EROSION
5 AND SEDIMENTATION CONTROL MEASURES THAT WILL EFFECTIVELY REDUCE
6 SOIL EROSION OR SEDIMENTATION FROM THE LAND ON WHICH THE EARTH
7 CHANGE HAS BEEN MADE.

8 Permanent soil erosion control measures required by this chapter for all slopes,
9 channels, ditches or disturbed land areas shall be completed within five calendar days
10 after final grading or earth changes has been completed. When it is not possible to
11 permanently stabilize a disturbed area after such activity has been completed, or where
12 significant earth change activity ceases, temporary soil erosion control measures
13 required under this chapter shall be maintained until permanent soil erosion control
14 measures are in place and the area is stabilized. If significant earth change activities
15 have ceased for more than 30 days, the City Engineer may issue a notice of violation, or
16 complete the work pursuant to Section 1218.10, for the installation of permanent soil
17 erosion control.

18 1218.17. - Maintenance requirements.

19 All persons carrying out soil erosion and sediment control measures under this chapter
20 shall have a program for the continued maintenance of all soil erosion and sediment
21 control measures that remain after project completion. Any conveyance of the land on
22 which the permanent soil erosion control measures are located shall provide for

1 maintenance responsibilities. If the conveyance fails to so provide, the subsequent land
2 owner shall be responsible for maintenance responsibilities.

3 1218.18. - Plans and specifications.

4 All plans and specifications required by this chapter, including the extension of
5 previously approved plans, shall include provisions for soil erosion and sediment control
6 in accordance with the standards and specifications of all the following:

- 7 (a) The product manufacturer.
- 8 (b) The local conservation district.
- 9 (c) The Michigan Department of Environmental Quality or its successor.
- 10 (d) The Michigan Department of Transportation or its successor.
- 11 (e) The Michigan Department of Agriculture or its successor.
- 12 (f) The City.

13 If a conflict exists between the standard and specifications, the City Engineer shall
14 determine which specifications are appropriate for the project.

15 1218.19. – ~~Exceptions~~ EXEMPTIONS from getting SESC permits.

16 (a) No soil erosion sedimentation control permit shall be required for:

- 17 (1) The industry generally referred to as logging, except access roads and ancillary
18 activities;
- 19 (2) The industry generally referred to as mining, not including the removal of clay,
20 gravel, sand, peat or topsoil. The exception from obtaining a SESC permit does
21 not include access roads and ancillary activities;

1 (3) The plowing or tilling of land for the purpose of crop production or the harvesting
2 of crops;

3 (4) Normal road and driveway maintenance, such as grading and leveling that does
4 not increase the width or length of the road or driveway and will not contribute
5 sediment to lakes or streams;

6 (5) Earth changes of a minor nature that is stabilized within 24 hours of the initial
7 earth disturbance and that will not contribute sediment to lakes or streams;

8 (6) Installation of oil, gas or mineral wells under permit from the Supervisor of Wells
9 if the owner/operator is found by the Supervisor of Wells to be in compliance
10 with MCL 324.9101, et seq., as amended; or

11 (7) A project carried out by the authorized public agency designated pursuant to
12 MCL 324.9101, et seq., as amended.

13 (8) Any additional exemptions listed in 9115 or 9115a of Part 91.

14 (b) The exemptions provided in this section shall not be construed as exemptions from
15 the enforcement procedures specified in MCL 324.9101, et seq., as amended, the
16 rules pertaining to soil erosion and sedimentation control pursuant to MCL
17 324.9104 and MCL 324.9114 promulgated by the Michigan Department of
18 Environmental Quality, the Michigan Department of Agriculture, or this chapter, if
19 such exempted activities cause or result in a violation of MCL 324.9101, et seq., as
20 amended.

21 (c) A waiver to the SESC permit may be granted at the City Engineer's discretion for
22 an earth change after receiving a signed affidavit from the land owner stating that

1 the earth change will disturb less than 225 square feet and that the earth change
2 will not contribute sediment to lakes and streams.

3 (d) Notwithstanding the ~~exceptions~~ EXEMPTIONS of this section, a person who owns
4 land on which an earth change has been made that may result in or contribute soil
5 erosion or sedimentation of the waters of the State, whether or not a SESC permit
6 was required, shall implement and maintain soil erosion and sedimentation control
7 measures that will effectively reduce soil erosion or sedimentation from the land on
8 which the earth change has been made.

9 1218.20. - Inspections.

10 ~~The City Engineer shall inspect the work undertaken pursuant to this chapter and shall~~
11 ~~require adequate inspection of compaction by a soil engineer or by a soil testing~~
12 ~~agency, approved by the City Engineer, unless the City Engineer determines that such~~
13 ~~inspection requirements may be waived due to the nonhazardous nature of the work as~~
14 ~~it pertains to soil erosion and sedimentation.~~

15 THE CITY ENGINEER SHALL INSPECT THE WORK PURSUANT TO THIS CHAPTER
16 AND SHALL REQUIRE ADEQUATE INSPECTION TO ASSURE THE MINIMIZATION
17 OF SOIL EROSION AND OFF-SITE SEDIMENTATION. SESC INSPECTORS SHALL
18 HAVE THE APPROPRIATE SESC TRAINING AND CERTIFICATES PER MCL
19 324.9123. PER MCL 324.9113, THE CITY ENGINEER MAY ENTER UPON ANY
20 PRIVATE OR PUBLIC PROPERTY FOR THE PURPOSE OF INSPECTING AND
21 INVESTIGATING CONDITIONS OR PRACTICES THAT MAY BE IN VIOLATION OF
22 THIS PART. HOWEVER, AN INVESTIGATION OR INSPECTION UNDER THIS

1 SUBSECTION SHALL COMPLY WITH THE UNITED STATES CONSTITUTION AND
2 THE STATE CONSTITUTION OF 1963.

3 1218.21. - Certification of completion.

