

Regular Meeting Of Lansing City Council

**Tony Benavides Lansing City Council Chambers
David C. Hollister Lansing City Hall
124 W. Michigan Avenue, 10th Floor
Lansing, Michigan**



Agenda for December 13, 2021 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

1. Roll Call and Marked Agenda

Meditation And Pledge Of Allegiance

Approval Of Printed Council Proceedings

2. November 29, 2021

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.)

Special Ceremonies And Presentations

3. Recognition of the 2021 Citizen Academy Graduates

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 2206 West Jolly Road (PEND-2701)

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.)

5. Blue Sheets

Scheduled Public Hearings

6. In consideration of the Readoption of the Codified Ordinances (PEND-2703)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Ordinances For Passage

Consent Agenda

7. Objecting to the Transfer of All Unsold Tax Reverted Properties from the Ingham County Treasurer to the City of Lansing (PEND-2723)
8. Objecting to the Transfer of All Unsold Tax Reverted Properties from the Eaton County Treasurer to the City of Lansing (PEND-2722)
9. Cell Tower Land Lease Contract Renewals (PEND-2713)
10. Grant Acceptance; Financial Empowerment Fund (PEND-2712)
11. Grant Acceptance; Recycling Quality Improvement Grant for the Public Service Department (PEND-2724)
12. Grant Acceptance; Department of Natural Resources Community Forestry Grant for the Public Service Department (PEND-2725)
13. Act-7-2021; Vacation of Schoolcraft Dr. and part of North Washington Ave. (PEND-2675)
14. Setting a Public Hearing in Consideration of Obsolete Property Rehabilitation Act (OPRA) District; 1102 South Washington Avenue, Reo Ventures, LLC (PEND-2359)
15. Setting a Public Hearing in consideration of Obsolete Property Rehabilitation Act (OPRA) District; 224 S. Washington Sq., filed by 1247 Center Street LLC (PEND-2734)
16. Setting a Public Hearing 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-2717)
17. Street Name Change; renaming Technology Boulevard to Discovery Drive and Biotechnology Drive to Health Park Drive. (PEND-2726)
18. Redevelopment Area Liquor License for Hooked Community at 3124 E Michigan Ave., Suite F (PEND-2731)
19. Redevelopment Area Liquor License for Batter Up Bistro at 621 E Michigan Ave. (PEND-2735)

Resolutions For Action

20. Second Amendment to the Lansing-Delta Township Public Act 425 Agreement (PEND-2747)

21. Renaissance Zone; Ultium Cells, LLC for property located at 8100 Davis Hwy (PEND-2748)
22. Setting a Hearing in consideration of Industrial Facilities Exemption Certificate; Ultium Cells, LLC at 8100 Davis Hwy (PEND-2749)
23. State Local Government Intrastate Agreement concerning Allocation of Settlement Proceeds in the National Opioids Litigation (PEND-2727)
24. Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation (PEND-2728)
25. Act-1-2020; Jerome Street & Holmes Street Right-of-Way Vacation requested by Sparrow Health Systems Reapproval (PEND-2709)
26. Exemption of City Charter Provision 6-401 to extend multi-year contracts for the open positions of Police Chief and Fire Chief (PEND-2737)
27. Social Districts; amend to include Sidecar Slider Bar and The Creole Burger Bar & Southern Kitchen (PEND-2738)
28. Establishment of Red Cedar Redevelopment Project Area (PEND-2732)
29. Issuance Of Sewage Disposal System Revenue Bonds (PEND-2718)
30. Amend Council Rules 20; Manner of Ordinance Introduction; Form (PEND-2702) (per Council Rule #41, motion is now eligible for final vote)
31. Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish to the owners of property located at 4108 Deerfield Ave. (PEND-2714)

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

32. Amend Chapter 1218 to conform to the Soil Erosion and Sedimentation Control Act Michigan Codified Law 324.9101 (PEND-2721)
33. Amend Chapter 890, Poverty Exemption Guidelines Reform (PEND-2720)
34. Notice of Public Hearing

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:

35. Minutes of Boards and Commissions placed on file in the Clerk's Office
36. Liquor License; Q5 Distillery Inc. for a Small Distiller, Brandy and Mixed Spirits Manufacturer, Consumer Sampling Event, On-Premise Tasting Room, Outdoor Service and Sunday Sales (PM) License for 112 N. Larch St. (PEND-2742)

Item(s) from the Mayor re:

37. Social Districts; amend to include Sidecar Slider Bar and The Creole Burger Bar & Southern Kitchen (PEND-2738)
38. Workers Compensation Settlement; Claim #206-2876-01100 (PEND-2739)
39. Grant Acceptance; Michigan Natural Resources Trust Fund for the Parks & Recreation Department (PEND-2740)
40. Development District Liquor License, RBM Properties, 224 S. Washington Sq. (PEND-2741)
41. Setting a Public Hearing in consideration of SLU-2-2021, 5411 Wise Road for a New Board of Water and Light Electrical Power Substation (PEND-2745)
42. SLU-2-2021, 5411 Wise Road for a New Board of Water and Light Electrical Power Substation (PEND-2744)
43. Second Amendment to the Lansing-Delta Township Public Act 425 Agreement (PEND-2747)
44. Renaissance Zone; Ultium Cells, LLC for property located at 8100 Davis Hwy (PEND-2748)
45. Setting a Public Hearing in consideration of Industrial Facilities Exemption Certificate; Ultium Cells, LLC at 8100 Davis Hwy (PEND-2749)
46. Appointment; Holli Seabury as an At-Large member of the Elected Officers Compensation Commission for a term to expire October 1, 2023 (PEND-2743)
47. Industrial Facilities Exemption Certificate; Ultium Cells, LLC at 8100 Davis Hwy

Communications and Petitions

48. Notice from the Michigan Liquor Control Commission; Lansing Hotel Investors LLC request for a 2021 Resort B-Hotel issued under MCL 436.1531(4), non-transferable & SDM license with Sunday Sales Permit (PM), Dance-Entertainment Permit, Direct Connection (2), Specific Purpose Permit (food) and 5 Bars from Block 100 Limited Partnership; cancel existing Social District Permit; New Sunday Sales Permit (PM) SDM-Mixed Spirit Drink and Participation Permit. (RID 2110-18687)
49. Notice from the Michigan Liquor Control Commission; LE&O Mansion LLC request for transfer ownership 2021 Resort Class C License issued under MCL 436.1531(2), and SDM licensed business with Sunday Sales Permit (PM) for Class C License – Spirits and Mixed Spirit Drink and Dance-Entertainment Permit from Gus's LLC; Transfer location to 6810 Cedar St, Ste A, Lansing; transfer governmental unit under MCL 436.1531(1) from Lansing Township to Lansing City; New Sunday Sales Permit (AM); new Sunday Sales Permit (PM) for SDM License – Mixed Spirit Drink at 6810 S Cedar St Suite A, (RID #2111-19427)
50. Claim Appeal; Claim #1870, Todd Dowrick for \$490.00 in trash violation fees at 1032 Clear St. (PEND-2750)

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.)

51. Yellow Sheets

Adjournment

A handwritten signature in black ink that reads "Chris Swope". The signature is written in a cursive, flowing style.

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: 12/13/21-7:00 PM

Starting Time 7:01

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

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

MEDITATION IN MEMORY OF: PS part - Richard Halliwell

ALL Mom
shooty
victims

PLEDGE LED BY: _____

Adjournment Time 8:13

CHRIS SWOPE
LANSING CITY CLERK

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



REVISED AGENDA FOR DECEMBER 13, 2021 AT 7:00 PM

MARKED AGENDA

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

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- 242 ☐ SPITZLEY 5. Objecting to the Transfer of All Unsold Tax Reverted Properties from the Ingham County Treasurer to the City of Lansing (PEND-2723)
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- 244 ☐ SPITZLEY 7. Cell Tower Land Lease Contract Renewals (PEND-2713)
- 245 ☐ WOOD 8. Grant Acceptance; Financial Empowerment Fund (PEND-2712)
- 246 ☐ WOOD 9. Grant Acceptance; Recycling Quality Improvement Grant for the Public Service Department (PEND-2724)
- 247 ☐ WOOD 10. Grant Acceptance; Department of Natural Resources Community Forestry Grant for the Public Service Department (PEND-2725)
- 248 ☐ SPITZLEY 11. Act-7-2021; Vacation of Schoolcraft Dr. and part of North Washington Ave. (PEND-2675)
- 249 ☐ SPITZLEY 12. Setting a Public Hearing in Consideration of Obsolete Property Rehabilitation Act (OPRA) District; 1102 South Washington Avenue, Reo Ventures, LLC (PEND-2359)
- 250 ☐ SPITZLEY 13. Setting a Public Hearing in consideration of Obsolete Property Rehabilitation Act (OPRA) District; 224 S. Washington Sq., filed by 1247 Center Street LLC (PEND-2734)
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- 254 ☐ HUSSAIN 19. Renaissance Zone; Ultium Cells, LLC for property located at 8100 Davis Hwy (PEND-2748)
- 255 ☐ HUSSAIN 20. Setting a Hearing in consideration of Industrial Facilities Exemption Certificate; Ultium Cells, LLC at 8100 Davis Hwy (PEND-2749)
- 256 ☐ HUSSAIN 21. State Local Government Intrastate Agreement concerning Allocation of Settlement Proceeds in the National Opioids Litigation (PEND-2727)
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- 14-261 Spitzley
 262 SPITZLEY
 16 HUSSAIN
 263
 264
 265
 266
 267 → LATE ITEM
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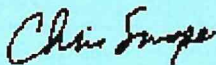
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Adjournment