4 Upon STABILIZATION OF THE SITE AND THE satisfactory execution of all approved
5 soil erosion and sedimentation control plans, and upon ascertaining that the applicant
6 has complied with this chapter, MCL 324.9101, et seq., as amended, and the
7 promulgated rules governing soil erosion and sedimentation control, the City Engineer
8 shall CLOSE THE SESC PERMIT AND issue a certification of completion.

9 1218.22. - Cease and desist orders; revocation of SESC permits; legal remedies.

10 Upon making a finding that there is a violation of any of the provisions of this chapter,
11 MCL 324.9101, et seq., as amended, the promulgated rules pertaining to soil erosion
12 and sedimentation control, the terms of a SESC permit issued hereunder, or the soil
13 erosion and sedimentation control plan approved herein, the City Engineer ~~shall~~ MAY
14 issue a cease and desist order and ~~shall~~ MAY revoke the SESC permit issued under
15 this chapter. All violations of this chapter ISSUED BY THE CITY ENGINEER shall be
16 reported by the ~~City Engineer~~ to the Michigan Department of Environmental Quality or
17 its successor. Notwithstanding the existence or pursuit of any other remedy, the City
18 may maintain an action in its own name in a court of competent jurisdiction for an
19 injunction or other process against a person to restrain or prevent violations of this
20 chapter.

At all reasonable times, the City Engineer may enter in or upon any private or public property for the purpose of inspecting and investigating conditions or practices that may be in violation of this chapter.

However, an investigation or inspection under this chapter shall comply with the United States Constitution and the State Constitution of 1963.

1218.23. - Land owner ~~and contractor~~ responsibility.

Prior to a commencing an earth change, an approved soil erosion and sedimentation control permit, where required, shall be in place. The landowner shall have a copy of approved SESC permit on site and available for inspection. The landowner shall implement the soil erosion and sedimentation control plan in a workmanlike manner and in compliance with Chapter 1218 of the Codified Ordinances.

If the land owner is found to be in noncompliance of Chapter 1218, the City Engineer may deny to the land owner utility permits, sewer permits and other permits to use the public right-of-way. The City Engineer may also request from the Building Safety Division of the Department of Planning and Neighborhood Development the withholding of building, foundation, electrical, plumbing and mechanical permit inspections until such time that the land owner ~~or contractor~~ returns to compliance.

1218.24. - ENFORCEMENT.

THE CITY ENGINEER SHALL EMPLOY A TIERED APPROACH TO SESC ENFORCEMENT. ENFORCEMENT SHALL BE AS FOLLOWS:

1. SESC INSPECTION/CORRECTION NOTICE.
2. NOTICE OF CORRECTION BY LETTER OR EMAIL.

3. NOTICE OF VIOLATION PER SECTION 1218.10

4. CEASE AND DESIST ORDER/REVOCAION OF SESC PERMIT PER
SECTION 1218.22.

5. LEGAL ACTION PER SECTION 1218.22.

THE CITY ENGINEER MAY FOREGO ANY OF THE STEPS IF IT IS DETERMINED
THAT THERE IS AN IMMEDIATE THREAT TO HEALTH, SAFETY OR PROPERTY.

1218.99. - Penalty.

(a) *Municipal civil infraction; fine.* Person who violates any of the provisions in this
chapter is responsible for a Municipal civil infraction and may be ordered to pay a
civil fine pursuant to MCL 324.9121, as provided in Section 203.03.

(b) *Knowing violation; false statement; fine.* In addition, a person who knowingly
violates this chapter or knowingly makes a false statement in an application for a
SESC permit or in a soil erosion and sedimentation control plan is responsible for
the payment of a civil fine of not more than \$10,000.00 for each day of violation,
pursuant to MCL 324.9121.

(c) *Notice of violation; fine.* In addition, a person who knowingly violates this chapter
after receiving a Notice of Violation is responsible for the payment of a civil fine of
not less than \$2,500.00 or more than \$25,000.00 for each day of violation, pursuant
to MCL 324.9121.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or
rules inconsistent with the provisions are repealed.

1 Section 3. Should any section, clause or phrase of this ordinance be declared to
2 be invalid, the same shall not affect the validity of the ordinance as a whole, or any part
3 thereof other than the part so declared to be invalid.

4 Section 4. This ordinance shall take effect on the 30th day after enactment,
5 unless given immediate effect by City Council.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, January 10, 2022, at 7:00 p.m. in the Tony Benavides Lansing Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, to Amend Chapter 890 of the Lansing Codified Ordinances by amending Section 890.01, to reform guidelines for poverty exemptions for real property and to include income and assets of all owners as criteria for eligibility and modify the percentage of relief granted during each year of exemption, consistent with state law.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

DRAFT
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 890 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTION 890.01, TO REFORM GUIDELINES FOR POVERTY EXEMPTIONS FOR REAL PROPERTY AND TO INCLUDE INCOME AND ASSETS OF ALL OWNERS AS CRITERIA FOR ELIGIBILITY AND MODIFY THE PERCENTAGE OF RELIEF GRANTED DURING EACH YEAR OF EXEMPTION, CONSISTENT WITH STATE LAW.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 890, Section 890.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

890.01. - Adoption.

Pursuant to MCL 211.7u, as amended, the City hereby adopts the following guidelines for the City Assessor and Board of Review to implement poverty exemptions for property that qualifies under MCL 211.7dd as a principal residence from taxation. The guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and all persons residing in the household of the claimant including the contributions of other parties to support the claimant. THE INCOME AND ASSET LEVELS OF ALL OWNERS OF THE PROPERTY SHALL ALSO BE CONSIDERED.

To be eligible for a poverty exemption from such taxation, a person shall meet all of the following on an annual basis:

- (a) Be an owner of and occupy as a principal residence the property for which an exemption is requested;
- (b) File a claim with the City Assessor or Board of Review on a form provided by the City Assessor, accompanied by Federal and State income tax returns for all persons residing in the principal residence including the contributions of other parties to support the claimant AS WELL AS ANY OTHER OWNERS OF THE PROPERTY;
- (c) Produce a valid driver's license or other form of identification if requested;

(d) Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested, if such proof of ownership is requested by the Assessor or Board of Review;

(e) Meet the Federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under authority of Section 673 of Subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 U.S.C. 9902;

(f) File a claim for exemption after January 1, but before the day prior to the last day of the DECEMBER Board of Review meeting; and

(g) Have assets, not including homestead THE PRINCIPAL RESIDENCE, less than five times annual household income.

~~Any relief granted is a reduction over and above the maximum homestead property tax credit granted, or which would have been granted had the claimant applied, by the State of Michigan~~ RELIEF GRANTED THE FIRST YEAR OF EXEMPTION APPROVAL IS 100%. UNLESS THE APPLICANT HAS A FIXED INCOME AND IS OVER THE AGE OF 65 OR PERMANENTLY DISABLED; THE TAXABLE VALUE REDUCTION WILL BE 50% IN SUBSEQUENT YEARS 2 THROUGH 4; THE TAXABLE VALUE REDUCTION WILL BE 25% IN YEAR 5 AND THEREAFTER.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire on December 31, 2029.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, re-adopting the codified ordinances of the City of Lansing.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
BETZ	☐	☐
BROWN	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

Ordinance #1296

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, RE-ADOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AS AMENDED AND REPUBLISHED BY MUNICIPAL CODE CORPORATION THROUGH SUPPLEMENT 54, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH DECEMBER 31, 2020, EXCEPT ANY ORDINANCE REPEALED AS PROVIDED BY LAW, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS, ARE HEREBY APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF LANSING, MICHIGAN 2020, COMPLETE TO DECEMBER 31, 2020.

SECTION 2. THE READOPTION OF CODIFIED ORDINANCES SHALL NOT BE CONSTRUED TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED UNDER ANY LEGISLATIVE PROVISION PRIOR TO THE EFFECTIVE DATE OF SUCH READOPTION, OR AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF SUCH RIGHT OR LIABILITY. SUCH READOPTION SHALL NOT BE CONSTRUED TO RELIEVE ANY PERSON FROM PUNISHMENT FOR AN ACT COMMITTED IN VIOLATION OF ANY SUCH LEGISLATIVE PROVISION, NOR TO AFFECT AN INDICTMENT OR PROSECUTION THEREFOR. FOR SUCH PURPOSES, ANY SUCH LEGISLATIVE PROVISION SHALL CONTINUE IN FULL FORCE NOTWITHSTANDING ITS REPEAL FOR THE PURPOSE OF REVISION AND CODIFICATION.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. All ordinance or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council and shall expire December 31, 2030.



Chris Swope, CIMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#22-011 – Adopted Ordinance #1296 – Lansing City Clerk - appeared Wednesday, January 19, 2022, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 19th day of January 2022

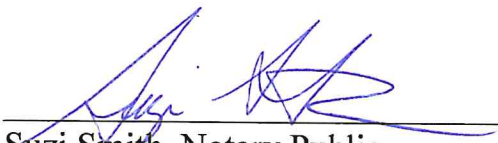


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on January 19, 2022

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
SUMMARY OF
ADOPTED ORDINANCE # 1296**

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing, re-adopting the codified ordinances of the City of Lansing

Effective date: Upon publication

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#22-011

Resolution #2022-003
By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Holli Seabury as an At-Large member of the Elected Officers Compensation Commission for a term to expire October 1, 2023; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole met on January 10, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Holli Seabury as an At-Large member of the Elected Officers Compensation Commission for a term to expire October 1, 2023.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-004
By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Lori Fuller as a member of the Board of Review for a term to expire January 31, 2023; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole met on January 10, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Lori Fuller as a member of the Board of Review for a term to expire January 31, 2023.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-005

By Council Members Brown, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood
Resolved by the City Council of the City of Lansing

WHEREAS the Dr. Martin Luther King Jr. Commission of Mid-Michigan will host its 37th Annual Dr. Martin Luther King Jr. Day of Celebration on January 17, 2022, with the theme “In the long run, justice finally must spring from a new moral climate”; and

WHEREAS, this year’s Keynote Speakers are members from the “Little Rock Nine”, Ernest Green, Carlotta Lanier, Terrance Roberts and Minnijean Brown-Trickey.

WHEREAS, The Little Rock Nine were students who on September 4, 1957 enrolled at the formerly all-white Central High School in Little Rock, Arkansas after the landmark Supreme Court ruling *Brown v. Board of Education* declaring segregation in public schools unconstitutional,

WHEREAS, Ernest Green, the oldest of the “Little Rock Nine”, his parents instilled in him confidence and self-respect that helped him become a leader among his peers and a civil rights advocate. Mr. Green graduated from Michigan State University with a B.A. in 1962, and an M.A. in 1964. Mr. Green has been on the boards of various organizations, such as the Winthrop Rockefeller Foundation, AfriCare and the African Development Foundation; and

WHEREAS, Carlotta Lanier (Walls), the youngest of the nine at the age of 14. Ms. Walls attended Michigan State University before moving to Colorado and graduating from Colorado State College (now the University of Northern Colorado). Ms. Lanier was named a “Woman of Distinction” by the Girl Scouts in 2000, and was inducted into the Colorado Women’s Hall of Fame in 2004 and the National Women’s Hall of Fame in 2015; and

WHEREAS, Terrance Roberts, a graduate of California State University of Los Angeles (BA), and UCLA (MSW) obtained his Ph.D. in Psychology from Southern Illinois University. Dr. Roberts has taught, written about, and consulted with a variety of groups, institutions, businesses and professional organizations on issues related to race and racism in American society; and

WHEREAS, Minnijean Brown-Trickey, was expelled from Little Rock Central High School and went to live with Drs. Kennedy B. and Mamie Clark in New York and after graduating from New Lincoln School attended Southern Illinois University where she majored in journalism. Ms. Brown-Trickey became a public speaker, and has spoken in 49 states as well as several countries including Canada, England and South Africa; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council applauds the Dr. Martin Luther King Jr. Commission of Mid-Michigan for continued dedication and service to our youth and residents of the City of Lansing and wish them the best of luck on this uplifting celebration.