CHRIS SWOPE, CITY CLERK

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NOTICE

HEARING REGARDING UNSAFE BUILDING WITHIN THE CITY OF LANSING

The City of Lansing Hearing Officer has determined that the building located at 2206 W. JOLLY RD.

**City of Lansing Ingham County, MI LOT S 162.5 FT LOT 116 ECO FARMS
33 01 01 31 479 201**

Owner: **THOMAS & ROBBYNE JONES**

is a dangerous building and under the provisions of the Lansing Ordinance, Section 1460.11, Lansing Housing & Premises Code and MCL 125.538 et. seq., Housing Law of Michigan, has requested a show cause hearing before The Lansing City Council on the **DECEMBER 13, 2021 7:00 PM COUNCIL CHAMBER 10TH FLOOR CITY HALL 124 W. Michigan Ave. Lansing, MI 48933**, to affirm the Order of the Hearing Officer to demolish the structure(s).

As a result of the above hearing, the City Council may approve, modify or disapprove the Hearing Officer(s) determination by Resolution, and thereafter the City of Lansing may make said building(s) safe for occupancy or demolish it. All cost incurred by the City of Lansing in demolishing or making safe of the building to include administrative costs, title searches, etc. shall be a lien against the real property in accordance with MCL 125.538 et. seq.

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.



**Scott Sanford, Manager Code
Enforcement**
Code Compliance Office
316 N Capitol Ave Ste C1
Lansing, Michigan 48933



ECONOMIC PLANNING & DEVELOPMENT CODE ENFORCEMENT SECTION

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

11/30/2021

Certified Number: 7021 0950 0002 2534 7001

THOMAS & ROBBYNE JONES
4126 RIVERSHELL LANE
LANSING, MI 48917

DEAR THOMAS & ROBBYNE JONES

RE: DANGEROUS BUILDING AT 2206 W. Jolly Rd. 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 **2206 W. JOLLY RD.**, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: DECEMBER 13, 2021 @ 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 HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. 2021-D007
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Matter of the building/structure at 2206 W JOLLY which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: September 23, 2021 Hearing Officers: DAVE MUYLLE, JOE VITALE
2. Scott Sanford, Code Compliance MANAGER of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ owners or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☒ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$51,600.00
8. The cost to repair the building or structure to make it safe is \$107,163.95
9. The real estate is described as follows:

Parcel Number: 33 01 01 31 479 201

S 162.5 FT LOT 116 ECO FARMS

IT IS ORDERED THAT:

10. ☐ The matter is closed.
☐ The building/structure shall be made safe or demolished on or before 10-23-2021.
☐ The case be tabled until _____.
☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

Date

9/23/21

Hearing Officer

David L. Muelle























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

ADDRESS:	2206 W JOLLY
PARCEL NUMBER:	33-01-01-31-479-201

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2021-D007

LISTED TAXPAYER:	THOMAS & ROBBYNE JONES
INTERESTED PARTIES:	
SEV INFORMATION:	\$51,600.00
LAND VALUE:	\$14,138.00
BUILDING VALUE:	\$89,108.00
LOT SIZE:	87 X 162.5

HOUSING CODE VIOLATION LTR:	4/8/2016
ORIGINAL RED TAG DATE:	6/8/2021
ZONING:	
ESTIMATE OF REPAIRS:	
PICTURES:	
OTHER:	

LEGAL DESCRIPTION:	S 162.5 FT LOT 116 ECO FARMS
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	9/23/2021
ORDER:	MAKE SAFE OR DEMOLISH BY 10/23/2021
REASON/CONDITIONS:	FIRE DAMAGED
HEARING OFFICER:	DAVE MUYLLE

CURRENT CITY COUNCIL ACTIVITY

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

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	Required, not yet pulled

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



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative 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.*

*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*.*

Agenda Item Number(s) neighborhood/Sparrow Item Description Sparrow

Name (print) Jennie Gies E-Mail (optional) _____

Address (street, city, zip) 220 Ferguson St

Company or organization represented, etc. (if applicable) Farfield Neighborhood

Signature Jennie Gies

- 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.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, December 13, 2021, at 7:00 p.m. in the Tony Benavides Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of the City of Lansing.

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, 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
READOPTED, 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.

RESOLUTION #2021-242

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

Resolution Objecting to the Transfer of all Unsold Tax Reverted Properties from the Ingham County Treasurer to the City of Lansing

WHEREAS, Public Act 123 of 1999, hereinafter referred to as the “Act,” established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Treasurer of Ingham, (hereinafter referred to as the “Treasurer”), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which the taxes have not been paid in Ingham County; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vest in the Treasurer effective on the March 31st immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases; and

WHEREAS, the Act prescribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of the City of Lansing which list shall contain all the property in that city on which the Treasurer has foreclosed that has not been sold prior to December 1st of the year in which it is foreclosed upon; and

WHEREAS, unless the City of Lansing objects in writing, the Act requires the Treasurer to transfer to that city fee simple title to the property on that list; and

WHEREAS, the City has received from the Treasurer a list of property that may be transferred to it if it does not object; and

WHEREAS, the City of Lansing does not wish to obtain from the Treasurer any property upon which the Treasurer has foreclosed but not sold because of the cost of maintaining such property will exceed any benefit that will be obtained.

NOW, THEREFORE, BE IT RESOLVED, the City of Lansing hereby objects to the transfer of property foreclosed upon by the Treasurer but not sold that are contained on the list thereof filed with the City of Lansing Clerk and said transfers are, therefore, refused.

Parcel	Address	Legal Description	Zoning
33-01-01-05-352-031	KAPLAN ST	COM 385 FT E OF SW COR SEC 5, TH N 132 FT, E 38 FT, S 132 FT, W 38 FT TO BEG; SEC 5 T4N R2W	Residential-Single
33-01-01-10-376-031	N PENNSYLVANIA	LOT 10 & COM 58 FT S OF NW COR LOT 9, TH E 288.75 FT, S 62 FT, W 156.75 FT, N 32 FT, W 132 FT, N 30 FT TO BEG ASSESSORS PLAT NO 22	D-1 Professional Office
33-01-01-10-329-321	1027 CADY CT/929 JOHNSON	LOT 8 BLOCK 3 ORCHARD GROVE	C-Residential 2 unit
33-01-01-10-410-051	1000 MAHLON ST	PROPERTY EXEMPT FROM AD VALOREM TAXES AND ASSESSED ON THE SPECIAL ACT ROLL PURSUANT TO PA 261 OF 2003 EXPIRING 12/31/2022. LOT 33 BERTON HEIGHTS SUB	B, Residential Single
33-01-01-10-411-131	1558 E CESAR E CHAVEZ	PROPERTY EXEMPT FROM AD VALOREM TAXES AND ASSESSED ON THE SPECIAL ACT ROLL PURSUANT TO PA 261 OF 2003 EXPIRING 12/31/2022. LOT 9 EXC NW'LY 2 FT GRAND RIVER AVENUE POINT SUB	C, Residential-2 Unit
33-01-01-14-381-004	NO STREET FRONTAGE	COM 33 FT S OF SW COR LOT 300 SNYDERS SUB, TH S 66 FT, W 5 FT, N 66 FT, E 5 FT TO BEG; OUTLOT B SNYDERS SUB	B, Residential-Single (no street frontage)