BE IT RESOLVED, that the City of Lansing commemorates the efforts of Dr. Martin Luther King Jr. and encourages all residents of the City of Lansing to share in Dr. King's dream and work toward justice, good will, and brotherhood for all people.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-006

By Council Members Brown, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing, through the Human Relations and Community Services Department, will be hosting the 42nd Annual Memorial Observance of Dr. Martin Luther King, Jr. on January 14, 2022, entitled "In the long run, justice finally must spring from a new moral climate"; and

WHEREAS, this day should be a day of participation, wherein all citizens contribute something positive to their community in keeping with Dr. King's lifelong work toward peace, justice and equality; and

WHEREAS, Dr. Martin Luther King Jr Day honors the life and contributions of America's greatest champion of racial justice and equality, the leader who not only dreamed of a color-blind society but who also led a movement that achieved historic reforms to help make it a reality; and

WHEREAS, Dr. Martin Luther King Jr. is regarded as America's pre-eminent advocate of non-violence and one of the greatest nonviolent leaders in history by using the power of words and acts of nonviolence to advocate for freedom; and

WHEREAS, Dr. King campaigned for unprecedented civil rights legislation, and was also the driving force behind the "March for Jobs" in 1963, also known as "March on Washington" where his famous "I Have a Dream" speech secured his status as a leader and led to inspire the nation to act on civil rights.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council commends the Human Relations and Community Services Department on their 42nd Annual Memorial Observance of Dr. Martin Luther King being held on January 14, 2022 and encourages all residents of the City of Lansing to share in Dr. King's dream and work toward justice, good will, and brotherhood for all people.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-007

By Council Members Brown, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood
Resolved by the City Council of the City of Lansing

WHEREAS, Judge Louise Alderson was appointed to the 54A District Court and sworn into office in August of 2001; and

WHEREAS, Judge Louise Alderson worked with the Sobriety Court Treatment Team to develop, implement and preside over the 54A Sobriety Court Program established in 2005; and

WHEREAS, Judge Louise Alderson was appointed Chief Judge of 54A District Court in 2014 and held that position until her retirement; and

WHEREAS, Judge Louise Alderson presided over the 54A Eviction Diversion Project with LegalRnd – Center for Legal Services Innovation at Michigan State University College of Law in 2017; and

WHEREAS, Judge Alderson was born in Coldwater, Michigan to Maxwell and Sybil Alderson, and moved to Lansing during the historic 1967 snowstorm. As a lifelong resident of Lansing, Judge Alderson attended Fairview Elementary, Pattengill Middle School and Eastern High School. She went on to Michigan State University earning a B.A. in Criminal Justice, and onto WMU-Cooley Law School earning a law degree in 1986, and was admitted to the Michigan Bar in 1987; and

WHEREAS, Judge Alderson is married to Tom Hoisington and the proud stepmother to three wonderful children, Joshua (Camille), Lindsay, and Jeff, as well as “Nana” to the amazing Odessa Jules; and

WHEREAS, Judge Louise Alderson gathered experience working while in law school as an Ingham County 911 dispatcher, a law clerk for Senate Majority Counsel Office and after passing the Bar exam, Judge Louise Alderson was hired by Senator Rudy Nichols as a legislative. Later she moved on to a trial career as an assistant prosecuting attorney in Clinton County. After returning to the legislature as a staff attorney she was appointed as the Federal Legislative Liaison to the Michigan Department of Transportation. Following that opportunity, Judge Alderson was appointed as Deputy Legislative Liaison for the Executive Office and then promoted as the Governor’s Legislative Liaison; and

WHEREAS, Judge Louise Alderson has served on multiple Boards, Associations and Committee’s including Ingham County Bar Association, State Drug Treatment Court Advisory Committee, State Bar Judicial Ethics Committee, Board Member and current Chair of the WMU-Cooley Law School, and a tutor for the Capitol Area Literacy Coalition to mention a few.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council extends our gratitude for the many years of distinguished service by Judge Louise Alderson. We wish her well on the next chapter in her life.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-002

By Council Members Brown, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood
Resolved by the City Council of the City of Lansing

WHEREAS the Reverend Dr. Melvin T. Jones preached his first sermon at Union Missionary Baptist Church on January 6, 1985 and was installed as Pastor on March 3, 1985 and will preach his last sermon on March 6, 2022; and

WHEREAS the mission and vision of the Union Missionary Baptist Church is to “Build the Kingdom of God (spiritual); improve the quality of community life (Social); promote and foster academic achievement (Education); develop initiatives for financial empowerment in the community (Economic). Our goal as a church is to be a thriving, multicultural expression of the Body of Christ at the geographic heart of Lansing”; and

WHEREAS Pastor Jones and his wife First Lady Minister Sallie L. Jones showed vision by purchasing land west of the original location of Union Missionary Baptist Church on the corner of Hillsdale and Martin Luther King Boulevard, establishing a 138,310 square foot worship facility which includes a sanctuary, chapel, and Family Life Center; and

WHEREAS Pastor Jones has served as the President of the Lansing Clergy Forum; and

WHEREAS Pastor Jones along established himself as a leader in the City of Lansing with his continuous advocacy of those in need, becoming a founding member of Black Lives Matter in Lansing, leading the effort to rename Logan Street to Martin Luther King Ave, and providing action and thoughtful counsel to City Leaders in times of crisis in the City; and

WHEREAS First Lady Sallie L. Jones a dedicated local leader in her own right, acknowledged her call to ministry in 2003 and founded the Mustard Seed Kids, a puppet ministry travelling throughout the United States and the Caribbean sharing her ministry.