33-01-01-14-381-231	616 S MIFFLIN AVE	LOT 80 BROWNS SUB OF A PART OF OUTLOTS A AND B OF SNYDERS ADD	B, Residential-Single
33-01-01-15-451-143	CLIFFORD ST	COM NW COR LOT 30, TH E 145.1 FT TO NE COR LOT 31, S 37 FT WHICH IS 4 FT S OF NE COR LOT 32, NW'LY TO BEG; BREITEN PARK SUB REC L 5 P 48	B, Residential-Single
33-01-01-21-205-006	927 S GRAND AVE	N 1 FT OF W 44 FT LOT 6 & W 44 FT OF S 1/2 LOT 7 BLOCK 205 ORIG PLAT W 44 FT OF S 65 FT LOT 6 BLOCK 205 ORIG PLAT	DM-4, Residential-Multiple
33-01-01-22-309-101	913 MOTOR AVE	LOT 20 BLOCK 6 ASSESSORS PLAT NO 28 REC L 10 P 33	B, Residential-Single
33-01-01-22-352-261	1735 LYONS AVE	LOT 29 BLOCK 4 ASSESSORS PLAT NO 28 REC L 10 P 33	C-Residential 2 unit
33-01-01-29-376-151	1522 W HOLMES RD	LOT 13 GIDDINGS SUB	C, Residential-2 Unit
33-01-01-30-454-151	3005 HERRICK DR	LOT 636 PLEASANT GROVE SUB NO 2	A, Residential-Single
33-01-01-32-251-131	1318 MARY AVE	LOT 8 SUPERVISORS PLAT NO 5	A, Residential-Single

RESOLUTION #2021-243

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

Resolution Objecting to the Transfer of all Unsold Tax Reverted Properties from the Eaton County Treasurer to the City of Lansing

WHEREAS, Public Act 123 of 1999, hereinafter referred to as the “Act,” established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Treasurer of Eaton, (hereinafter referred to as the “Treasurer”), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which the taxes have not been paid in Eaton County; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vest in the Treasurer effective on the March 31st immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases; and

WHEREAS, the Act prescribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of the City of Lansing which list shall contain all the property in that city on which the Treasurer has foreclosed that has not been sold prior to December 1st of the year in which it is foreclosed upon; and

WHEREAS, unless the City of Lansing objects in writing, the Act requires the Treasurer to transfer to that city fee simple title to the property on that list; and

WHEREAS, the City has received from the Treasurer a list of property that may be transferred to it if it does not object; and

WHEREAS, the City of Lansing does not wish to obtain from the Treasurer any property upon which the Treasurer has foreclosed but not sold because of the cost of maintaining such property will exceed any benefit that will be obtained.

NOW, THEREFORE, BE IT RESOLVED, the City of Lansing hereby objects to the transfer of property foreclosed upon by the Treasurer but not sold that are contained on the list thereof filed with the City of Lansing Clerk and said transfers are, therefore, refused.

Parcel	Address	Legal	Zoning
23-50-40-36-407-061	Glenburne Blvd.	Lot 326 GLENBURNE NO 5	C, Residential-2 Unit

Resolution #2021-244

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

WHEREAS, of May 1999 the City of Lansing entered into a Land Lease with AAT Communications Corporation, now known as SBA Structures, LLC, for the installation of four (4) cell towers on parkland; and

WHEREAS, the current Land Lease agreements expire June 1, 2024; and

WHEREAS; the City of Lansing is desirous of renewing said Land Lease agreements set forth herein for the purpose of a wireless communication towers; and

WHEREAS, the Department of Parks and Recreation and SBA Structures, LLC have agreed to renewal contracts commencing on June 1, 2024 for the following towers:

Site No. MI21135A	223 South Clippert Street
Site No. MI20736A	1625 Sunset Avenue
Site No. MI20737A	100 Dadson Drive
Site No. MI120738A	1716 David Street

WHEREAS, the terms agreed upon are an initial term of five (5) years from June 1, 2024, and shall automatically renew for up to four (4) additional terms of five (5) years each; and

WHEREAS, the terms agreed upon will provide an increase in revenue to the City during the term of this Land Lease; and

NOW, THEREFORE, BE IT RESOLVED, due to the duration of the Land Lease Agreements and the non-recreation use of parkland, Lansing City Council approval is required; and

BE IT FURTHER RESOLVED, that the Lansing City Council hereby accepts the SBA Structures, LLC Land Lease renewal contracts.

RESOLUTION #2021-245

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing was selected on August 23, 2021 to receive a Cities for Financial Empowerment Fund (CFE Fund) grant for “FEC Expert Partner / FEC Expert Mentor” for \$10,000;

WHEREAS, the City of Lansing’s Office of Financial Empowerment, which is part of the Department of Neighborhoods & Citizen Engagement applied for a grant to provide the partner (City of Pueblo, CO) with technical assistance resources;

WHEREAS, the CFE Fund grant was the result of a competitive proposal process, and the proposal was submitted by the Office of Financial Empowerment on August 2, 2021, approved on August 23, 2021, and will be received upon approval by Council and signed agreement;

WHEREAS, the award for \$10,000.00 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Cities for Financial Empowerment Fund grant in the total amount of \$10,000.00 for the grant period beginning on the date of council approval for the City of Lansing and ending on February 8, 2023.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

RESOLUTION #2021-246

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, in August of 2021, the City of Lansing applied for the Recycling Quality Improvement Grant to fund recycling audits and educational materials; and

WHEREAS, on October 14, 2021, the City of Lansing received notification from the Recycling Partnership (TRP) that the City has received the 2021 Recycling Quality Improvement Grant; and

WHEREAS, the City of Lansing was awarded \$144,000.00 with no matching requirement; and

WHEREAS, the funded work must be completed by the end of 2022; and

WHEREAS, the funds will be used for recycling audits, bin tags and educational materials; and

WHEREAS, the Public Service Department is requesting acceptance of the Recycling Quality Improvement Grant; and

WHEREAS, the Administration and the City Council recognize the importance of reducing contamination of the recycling collected within the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the 2021 Recycling Quality Improvement Grant for the purposes of funding recycling audits and a targeted education campaign, consistent with the terms and conditions of the Grant;

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

RESOLUTION #2021-247

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, in September of 2021, the City of Lansing applied for the 2021 Urban and Community Forestry grant to fund an urban tree canopy assessment; and

WHEREAS, on November 3, 2021, the City of Lansing received notification from the State of Michigan's Department of Natural Resources (MDNR) that the City has received the 2021 Urban and Community Forestry grant; and

WHEREAS, the City of Lansing was awarded \$15,000.00, with a local match of \$19,500 for which a funding account already exists; and

WHEREAS, the funded work must be completed by September 1, 2022; and

WHEREAS, the funds will be used for an urban tree canopy assessment and report; and

WHEREAS, the Public Service Department is requesting acceptance of the Urban Community Forestry Grant; and

WHEREAS, the Administration and the City Council recognize the importance of acquiring data to support forestry programs within the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the 2021 Urban and Community Forestry grant for the purposes of urban tree canopy assessment, consistent with the terms and conditions of the grant;

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

Resolution #2021-248

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

Act-7-2021, Schoolcraft Dr. Street Vacation

WHEREAS, Lansing Community College, 610 N Capitol Ave. Lansing, MI has requested that the City vacate Schoolcraft Drive and that portion of North Washington Avenue between Schoolcraft Drive and Saginaw Street; and

WHEREAS, the 400, 500, and 600 Blocks of N Washington Ave. were previously vacated north to Schoolcraft Dr. by City Council on November 24, 2003 through Act-09-02; and

WHEREAS, Lansing Community College owns the parcel of land bordering the entirety of the south property line of the subject rights-of-way; and

WHEREAS, Lansing Community College agrees to sole responsibility of all maintenance of the subject right-of-way and any storm drain infrastructure; and

WHEREAS, Lansing Community College agrees to remove vehicular access to Schoolcraft Dr. at N Capitol Ave. and at N Grand Ave. at their expense; and

WHEREAS, the City of Lansing Public Service Department agrees to provide vehicular access to Schoolcraft Dr. at Saginaw St.; and

WHEREAS, on October 5, 2021, the Planning Board reviewed the proposal for the vacation of the subject right-of-way, and found that:

- The request can be granted without significant impact on the traffic circulation network;
- The subject right-of-way will be owned by Lansing Community College;
- All infrastructure maintenance duties will be the responsibility of Lansing Community College; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the request to vacate Schoolcraft Drive and that portion of N Washington Avenue between Schoolcraft Drive and Saginaw St; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-7-2021, and approves the vacation of the subject right-of-way, legally described as:

West Schoolcraft (to be closed, vacated and deeded to Lansing Community College)

COMMENCING AT THE NORTHWEST CORNER OF LOT 8, BLOCK 64,
ORIGINAL PLAT OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN;

THENCE EAST 330'; THENCE SOUTH 43'; THENCE WEST 330', THENCE NORTH 43' TO THE POINT OF BEGINNING

East Schoolcraft (to be closed, vacated and deeded to Lansing Community College)

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 65, ORIGINAL PLAT OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN; THENCE SOUTH 10' ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE EAST 330'; THENCE SOUTH 61.5', THENCE NORTH 48 DEGREES, 21 MINUTES, 59.3 SECONDS WEST A DISTANCE OF 36.1' TO THE WEST LINE OF SAID LOT 1; THENCE WEST 303'; THENCE NORTH 37.5' ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING

Washington Avenue (to be vacated)

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 64, ORIGINAL PLAT OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN; THENCE SOUTH 10' ALONG THE EAST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE EAST A DISTANCE OF APPROXIMATELY 115.5' TO THE EAST LINE OF WASHINGTON AVENUE; THENCE SOUTH 14.86' EAST ALONG SAID EAST LINE OF WASHINGTON AVENUE TO THE NORTH LINE OF VACATED WASHINGTON AVENUE, BEING 1210' NORTH OF THE NORTH LINE OF SHIAWASSEE STREET; THENCE WEST 115.5' ALONG SAID NORTH LINE OF VACATED WASHINGTON AVENUE TO THE EAST LINE OF LOT 1, BLOCK 64 ORIGINAL PLAT OF THE CITY OF LANSING; THENCE NORTH ALONG SAID EAST LINE OF LOT 1, BLOCK 64, ORIGINAL PLAT OF THE CITY OF LANSING 14.86' TO THE POINT OF BEGINNING.

but reserving, however, unto the City of Lansing an easement under, across, above, and within the vacated street rights-of-way for existing utilities, including the right of ingress and egress at all times for utility agents, contractors, and employees, to use the vacated street rights-of-way, or so much of them as may be necessary, for the maintenance, repair, replacement, or removal of said utilities.

With the following conditions:

- Lansing Community College shall remove vehicular access to Schoolcraft Dr. at N Capitol Ave. and N Grand Ave. at their cost. The Lansing Public Service Department will create connections between Schoolcraft Dr. and Saginaw St. at the City's cost.
- Any relocation or removal of third party company infrastructure from the BWL street poles will be coordinated directly between Lansing Community College and each company with cost for relocation or removal agreed upon between those parties.

BE IT FURTHER RESOLVED, that upon completion of the above conditions, and proof of the same being demonstrated by Lansing Community College to the City and the City Attorney having approved said completion, the City Clerk shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and

Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Assessor's Offices, the Department of Public Service, and the applicant. The vacation shall be effective upon the date of recording of the resolution with the Ingham County Register of Deeds.

BE IT FINALLY RESOLVED, that if the conditions described above have not been completed and approved as having been completed by the City Attorney within twelve months of the passage of this resolution, this resolution shall expire and be of no further force or effect.

Resolution #2021-249

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

Resolution to Set a Public Hearing Regarding the Establishment of an Obsolete
Property Rehabilitation Act District at 1102 South Washington Avenue, Lansing

WHEREAS, REO Ventures, LLC owner of the property located at 1102 South Washington Avenue in the City of Lansing, Michigan (the "Property") has requested, in writing to the City Clerk, that the City of Lansing establish an Obsolete Property Rehabilitation Act District (the "OPRA District"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the OPRA District is 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

WHEREAS, the Act requires that before granting a District the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, owners of real property within the proposed OPRA District, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA District.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held 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 of receiving public comment on the approval of an OPRA District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

Resolution #2021-250

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

Resolution to Set a Public Hearing Regarding the Establishment of an Obsolete Property Rehabilitation Act District at 224 South Washington Square, Lansing, Michigan

WHEREAS, RBM Properties, LLC has requested, in writing to the City Clerk, that the City of Lansing establish an Obsolete Property Rehabilitation Act District (the "OPRA District") for the property commonly known as 224 South Washington Square, Lansing, Michigan (the "Property"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the OPRA District located at 224 South Washington Square, Lansing, Michigan, is 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

WHEREAS, the Act requires that before granting a District the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, owners of real property within the proposed OPRA District, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA District.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held in the Tony Benavides Lansing City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, January 10, 2022 at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

Resolution #2021-261

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, January 10, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 West Michigan Avenue, 10th Floor, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-1-2021: 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182), Special Land Use Permit, Parking lot in the "R-6B" Urban Detached Residential Zoning District

Resolution #2021-251

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Public Service Department received a request from McLaren Greater Lansing and the MSU Foundation to change the street names of Technology Boulevard and Biotechnology Drive to Discovery Drive and Health Park Way respectively; and

WHEREAS, the Public Service Department consulted with the Tri-County Regional Planning Commission to determine if the proposed names were similar to other streets in the regional to prevent potential confusion for emergency response, deliveries and other public purposes; and

WHEREAS, the Public Service Department recommended that the proposed name for Biotechnology Drive be modified from Health Park Way to Health Park Drive to prevent confusion with the street name suffix parkway, which was acceptable to the applicants; and

WHEREAS, the Public Service Board reviewed the request at its meeting on October 14, 2021 and supported the proposed names Discovery Drive and Health Park Drive; and

WHEREAS, the Committee on City Operations reviewed and approved the request at its meeting on December 13, 2021.

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council approves the renaming of Technology Boulevard to Discovery Drive and Biotechnology Drive to Health Park Drive.

DRAFT

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, which established the criteria for Redevelopment Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in addition to quota licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, The issuance of a Redevelopment Area Liquor License under Section 521a(1)(a) of the Act requires a proposed licensed premises to be located in a “Redevelopment Project Area”; and

WHEREAS, pursuant to the Act, the City of Lansing established the Red Cedar Redevelopment Project Area; and

WHEREAS, the City of Lansing received a request from Hooked Community, LLC (“Applicant”) regarding its intention to apply to the Michigan Liquor Control Commission for a New Class C Redevelopment Area Liquor License for its business located at 3124 E Michigan Ave, Suite F Lansing, MI, 48912 (“Proposed Licensed Premises”) which is located within the Red Cedar Redevelopment Project Area; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Redevelopment Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation and provide that activity not less than five (5) days per week, and 2) the licensed business must be open to the public not less than ten (10) hours per day, five (5) days per week; and

WHEREAS, the Committee on City Operations met on December 13, 2021, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommends for the reasons stated above that the Michigan Liquor Control Commission consider the request from Hooked Community, LLC, for a New Class C License issued under the provisions of MCL 436.1521a(1)(a) for its business located at 3124 E Michigan Ave, Suite F Lansing, MI, 48912 within the Red Cedar Redevelopment Project Area.

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit 1) the total amount of investment in real and personal property within the Red Cedar Redevelopment Project Area of the City of Lansing during the preceding 3 years, and 2) the amount of investment money expended for manufacturing, industrial, residential, and commercial development within the Red Cedar Redevelopment Project Area of the City of Lansing during the preceding 3 years.

BE IT FURTHER RESOLVED, the applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(a) and that the license is approved "Above all others."

BE IT FINALLY RESOLVED, the City Council authorizes the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(a) and to forward a copy of the certified form and this resolution to Hooked Community, LLC and the Michigan Liquor Control Commission.

Resolution #2021-263

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, which established the criteria for Redevelopment Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in addition to quota licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, the issuance of a Redevelopment Area Liquor License under Section 521a(1)(a) of the Act requires a proposed licensed premises to be located in a “Redevelopment Project Area”; and

WHEREAS, pursuant to the Act, the City of Lansing established the Red Cedar Redevelopment Project Area; and

WHEREAS, the City of Lansing received a request from Hooked Community, LLC (“Applicant”) regarding its intention to apply to the Michigan Liquor Control Commission for a New Class C Redevelopment Area Liquor License for its business located at 3124 E Michigan Ave, Suite F Lansing, MI, 48912 (“Proposed Licensed Premises”) which is located within the Red Cedar Redevelopment Project Area; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Redevelopment Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation and provide that activity not less than five (5) days per week, and 2) the licensed business must be open to the public not less than ten (10) hours per day, five (5) days per week; and

WHEREAS, the Committee on City Operations met on December 13, 2021, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommends for the reasons stated above that the Michigan Liquor Control Commission consider the request from Hooked Community, LLC, for a New Class C License issued under the provisions of MCL 436.1521a(1)(a) for its business located at 3124 E Michigan Ave, Suite F Lansing, MI, 48912 within the Red Cedar Redevelopment Project Area.