THEREFORE BE IT RESOLVED the Lansing City Council wish to congratulate the Reverend Dr. Melvin T. Jones and First Lady Minister Sallie L. Jones on their retirement and to thank them for their many years of service to the City of Lansing. We would also like to thank their family for allowing us to share their parents. As leaders and service to this community you sacrificed many hours away from your loved ones and while we deeply appreciate your dedication we also owe a debt of gratitude to your children for sharing you with the City.



Chris Swope, CMMC/MMC
Lansing City Clerk

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and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-010
By Council Member Hussain
Resolved by the City Council of the City of Lansing

WHEREAS, the City Council has a duty to represent the citizens of Lansing and ensuring a safe and healthy community; and

WHEREAS, an Ad Hoc Committee on Housing and Resident Safety will be established to review current ordinances and policies, to meet with stakeholders, community members and city staff, and to address and assist residents in housing safety and tenant issues.

NOW BE IT RESOLVED, Lansing City Council President Hussain appoints Council Member Spitzley as Chair of the Ad Hoc Committee on Housing and Resident Safety, Council Member Wood as Vice Chair, and Council Member Brown as Member.

BE IT FURTHER RESOLVED, the Ad Hoc Committee on Housing and Resident Safety will report their findings and recommendations to the Committee of the Whole no later than September 1, 2022.

BE IT FINALLY RESOLVED, the Ad Hoc Committee on Housing and Resident Safety will meet on the days and times set by the Chair and will be dissolved by December 31, 2022.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-011

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 14, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Petition for Special Land Use:

SLU-2-2021: 5411 Wise Road (Parcel #: 33-01-05-06-251-021), Special Land Use Permit, Electrical Substation in "R-2" Suburban Detached Residential Zoning District



Chris Swope, CMMC/MMC
Lansing City Clerk

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and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-012
By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the Committee on Ways and Means, Resolution #2021-052, recommended and Lansing City Council authorized the submission of grant applications to the Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, the Parks & Recreation Department of the City of Lansing received funding from the Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, the funding will be used for four (4) projects within the parks system within the City of Lansing as follows;

Development Grant for ADA Playground Phase II at Riverfront Park (boardwalk, river access, parking lot and other amenities) (TF-21-0031)	\$300,000
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Development Grant for Fenner Nature Center Walking Path (TF21-0170)	\$300,000
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Development Grant for Corporate Research Park (McClaren) (TF21-0142)	\$300,000
--	-----------

Recreation Passport Grant for the Frances Park Rose Garden (RP21-0044)	\$150,000
--	-----------

and

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Michigan Natural Resources Trust Fund (MNRTF) funds; and

WHEREAS, the City of Lansing recognizes the importance of the continued development of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facilities and has budgeted specific monies to ensure the continued maintenance of the enhancements; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe recreation and non-motorized transportation facilities.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Michigan Natural Resources Trust Fund (MNRTF) funds TF21-0031; TF21-0170; TF21-0142 and Recreation Passport Grant RP21-0044.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for their administration in accordance with the requirements of the grantor.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

Resolution #2022-013
By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant 2062876-01100, in which, the City of Lansing would agree to pay Plaintiff the sum of One Hundred Fifty Thousand Four Hundred Forty One Dollars (\$150,441.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever; and

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the payment of One Hundred Fifty Thousand Four Hundred Forty One Dollars (\$150,441.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.



Chris Swope

Lansing City Clerk

January 7, 2022

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website:
<http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Planning Board

December 7, 2021

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, MMC/MiPMC
Lansing City Clerk

**Department of Economic
Development and Planning**
Brian McGrain, Director



Development Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4040 – FAX: 517.483.6036
www.lansingmi.gov/development

MEMORANDUM

TO: Mayor Schor
FROM: Barb Kimmel
DATE: January 7, 2022
SUBJECT: Request to set Public Hearing for sale of 1020 W. Hillsdale.

Please find the attached request to schedule a Public Hearing for the sale of 1020 W. Hillsdale, also described as:

West 20 FT Lot 7, All of Lots 8, 9, 10, 13, 14 and 15, Also Lots 11 and 12 excluding used as Street ROW; Block 8 Bush, Butler and Sparrow Add.

I request that you schedule this public hearing. Contact me with any questions you may have.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the City is the owner of property commonly known as 1020 W. Hillsdale Street, and further legally described below; and

WHEREAS the City has received an offer to purchase from Gryphon Group, LLC, the details of which are contained in a proposed Purchase Agreement which was placed on file with the Lansing City Clerk on December 20, 2021.

THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, February 14, 2022, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing:

Act-1-2022: Sale of 1020 W. Hillsdale, described as: West 20 FT Lot 7, All of Lots 8, 9, 10, 13, 14 and 15, Also Lots 11 and 12 excluding used as Street ROW; Block 8 Bush, Butler and Sparrow Add.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Act-1-2020 Sale of 1020 W. Hillsdale Street (33-01-01-17-478-007)

The Lansing City Council will hold a public hearing on _____, at 7:00 p.m., in the City Council Chambers, 10th Floor City Hall, 124 W. Michigan Ave., Lansing, Michigan, to consider a resolution selling the parcel commonly known as 1020 W. Hillsdale Street, specifically described as:

West 20 FT Lot 7, All of Lots 8,9,10,13, 14 and 15, Also Lots 11 and 12 excluding used as used as Street ROW; Block 8 Bush, Butler and Sparrow Add.