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit 1) the total amount of investment in real and personal property within the Red Cedar Redevelopment Project Area of the City of Lansing during the preceding 3 years, and 2) the amount of investment money expended for manufacturing, industrial, residential, and commercial development within the Red Cedar Redevelopment Project Area of the City of Lansing during the preceding 3 years.

BE IT FURTHER RESOLVED, the applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(a) and that the license is approved "Above all others."

BE IT FINALLY RESOLVED, the City Council authorizes the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(a) and to forward a copy of the certified form and this resolution to Hooked Community, LLC and the Michigan Liquor Control Commission.

DRAFT

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a(1)(b), which established the criteria for a new Class C Development District or Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, the issuance of a Development District Liquor License under Section 521a(1)(b) of the Act requires a proposed licensed premises to be located in one of the development districts or areas listed in MCL 436.1521a(1)(b); and

WHEREAS, pursuant to Public Act 120 of 1961 for Principal Shopping Districts, the Lansing City Council created the Lansing Principal Shopping District by Resolution in 1996 which is listed as a qualifying development district or area under MCL 436.1521a(1)(b); and

WHEREAS, the City of Lansing received a request from Batter Up, LLC (“Applicant”) regarding its intention to apply to the Michigan Liquor Control Commission for a new Class C Development District or Area Liquor License for its business located at 621 E. Michigan Ave, Lansing, MI 48912-1152 (“Proposed Licensed Premises”) which is located within the Lansing Principal Shopping District; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Development District or Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation, and 2) the licensed business must be open to the general public and have a seating capacity of not less than 25 persons; and

WHEREAS, the Applicant will provide evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than \$75,000.00 in the rehabilitation or restoration of the building that will house the licensed premises over a period of the preceding five (5) years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license, as required by the Act; and

WHEREAS, the Committee on City Operations met on December 13, 2021, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from Batter Up, LLC, for a new Class C License issued under the provisions of MCL 436.1521a(1)(b) for its business located at 621 E Michigan Ave, Lansing, MI.

BE IT FURTHER RESOLVED, the City Council affirms that the Proposed Licensed Premises, 621 E Michigan Ave, Lansing, MI is within the established boundaries of the Lansing Principal Shopping District; and

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit the total amount of public and private investment in real and personal property within the Lansing Principal Shopping District amounts to \$200,000.00 or more over the preceding 5 years beginning in year 2016.

BE IT FURTHER RESOLVED, The applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(b) and that the license is approved "Above all others."

BE IT FINALLY RESOLVED, the City Council authorizes the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(b) and to forward a copy of the certified form and this resolution to Batter Up, LLC and the Michigan Liquor Control Commission.

Resolution #2021-252

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a(1)(b), which established the criteria for a new Class C Development District or Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, the issuance of a Development District Liquor License under Section 521a(1)(b) of the Act requires a proposed licensed premises to be located in one of the development districts or areas listed in MCL 436.1521a(1)(b); and

WHEREAS, pursuant to Public Act 120 of 1961 for Principal Shopping Districts, the Lansing City Council created the Lansing Principal Shopping District by Resolution in 1996 which is listed as a qualifying development district or area under MCL 436.1521a(1)(b); and

WHEREAS, the City of Lansing received a request from Batter Up, LLC (“Applicant”) regarding its intention to apply to the Michigan Liquor Control Commission for a new Class C Development District or Area Liquor License for its business located at 621 E. Michigan Ave, Lansing, MI 48912-1152 (“Proposed Licensed Premises”) which is located within the Lansing Principal Shopping District; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Development District or Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation, and 2) the licensed business must be open to the general public and have a seating capacity of not less than 25 persons; and

WHEREAS, the Applicant will provide evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than \$75,000.00 in the rehabilitation or restoration of the building that will house the licensed premises over a period of the preceding five (5) years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license, as required by the Act; and

WHEREAS, the Committee on City Operations met on December 13, 2021, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from Batter Up, LLC, for a new Class C License issued under the provisions of MCL 436.1521a(1)(b) for its business located at 621 E Michigan Ave, Lansing, MI.

BE IT FURTHER RESOLVED, the City Council affirms that the Proposed Licensed Premises, 621 E Michigan Ave, Lansing, MI is within the established boundaries of the Lansing Principal Shopping District; and

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit the total amount of public and private investment in real and personal property within the Lansing Principal Shopping District amounts to \$200,000.00 or more over the preceding 5 years beginning in year 2016.

BE IT FURTHER RESOLVED, The applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(b) and that the license is approved "Above all others."

BE IT FINALLY RESOLVED, the City Council authorizes the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(b) and to forward a copy of the certified form and this resolution to Batter Up, LLC and the Michigan Liquor Control Commission.

Resolution #2021-253

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

WHEREAS, the City of Lansing (City) and Delta Charter Township (Township) are “local units” as defined by Public Act 425 of 1984, as amended (Act 425), (MCL 124.21 et seq.); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, on May 8, 2000, the City and Township conditionally transferred certain property from the Township to the City pursuant to Act 425 (“425 Agreement”; and

WHEREAS, on November 18, 2002, the City and Township entered into a First Amendment of the Agreement entered into pursuant to Act 425; and

WHEREAS, a proposed Second Amendment providing for the continuation of the original 425 Agreement, modifying tax and other revenue sharing, and for matters permitted and required under Act 425 has been negotiated and prepared; and

WHEREAS, the proposed Second Amendment has been presented to City Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED that the City finds that the continuation of the conditional transferred property from the Township to the City pursuant to the Second Amendment will provide for the division of municipal powers, functions, and responsibilities to allow for the joint administration of the transferred area and will continue to support economic development and be beneficial to the residents of the City and the Township.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the City entering into the Second Amendment.

BE IT FURTHER RESOLVED that pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Second Amendment that will continue the Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney’s prior approval and correction of minor technical revisions, if any.

BE IT FINALLY RESOLVED that after the Second Amendment is executed, the City Clerk will file a duplicate original of the Second Amendment with the County Clerk of the County of Ingham and with the Secretary of the State of Michigan in the office of the Great Seal.

Resolution #2021-254

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

WHEREAS, pursuant to the Renaissance Zone Act, being Public Act 376 of 1996 (PA 375 of 1996), Ultium Cells, LLC (the Developer) has filed an application (the "Application") for a Michigan Strategic Fund (MSF) Designated Renaissance Zone with the Lansing City Clerk, for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars (\$2,500,000,000) (the "Project"), to be constructed on the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, (the "Property").

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves an application for submission to the Michigan Strategic Fund with a City Council recommendation to approve a Michigan Strategic Fund Designated Renaissance Zone, for the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, legally described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001,

for the period of eighteen (18) consecutive years to begin on December 31, 2022, or such other start date as set by the Michigan Strategic Fund.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The applicant is not delinquent in any taxes related to the properties.
2. All of the items described in the Application for Michigan Strategic Fund Designated Renaissance Zone have been provided to the City of Lansing by the applicant.
3. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Renaissance Zone.
4. The application relates to the Renaissance Zone property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917 for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars (\$2,500,000,000).
5. The completion of the Project is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, and revitalize an urban area.

6. If the renaissance zone designation is granted, persons and property within the renaissance zone are exempt from taxes levied by the city, as provided in the Renaissance Zone Act.

IT IS FINALLY RESOLVED that the City Clerk shall cause the Application for the Renaissance Zone to be completed, including the "Clerk Certification" and submit the Application and a certified copy of this resolution to the Michigan Strategic Fund.

Resolution #2021-255

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

WHEREAS, the City of Lansing received and filed an application from Ultium Cells, LLC requesting an Industrial Facilities Exemption Certificate (IFT-01-21) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21);

NOW, THEREFORE, BE IT RESOLVED that a hearing be held in the Tony Benavides Lansing City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, December 20, 2021 at 4:30p.m., on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21) located at 8100 Davis Hwy., Lansing, MI. 48917 within the boundary more particularly described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001;

and that the City Clerk cause the applicant, City Assessor, and legislative body of each taxing unit levying ad valorem taxes on this property, be notified of this application and the scheduled public hearing.