Details of the sale are on file with the City Clerk's Office and are available at Ninth Floor, City Hall, 124 West Michigan Ave. or www.lansingmi.gov/clerk. For more information about this sale, phone City Council Offices on City business days, Monday through Friday, between 8 a.m. and 5 p.m. at 483-4177.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

PURCHASE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 20 21, between _____ City of Lansing _____ (hereinafter referred to as "Seller"); and _____ Gryphon Group, LLC _____ (hereinafter referred to as "Purchaser").

W I T N E S S E T H

1. AGREEMENT OF SALE. Seller hereby agrees to sell and convey, and Purchaser agrees to purchase from Seller, that certain parcel of Land located at 1020 W. Hillsdale Street in Lansing, Michigan, being more particularly described on attached Exhibit A and made a part hereof (hereinafter referred to as the "Property"), upon the terms, covenants and conditions hereinafter set forth.

2. PURCHASE PRICE. Purchaser agrees to pay to Seller for the Property the total sum of Two Hundred Thousand and 00/100 DOLLARS (\$200,000.00), to be paid according to the terms set forth herein (hereinafter referred to as the "Purchase Price").

3. EARNEST MONEY DEPOSIT. Purchaser herewith pays to Seller at the time of execution of this Agreement the sum of Five Thousand and 00/100 DOLLARS (\$5,000.00), as earnest money evidencing Purchaser's good faith and in consideration of the party's execution of this Agreement (hereinafter referred to as "Earnest Money"). Said Earnest Money shall apply to the Purchase Price and shall be refundable to Purchaser as outlined in Section 5 of this Agreement hereinbelow. In the event of default by Purchaser for reasons other than identified in Section 5 of this Agreement, said Earnest Money may be forfeited to Seller as liquidated damages but Seller's remedies against Purchaser shall be strictly limited to the forfeiture of said Earnest Money. The Earnest Money will be escrowed with Cinnaire Title Services, LLC, which is located at 1118 S. Washington, Lansing, Michigan 48910.

4. PURCHASER'S INTENDED USE. The parties hereto agree that the intended use of the property shall be for Multi-family Housing.

5. CONTINGENCIES. This agreement is contingent upon, and subject to, the following terms and conditions (hereinafter referred to as the "Contingencies"), and in the event any of the said Contingencies are not fulfilled satisfactorily to Purchaser, the Purchaser shall have the right to declare this Agreement terminated and null and void and receive a refund as set forth hereinbelow of all Earnest Monies deposited.

A. Purchaser receives an award of Tax Credits from MSHDA in an adequate amount, as determined by Purchaser, for this project;

B. Purchaser is satisfied that there are no environmental issues on the property including, but not limited to hazardous materials, wetlands, and unstable sub-surface soil conditions.

C. Purchaser secures construction financing, permanent financing, and tax credit investment in adequate amounts, as determined by Purchaser, for this project.

6. PAYMENT OF PURCHASE PRICE. The Purchase Price, as set forth in Section 2, shall be payable by Purchaser to Seller as follows: At closing, Purchaser shall pay to Seller an amount which, when added to the deposit shall equal Two Hundred Thousand and 00/100 DOLLARS (\$200,000.00).

7. ACCESS TO PROPERTY. Purchaser, or its agents, shall have the right to enter upon the Property for purposes of inspecting, surveying and staking the same, and for purposes of making soil borings, engineering, sewer and water tests or any other necessary site evaluations. Purchaser agrees that Seller shall not be held liable for any injury or accident which occurs on the Property as a result of Purchaser's entry onto same for purposes of such tests or surveys and Purchaser agrees to return the Property to the condition in which it was found at the time of entry. Purchaser further agrees that in the event a mechanic's lien shall be placed on the Property as a result of any work done for or by Purchaser on the Property, Purchaser shall cause the same to be discharged by filing the bond required by law or otherwise.

8. SURVEY. Purchaser may cause a survey of the Property to be made in accordance with its own specifications. Said survey will show (among other things) the exact amount of acreage and the exact courses and distances of the Property and all easements and encroachments of record. Such survey shall be certified by the standards of the State of Michigan and shall be used for all purposes thereafter as the legal description of the Property described in Exhibit A herein.

9. TITLE. Seller shall convey Property to Purchaser by Covenant Deed. Purchaser agrees to accept such title to the Property as a reputable title insurance company will insure at its usual rates on its standard form (ALTA approved form) of Owner's Policy, free and clear of all liens, defects, encumbrances, restrictions, easements agreements, reservations and other matters of record which would unreasonably interfere with the intended use of the Property and which would render title to the Property unmarketable. Said policy shall be in the amount of Purchase Price of the Property. Upon execution of the Purchase Agreement by both parties, the Seller shall provide within fifteen (15) days a commitment for owners fee policy of title insurance, without exceptions, in the amount of Purchase Price from Cinnaire Title Services guaranteeing fee simple unencumbered marketable title subject only to such restrictions and easements of record that would not prevent the construction on and use of said Property for multiple family housing. Seller shall provide an updated title commitment within thirty (30) days of receipt of written notice by Purchaser to Seller that all of the Contingencies, exclusive of those as enumerated in paragraph 5C of this Agreement have been met. If said title commitment discloses either unmarketable title or defective title for the use intended by Purchase,

Seller shall have thirty (30) days from the date of delivery of notice of same to have said exception(s) removed from the commitment, or to correct such exceptions, or the Purchaser may elect, upon notice to Seller, to take such steps or proceedings to have said exceptions removed at the cost and expense of Seller. If such exceptions are not cured or removed prior to the Closing Date as defined in Section 12 of this Agreement, the time for the Closing Date may be extended at the sole election of the Purchaser, without prejudice to any right of the Purchaser, or its nominee, until such exceptions are cured or removed and the Seller is able to tender to Purchaser, or its nominee, a covenant deed conveying good and marketable title to the Property.