Resolution #2021-256

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

Resolution Authorizing Entry of State Local Government Intrastate Agreement
Concerning Allocation of Settlement Proceeds in the National Opioids Litigation

WHEREAS in 2017, the Lansing City Council declared the Opioid Epidemic that exists throughout this country, and in the City of Lansing specifically, to be a public nuisance and authorized the City to file suit against pharmaceutical companies that the City alleged to be responsible for the public nuisance and to seek recovery of past expenditures that the City has expended in abating the epidemic; and

WHEREAS, on or about December 19, 2017, the City of Lansing filed *City of Lansing v. Purdue Pharma L.P., et al*; Case No. 1:17-cv-01114 in the United States District Court, Western District of Michigan, to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor); and

WHEREAS the City’s lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge; and

WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Lansing’s lawsuit; and

WHEREAS the Proposed Settlements contain a “default” allocation method whereby, for settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund; and

WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above; and

WHEREAS the City of Lansing desires to enter into an alternative allocation method which allocates settlement funds solely to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

NOW, THEREFORE BE IT RESOLVED, the City of Lansing authorizes the execution of a Michigan State-Subdivision Agreement For Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement (State-Subdivision Agreement). The State-Subdivision Agreement may be subject to modification prior to execution, such modification (if any) shall be subject to the review of the City Attorney's Office and outside counsel representing the City of Lansing

BE IT FINALLY RESOLVED, the City of Lansing also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

Resolution #2021-257

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

Resolution Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation

WHEREAS in 2017, the Lansing City Council declared the Opioid Epidemic that exists throughout this country, and in the City of Lansing specifically, to be a public nuisance and authorized the City to file suit against pharmaceutical companies that the City alleged to be responsible for the public nuisance and to seek recovery of past expenditures that the City has expended in abating the epidemic; and

WHEREAS, on or about December 19, 2017, the City of Lansing filed *City of Lansing v. Purdue Pharma L.P., et al*; Case No. 1:17-cv-01114 in the United States District Court, Western District of Michigan, to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor); and

WHEREAS the City’s lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge; and

WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to Lansing’s lawsuit; and

WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement by Janssen that it will discontinue the manufacture and distribution of prescription opioids products for at least the next ten years;
2. An agreement by Janssen that it will suspend any lobbying efforts that concern prescription opioids products;
3. The creation of a National Clearinghouse for wholesale distributors that will assist in the detection, suspension and reporting of suspicious orders of prescription opioids products; and
4. The payment of up to \$26 billion (depending upon the level of participation of state and local governments in the Proposed Settlements) in funding installments over

the next 18 years, the bulk of which will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance; and

WHEREAS the City of Lansing has been advised that a State-Local Government Intrastate Agreement may be negotiated and entered between Litigating Local Governments (like the City of Lansing) and the State of Michigan that will govern the allocation of Proposed Settlement funds to local governments in the State of Michigan;

NOW, THEREFORE BE IT RESOLVED, upon execution of the above-referenced State-Local Government Intrastate Agreement, the City of Lansing authorizes the execution of Participation Agreements for: 1. the Master Settlement Agreement with Janssen Pharmaceuticals, Inc.; and 2. the Master Settlement Agreement with the three wholesale distributor defendants (Cardinal Health, Inc., Amerisource Bergen Corporation and McKesson Corporation), both of which are listed and available to the public at <https://nationalopioidsettlement.com/>. The participation agreements are subject to modification prior to execution, such modifications shall be subject to the review of the City Attorney's Office and outside counsel representing the City of Lansing.

Resolution #2021-258

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

Act-1-2020, Jerome St., N Holmes St. Street Vacation

WHEREAS, Sparrow Health Systems, 1215 E Michigan Ave. Lansing, MI has requested that the City vacate that portion of Jerome Street between N Holmes Street and N Pennsylvania Avenue and vacate that portion of N Holmes Street between Jerome Street and E Michigan Avenue; and

WHEREAS, Sparrow Health Systems owns all parcels of land on both sides of the subject rights-of-way; and

WHEREAS, on July 7, 2020, the Planning Board reviewed the proposal for the vacations of the subject rights-of-way, and found that:

- Both subject rights-of-way are platted, deeded, and parceled,
- Both subject parcels will be owned by Sparrow Health Systems; and

WHEREAS, the Planning Board voted unanimously (6-0) on the proposal to recommend the vacation of that portion of the Jerome Street between N Holmes Street and N Pennsylvania Avenue and the vacation of that portion of N Holmes Street between Jerome Street and E Michigan Avenue with the following conditions:

- Sparrow Health Systems will enter into a maintenance agreement for the signals at Jerome St. & N Pennsylvania Ave. and at Holmes St. and E. Michigan Ave.,
- The street light agreement (for Jerome St.) with Board of Water and Light will be transferred to Sparrow Health Systems,
- The non-motorized access along Jerome, between Pennsylvania Ave. and Holmes St. will be preserved,
- Easements for existing utilities (water, electric, street lighting, communications) will be reserved,
- The agreement with ACD for their cell network antenna will need to be transferred to/renegotiated with Sparrow; and

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

WHEREAS, on December 7, 2021 the Planning Board again reviewed the proposal for the vacations of the subject rights-of-way, made the same findings, and again voted unanimously (6-0) on the proposal to recommend vacation, but with the following additional conditions:

- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health systems for perpetual ownership, operation, maintenance, and replacement,

- Sparrow must keep current and future Sparrow Hospital building operations at or below 55 decibels per the City's noise ordinance, Ordinance 654.07,
- Maintain the current road diverter at Jerome St. and N Holmes St.,
- Sparrow must invest in green infrastructure along Sparrow Hospital's borders with residential neighborhoods, in accordance of City staff's input, as described by USDA's Forrester Service publication No. 1146: "Urban Forest Systems and Green Stormwater Infrastructure" February 2020. Trees should have a root ball of at least 36 inches and should be at least 20 feet tall; and

WHEREAS, the Committee of the Whole has reviewed the report and recommendation of the Planning Board, and concurs therewith, [including only the first additional condition].

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2020, and approves the vacations of the subject rights-of-way, particularly described as:

That portion of the Jerome Street between N Holmes Street and N Pennsylvania Avenue legally described as:

Beginning at the Northwest corner of Lot 7 of "Assessor's Plat NO: 1"; Thence easterly to the Northwest corner of Block "B" of "Gower's Addition"; Thence northerly, 82.5 feet to the southwest corner of Block "C" of said "Gower's Addition"; Thence westerly to the east line of Pennsylvania Avenue; Thence southerly, 82.5 feet to the point of beginning.

And

That part of Jerome Street platted in "Gower's Addition" lying westerly of a line described as follows: Beginning at the Northwest corner of Block "A" of Gower's Addition; Thence westerly, along the southerly line of Jerome Street, 16.98 feet; Thence 51.70 feet along a 69.39 foot radius curve to the left, said curve having a central angle of 42°41'23" and a chord of northwesterly, 50.51 feet; Thence northerly, 38.11 feet to the southeast corner of Block "C" of "Gower's Addition" and the point of ending.

And that portion of N Holmes Street between Jerome Street and E Michigan Avenue legally described as:

Lot 3 of "Assessor's Plat NO: 47"; Lots 1 and 4, also the easterly 51.75 feet of Lots 2 and 3 in Block "B" of "Gower's Addition".

And

That part of Holmes Street platted in "Gower's Addition" lying north of the north line of Michigan Avenue and south of the south line of Jerome Street.

With the following conditions:

- Sparrow Health Systems shall enter into maintenance agreements for the traffic signals at Jerome St. & N Pennsylvania Ave. and at Holmes St. and E Michigan Ave.,
- The street light agreement (for Jerome St.) with the Board of Water and Light shall be transferred to Sparrow Health Systems,
- The non-motorized access along Jerome St., between N Pennsylvania Ave. and N Holmes St. will be preserved,
- Easements for other existing utilities (water, electric, street lighting, communications) shall be reserved,
- The agreement with ACD for their cell network antenna will need to be transferred to/renegotiated with Sparrow,
- The public sanitary sewers and public storm sewers that provide service to only the vacated area shall be transferred to Sparrow Health systems for perpetual ownership, operation, maintenance, and replacement; and

BE IT FURTHER RESOLVED, that the Mayor and his Administration on behalf of the City may execute the necessary agreements described above to fulfil the conditions of this resolution, prior to vacation taking effect, subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED, that upon the conditions above being met, and evidence of the same being presented to the City Clerk, the City Clerk shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Assessor's Offices, the Department of Public Service, and the applicant. The vacation shall be effective upon the date of recording of the resolution with the Ingham County Register of Deeds.