If Seller cannot provide marketable title to the Property, then Purchaser shall be entitled to the return of the Earnest Money Deposit.

10. HAZARDOUS SUBSTANCES. The Seller represents and warrants that the activities of the Seller have not resulted in the generation of any “hazardous substance” (as that term has been defined from time to time in any applicable federal or state law, rule or regulation), nor has Seller stored, disposed, or released any such substance on the Property.

11. TAXES AND ASSESSMENTS. Purchaser acknowledges that the Property is currently tax exempt as Seller is a tax-exempt municipal corporation. Purchaser acknowledges and agrees that upon closing the Property will become taxable, subject to the laws of the State of Michigan for any exemptions, incentives, or benefits that Purchaser may attain. In this Agreement, Seller makes no representations or agreements about any such tax exemptions, incentives, or benefits.

12. CLOSING. Closing for this transaction shall occur by the payment of the Purchase Price by the Purchaser, and by the execution and delivery of a good and sufficient covenant deed by the Seller. If this sale is not closed by June 30, 2023, this Agreement shall terminate automatically. Possession shall be delivered at the time of closing, unless delivered prior to closing by agreement of the parties.

13. ASSIGNMENT. Purchaser shall have the right to assign its interest herein to any of its affiliates, including partnerships in which it is a partner, without approval of Seller and designate the name of the grantee to whom the premises shall be conveyed.

14. CONDEMNATION. Seller represents that it has no knowledge of any pending or threatened condemnation or eminent domain proceeding which affects or may affect the Property or any part thereof. Seller shall reaffirm such representation at closing. In the event that, prior to closing, all or any part of the Property shall be condemned, then Purchaser may terminate this Agreement, in which event Seller shall immediately return to Purchaser the Earnest Money and Additional Deposits, and the parties shall have no further obligation or liability hereunder. Purchaser’s election under this section shall be exercised by written notice given to Seller within ten (10) days after receipt of written notice from Seller of such condemnation.

15. COOPERATION OF SELLER. So long as Purchaser is not in default hereunder, Seller shall, upon the request of Purchaser, at Purchaser's sole cost and expense and without liability to Seller, cooperate with Purchaser in the processing of the various applications and site plans required in connection with Purchaser's proposed use and development of the Property. The provisions of this paragraph are not intended to constitute use restrictions enforceable by anyone after this Agreement has been terminated or Purchaser has closed on the purchase of the property pursuant hereto. All such documentation shall be prepared and provided to Seller at Purchaser's sole cost and expense.

16. NOTICES. Any notice required hereunder shall be in writing and be determined to be delivered hereunder, whether actually received or not, (I) when hand delivered; or (II) when deposited in the United States Mail, sent certified mail, return receipt requested, postage prepaid, addressed to the parties hereto at the respective addresses set forth above.

17. BROKERAGE COMMISSION. This section is intentionally left blank.

18. LAW. This Agreement shall be constructed and interpreted under the laws of the State of Michigan.

19. ENTIRE AGREEMENT. This Agreement constitutes the sole and entire Agreement between the parties hereto, and no modification of this Agreement shall be binding unless the same be in writing and attached hereto and signed by all parties to this Agreement with the same formality as this Agreement is executed. No representation, promise or inducement not included in this Agreement shall be binding upon any party hereto.

20. MISCELLANEOUS. As additional compensation for allowing the Purchaser to secure the property for the timeline outlined in Sections 5 and 12, the Purchaser shall furnish to Seller copies of the Phase I environmental, market study, and survey if the Purchaser has said documents completed by a third party organization.

IN WITNESS WHEREOF, the undersigned have executed this Agreement, to be effective as of the day and year first above written.

ATTEST:

SELLER:

PURCHASER:

Gryphon Group, LLC

240 S. Bridge St., Suite 100

DeWitt, MI 48820



Timothy R. Hovey, Managing Member

EXHIBIT A

PROPERTY ADDRESS: 1020 W. Hillsdale Street, Lansing, MI 48915

PARCEL #: 33-01-01-17-478-007

PARCEL SIZE: 2.2 Acres +/-

LEGAL DESCRIPTION: West 20 FT Lot 7, All of Lots 8, 9, 10, 13, 14 and 15, Also Lots 11 and 12 excluding used as Street ROW; Block 8 Bush, Butler and Sparrow Add.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



430 N. Fairview Avenue, Lansing, MI 48912

January 6, 2022

President Adam Hussain
Lansing City Council
10th Floor City Hall
120 W. Michigan Avenue
Lansing Michigan 48933

Dear President Hussain:

SUBJECT: Park Safety and Removal of Lights

It was brought to my attention that Bancroft and Regent Park lights were removed at the direction of the Parks Director.

The excuse I received was: "the park is closed after dark and this also becomes an issue for tree removal around power lines. With over 2000 acres of park land we cannot have lights in all of the areas of our parks."

This statement doesn't make sense. Lights are all along our streets and our parks. Lighting is what helps to provide for a safe city and our many neighborhoods. Many within our neighborhoods and community visit our parks on a daily basis at all hours. Many cross-country ski, jog, walk with family members and friends. Our parks may be "closed" at night but they are still used. Unless a six-foot fence is constructed around our parks you are always going to see people in them. Lansing is known for our many parks and river trails. Are we going to eliminate lighting on our trails?

Where is the transparency within our city leaders when it comes to decisions made regarding our neighborhood groups, Friends of Bancroft Park, the Park Board? Was the Park Board aware of this decision? What about all our other parks (Durrant, Reutter, Ferris, Comstock, Hunter, Foster, Moores, Sycamore, and the many others that are lighted? Where does safety come into play by removing lights?