BE IT FINALLY RESOLVED, that if the conditions in this resolution are not met within 6 months of its passage, no vacation shall occur and this resolution shall expire and be of no further effect.

Resolution #2021-259

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

WHEREAS, the Lansing City Charter provision 6-401 requires that employment contracts for City department directors be limited to a maximum term of one year; and

WHEREAS, in the event that a position cannot reasonably be filled with a qualified individual under the terms enumerated in Charter provision 6-401, an exemption may be made upon written recommendation of the mayor and the approval of City Council by resolution; and

WHEREAS, the City of Lansing is actively searching for a Police Chief and Fire Chief; and

WHEREAS, the Mayor has sent a written recommendation to City Council requesting that an exemption be made to the one-year contract limitation of Charter provision 6-401 for the current open positions of Police Chief and Fire Chief; and

WHEREAS, the quality of candidates for the position of Police Chief and Fire Chief would be enhanced, if the City could offer a multi-year employment agreement

NOW, THEREFORE BE IT RESOLVED, that City Council approves the recommended exemption to Charter provision 6-401, and therefore will allow the Mayor to offer up to a three-year employment agreement to a qualified candidate for the current open positions of Police Chief and Fire Chief;

BE IT FINALLY RESOLVED THAT, once the Police Chief and Fire Chief positions have been filled, any additional requests for exemptions shall be made via written recommendation for City Council review and approval.

Resolution #2021-260

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

WHEREAS, in Resolution 2021-093, the City of Lansing established three Social Districts within the City, the Downtown Social District, the REO Town Social District, and the Old Town Social District; and

WHEREAS, Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 is located within the previously established commons area of the Downtown Social District; and

WHEREAS, The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 is located within the previously established commons area of the Old Town Social District; and

WHEREAS, both Sidecar Slider Bar and The Creole Burger Bar & Southern Kitchen have requested that the City of Lansing approve each as a qualified entity that may apply for a social district permit issued by the Michigan Liquor Control Commission; and

WHEREAS, the COMMITTEE OF THE WHOLE met on December 13, 2021 to review the request with affirmative action taken; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 to be added as a qualified licensee to the Downtown Social District.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Lansing City Council, hereby, approves the request from The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 to be added as a qualified licensee to the Old Town Social District.

BE IT FINALLY RESOLVED, the City Clerk shall notify the Michigan Liquor Control Commission of the addition of the above two entities as qualified licensees who may apply for a social district permit.

Resolution #2021-262

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

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, which established the criteria for Development District or Redevelopment Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended (“Act”) the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in addition to quota licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, The issuance of a Redevelopment Area Liquor License under Section 521a(1)(a) of the Act requires the Licensed Premises to be located in a “Redevelopment Project Area”; and

WHEREAS, pursuant to the Act, the City of Lansing has the authority to establish Redevelopment Project Areas within the City of Lansing; and

WHEREAS, the Committee on Development and Planning met on December 7, 2021, to review the establishment of the Red Cedar Redevelopment Project Area with affirmative action taken;

NOW THEREFORE BE IT RESOLVED, that the following property is hereby approved and established as a Redevelopment Project Area as provided by Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, as amended, hereafter designated as the “Red Cedar Redevelopment Project Area” and described as:

The area within E. Michigan Avenue to the north, W. Brody Road to the east, Kalamazoo Street and the Red Cedar River to the south, and S. Clippert Street to the west within the corporate boundaries of the City of Lansing (as shown in the attached map).

BE IT FINALLY RESOLVED, that this resolution shall not be construed as the City Council’s recommendation of any future application for a Redevelopment Area Liquor License.

Resolution #2021-264

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

City of Lansing
Counties of Ingham and Eaton, State of Michigan

A RESOLUTION ENACTED UNDER THE PROVISIONS OF ACT 94, PUBLIC ACTS OF MICHIGAN, 1933, AS AMENDED, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE PURPOSES OF PAYING FOR IMPROVEMENTS TO THE SYSTEM, AND PAYING COSTS RELATING THERETO; AUTHORIZING DETERMINATION STANDING AND PRIORITY OF LIEN WITH RESPECT TO OUTSTANDING SEWAGE DISPOSAL SYSTEM REVENUE BONDS OF THE CITY ISSUED UNDER CITY ORDINANCE NO. 29-A, AS AMENDED AND SUPPLEMENTED; PROVIDING FOR RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED AND PROVIDING FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the “City”) by Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269 (collectively, the “*Outstanding Bond Ordinances*”) has provided for the issuance by the City of Sewage Disposal System Revenue Bonds; and

WHEREAS, the State of Michigan Department of Environment, Great Lakes, and Energy (“EGLE”), through its Administrative Consent Order #ACO-05153 (the “*Consent Order*”) dated December 12, 2019, ordered the City to abate raw sewage overflows from its sewerage collection system; and

WHEREAS, EGLE and the City have agreed to implement the Wet Weather Control Program State Revolving Fund Project Plan, as amended (the “*Wet Weather Control Program Project Plan*”), in compliance with the Consent Order;

WHEREAS, it is now deemed necessary by the City Council of the City (the “*Council*”) to equip, improve, rehabilitate, acquire, construct and install certain improvements to the City’s Sewage Disposal System (the “*System*”), including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements (the “*2022 SRF Improvements*”) in compliance with the plans approved under the Consent Order and according to the Wet Weather Control Program Project Plan; and

WHEREAS, Act 94, Public Acts of Michigan, 1933, as amended (“*Act 94*”), authorizes the Council to issue bonds under Act 94 without submitting the proposition to the voters of the City for approval and without publishing a notice of intent when the bonds are issued to comply with an order or permit requirement of a state or federal agency of competent jurisdiction to prevent or limit pollution of the environment; and

WHEREAS, the City intends to finance construction and acquisition of the 2022 SRF Improvements through issuance of sewage disposal system revenue bonds (the "2022 SRF Bonds"), and to sell the 2022 SRF Bonds to the Michigan Finance Authority (the "Authority"); and

WHEREAS, Section 19 of Ordinance No. 29-A authorizes the issuance of revenue bonds of equal standing and priority of lien with the Outstanding Bonds authorized by the Outstanding Bond Ordinances as follows:

(a) For subsequent repairs, extensions, enlargements and improvements to the System or for the purpose of refunding part of any Bonds then outstanding and paying costs of issuing such Additional Bonds including deposits which may be required to be made to the Bond Reserve Account. Bonds for such purposes shall not be issued pursuant to this subparagraph (a) unless the average actual or augmented Net Revenues of the System for the then last two (2) preceding twelve month operating years or the actual or augmented Net Revenues for the last preceding twelve month operating year, if the same shall be lower than the average, shall be equal to at least one hundred thirty (130%) percent of the maximum amount of principal and interest thereafter maturing in any operating year on the then outstanding Bonds and on the Additional Bonds then being issued. If the Additional Bonds are to be issued in whole or in part for refunding outstanding Bonds the maximum annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional Bonds. For purposes of this subparagraph (a) the City may elect to use as the last preceding operating year any operating year ending not more than sixteen months from the date of delivery of the Additional Bonds and as the next to the last preceding operating year, any operating year ending not more than twenty-eight months from the date of delivery of the Additional Bonds. If the System rates, fees or charges shall be increased at or prior to the time of authorizing the Additional Bonds, the Net Revenues for each of the two preceding operating years shall be augmented by an amount reflecting the effect of the increase had the System's billings during such operating years been at the increased rates. In addition, the actual Net Revenues for each of the two preceding operating years may be augmented by the estimated increase in Net Revenues to accrue as a result of the acquisition of the repairs, extensions, enlargements and improvements to said System to be paid for in whole or in part from the proceeds of the Additional Bonds to be issued. In addition, the actual Net Revenues may be augmented by an amount equal to the investment income representing interest on investments estimated to be received each operating year from the addition to the Bond Reserve Account to be funded from the proceeds

of the Additional Bonds being issued. Determination by the Council as to existence of conditions permitting the issuance of Additional Bonds shall be conclusive. No Additional Bonds of equal standing as to the Net Revenues of the System shall be issued pursuant to the authorization contained in this subparagraph if the City shall then be in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund;

WHEREAS, the City has met or will meet all the conditions and requirements of Section 19 of Ordinance No. 29-A for the issuance of the proposed 2022 SRF Bonds as bonds of equal standing and priority of lien with the Outstanding Bonds issued pursuant to the Outstanding Bond Ordinances, or such 2022 SRF Bonds will be issued on a subordinate, junior lien basis to the Outstanding Bonds; and

WHEREAS, all things necessary to the authorization and issuance of the 2022 SRF Bonds under the Constitution and laws of the State of Michigan, particularly Act 94, the Charter and ordinances of the City, and the Outstanding Bond Ordinances, have been done or will be done, and the Council is now empowered and desires to authorize the issuance and sale of the 2022 SRF Bonds; and

WHEREAS, the Council wishes to authorize the Authorized Officers (as defined herein) to finalize the terms of the issuance and sale of the 2022 SRF Bonds without further resolution of the Council.