Lighting plays a huge role with our neighborhoods, parks, and schools. It is proven to help curb crime, is a huge safety factor for all that use these areas, and encourages neighbors to enjoy their surroundings. Lights within our parks also provide extra help for our first responders. Bancroft Park has trails, wooded areas, and some were paved to "make it easier for walkers, etc." These lights have been in place for many years and were just upgraded to LED.

We all are working to bring our city forward in a positive way and communication plays a huge role and so does transparency. I am asking that City Council take action as this is a huge safety issue for many within our neighborhoods.

Sincerely,

Nancy Mahlow, President
Eastside Neighborhood Org.
517-372-3249
nmahlow2012@gmail.com

cc: Mayor Andy Schor
Chris Swope, City Clerk
Brett, Kaschinske, Director, Parks Dept
Delisa Fountain, Director, Dept of Neighborhood and Community Engagement
Eastside Neighborhood Board

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Park Lighting

Name (print) Nancy Mahlow E-Mail (optional) nmaahlow2012@gmail.com

Address (street, city, zip) 430 N Fairview Ave 48912

Company or organization represented, etc. (if applicable) ENO pres.

Signature Nancy Mahlow

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

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Topic(s) to be addressed Banquet Party light removal

Name (print) Evan Goodman E-Mail (optional) _____

Address (street, city, zip) 2205 Sunny side

Company or organization represented, etc. (if applicable) _____

Signature [Handwritten Signature]

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
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Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

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Public Comment on City Government Matters Registration

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Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Lights At Bancroft Park

Name (print) Ryan Kost E-Mail (optional) rkost48820@gmail.com

Address (street, city, zip) 131 W Magnolia Ave Lansing, MI 48912

Company or organization represented, etc. (if applicable) State of MI

Signature [Handwritten Signature]

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
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- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
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Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Bendoff Park

LESOSKI

Name (print) Kendra Lesoski E-Mail (optional) _____

Address (street, city, zip) 1310 Cooper Ave

Company or organization represented, etc. (if applicable) _____

Signature [Handwritten Signature]

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

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Topic(s) to be addressed Vacancy in the 1st Ward

Name (print) Kyle Richard E-Mail (optional) 517kyle@gmail.com

Address (street, city, zip) 916 West St, Lansing, 48915

Company or organization represented, etc. (if applicable) _____

Signature [Handwritten Signature]

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
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Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

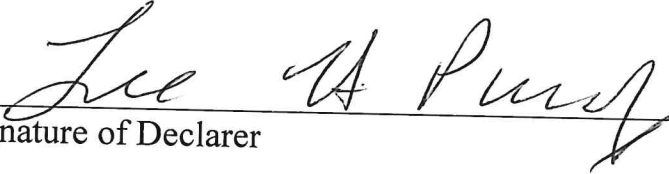
* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-271 – Notice of Public Hearing – Lansing City Clerk - appeared Wednesday, December 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of December 2021

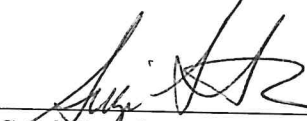


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, January 14, 2022 at 7:00 p.m. in the Tony Benavides Lansing City of Lansing Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Ave., Lansing, MI 48933, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 224 South Washington Square, Lansing, Michigan, legally described as:

Lots 25 and 26, Board of State Auditor's Subdivision of the East one-half of Block 115, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 26, Ingham County Records.
Parcel Number: 33-01-01-16-328-062

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-271

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-269 – Notice of Public Hearing – Lansing City Clerk - appeared Wednesday, December 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of December 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 22, 2021

By Lee Purdy


Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, January 3, 2022 at 7:00 p.m., at Lansing City Hall, 124 W. Michigan Avenue 10th Floor, Tony Benavides Lansing City Council Chambers for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation District (the "District"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 1102 South Washington Avenue, Lansing, Michigan, but more particularly described as follows:

N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT CITY OF LANSING, COUNTY OF INGHAM; PARCEL NUMBER: 33-01-01-21-178-040

Approval of this District will allow the owners of real property within the District to apply for an abatement of certain property taxes for the improvements to their property located within the District. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD 517 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

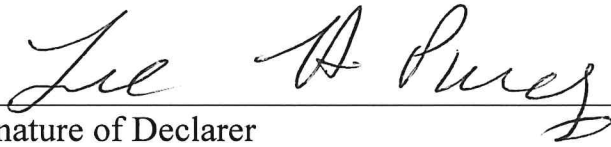
Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-269

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-272 – Notice of Public Hearing – Lansing City Clerk - appeared Wednesday, December 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of December 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 22, 2021

By Lee Purdy


Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, January 10, 2022, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance to amend the Lansing Codified Ordinances by amending Chapter 1218 Sections 1218.01 through 1218.99 to conform to the requirements of MCL 324.9101, et seq, the "Soil Erosion and Sedimentation Control" Act, and applicable state regulations.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-272

AFFIDAVIT OF PUBLICATION

I, Lee Purdy, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-273 – Notice of Public Hearing – Lansing City Clerk - appeared Wednesday, December 22, 2021, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 22nd day of December 2021

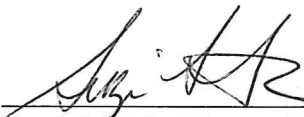


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on December 22, 2021

By Lee Purdy



Suzi Smith, Notary Public

My commission expires February 26, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, January 10, 2022, at 7:00 p.m. in the Tony Benavides Lansing Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, to Amend Chapter 890 of the Lansing Codified Ordinances by amending Section 890.01, to reform guidelines for poverty exemptions for real property and to include income and assets of all owners as criteria for eligibility and modify the percentage of relief granted during each year of exemption, consistent with state law.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

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CP#21-273