NOW, THEREFORE, THE CITY OF LANSING RESOLVES:

Section 1. Definitions. All terms not defined herein shall have the meanings set forth in the Outstanding Bond Ordinances and whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) “2022 SRF Construction Fund” means the 2022 SRF Construction Fund established pursuant to Section 10 of this Resolution for the deposit of the proceeds of the 2022 SRF Bonds for the purpose of constructing and acquiring the 2022 SRF Improvements.

(b) “2022 SRF Improvements” means the following improvements to the System: equipping, improving, rehabilitating, acquiring, constructing and installing certain improvements to the City’s Sewage Disposal System, including but not limited to sanitary sewer overflow remediation, together with any appurtenances and attachments thereto and any related site acquisitions or improvements as required under the Consent Order and evidenced in the Wet Weather Control Program Project Plan.

(c) “2022 SRF Bonds” means the Sewage Disposal System SRF Revenue Bonds, Series 2022 authorized by Section 5 of this Resolution for the purpose of paying for the 2022 SRF Improvements and paying the costs of issuing the 2022 SRF Bonds.

(d) "Authority" means the Michigan Finance Authority.

(e) "Authorized Officer" means any one of the following officials of the City: the Mayor, the Finance Director, or the Interim Finance Director.

(f) "Bond Reserve Requirement" means the lesser of (1) maximum annual debt service due on the Outstanding Bonds (including the 2022 SRF Bonds, if applicable), (2) 125% of the average annual debt service on Outstanding Bonds, or (3) 10% of the original aggregate face amount of each series of bonds currently outstanding, reduced by the net original issue discount, if any.

(g) "Outstanding Bonds" means any bonds currently outstanding under the Outstanding Bond Ordinances which have not been paid or defeased.

(h) "Outstanding Bond Ordinances" means Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 32-A, 33-A, 35-A, 838, 873, 993, 0544, 2010-423 and 2012-269.

(i) "SRF Program" means the State of Michigan Revolving Fund Program.

Section 2. Conditions Permitting Issuance of Additional Bonds. Pursuant to Section 19 of Ordinance 29-A, if the 2022 SRF Bonds will be of equal standing and priority of lien to the Outstanding Bonds, the Council hereby determines that the 2022 SRF Bonds will be issued within the following parameters:

(a) the average actual or augmented Net Revenues of the System for two consecutive preceding twelve-month operating years ending not more than twenty-eight months from the date of delivery of the 2022 SRF Bonds are equal to at least 130% of the maximum amount of principal and interest thereafter maturing in any operating year on the then Outstanding Bonds and the 2022 SRF Bonds, as required by Section 19(a) of Ordinance No. 29-A; and

(b) the City is not in default in making its required payments to the Operation and Maintenance Fund or the Redemption Fund established by Ordinance No. 29-A.

As applicable, an Authorized Officer shall determine that the conditions of the Outstanding Bond Ordinances including Section 19 of Ordinance 29-A for the issuance of the 2022 SRF Bonds have been met.

If the 2022 SRF Bonds will be issued on a subordinate, junior lien basis to the Outstanding Bonds, the 2022 SRF Bonds will otherwise be issued pursuant to the requirements of State of Michigan law, the Outstanding Ordinances and specifically the projected annual Net Revenues of the System after payment of the senior Outstanding Bonds will be at least 1.0x the annual principal and interest due on the 2022 SRF Bonds.

An Authorized Officer is authorized to direct the creation of such accounts and subaccounts within the Funds created by Ordinance 29-A, including but not limited to for the purposes of setting aside Revenues each month as described in Section 13 of Ordinance 29-A for the purpose of paying principal and interest on the 2022 SRF Bonds issued on a subordinate, junior lien basis to the Outstanding Bonds, after Revenues have been allocated as required for the Outstanding Bonds.

Section 3. Necessity of 2022 SRF Improvements. It is hereby determined to be necessary for the public health and welfare of the City to proceed to acquire and construct the 2022 SRF Improvements in accordance with approved plans and specifications.

Section 4. Cost and Useful Life of 2022 SRF Improvements. The cost of the 2022 SRF Improvements is estimated not to exceed Thirty Million Dollars (\$30,000,000) including the payment of incidental expenses as specified in Section 5 of this Resolution, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the 2022 SRF Improvements is estimated to be not less than thirty (30) years.

Section 5. Payment of Costs of 2022 SRF Improvements and Authorization of 2022 SRF Bonds. It is hereby determined that the City shall borrow the sum of not-to-exceed Thirty Million Dollars (\$30,000,000), as finally determined by an Authorized Officer upon the sale of thereof, and the 2022 SRF Bonds shall be issued pursuant to the provisions of Act 94 to pay the cost of acquiring and constructing the 2022 SRF Improvements, including the payment of engineering, legal, financial, bond insurance, underwriter's discount and other expenses incident thereto and incident to the issuance and sale of the 2022 SRF Bonds. The balance of the cost of the 2022 SRF Improvements, if any, will be paid from other funds of the City legally available therefor.

The 2022 SRF Bonds shall be designated as the SEWAGE DISPOSAL SYSTEM REVENUE BONDS (SRF PROJECT #5005-24), SERIES 2022, with such modifications as may be approved by an Authorized Officer, and, unless required by the Authority and as authorized by Act 94, shall not be a general obligation of the City, but be revenue bonds, payable solely out of the Net Revenues of the System. The 2022 SRF Bonds may constitute an Additional Bond as defined in the Outstanding Bond Ordinances, having equal standing and priority of lien as to the Net Revenues of the System with the Outstanding Bonds, or the 2022 SRF Bonds may be issued on a subordinate, junior lien basis to the Outstanding Bonds, as determined by an Authorized Officer.

Section 6. Year of Sale. If the 2022 SRF Bonds, or any series thereof, are not sold or delivered in calendar year 2022, then references to the name of the bonds, funds and accounts approved by this Resolution may be changed to reflect the year in which such bonds will be sold or delivered.

Section 7. 2022 SRF Bond Details. The 2022 SRF Bonds shall be issued in the form of one or more fully-registered, nonconvertible bonds, dated as of the date of delivery, payable in annual principal installments in the amounts and on the dates as determined by the order of the EGLE and approved by the Authority and the Authorized Officer, provided that the final payment on the 2022 SRF Bonds shall occur within the period of usefulness of the 2022 SRF Improvements as set forth in Section 4 of this Resolution. Final determination of the principal amount and the payment dates and amounts of principal installments of the 2022 SRF Bonds shall be evidenced by execution of a Purchase Contract (the **“Purchase Contract”**) between the City and the Authority providing for sale of the 2022 SRF Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract.

The 2022 SRF Bonds shall bear interest at a rate or rates to be determined by the Authorized Officer at the time of execution of the Purchase Contract, but in any event not exceeding the maximum amount permitted by law, payable semiannually on the dates as determined in the Purchase Contract. In addition, if required by the Authority, the 2022 SRF Bonds will bear additional interest, under the terms required by the Authority, in the event of a default by the City in the payment of principal or interest on the 2022 SRF Bonds when due. The 2022 SRF Bonds principal amount is expected to be drawn down by the City periodically, and interest on each installment of the principal amount shall accrue from the date such principal installment is drawn down by the City. Principal installments of the 2022 SRF Bonds will be subject to prepayment prior to maturity as permitted by the Authority and approved by the Authorized Officer.

The Mayor and City Clerk are authorized to execute the 2022 SRF Bonds by manual or facsimile signature. If required, at least one signature on the 2022 SRF Bonds shall be a manual signature. The 2022 SRF Bonds shall have the facsimile corporate seal of the City printed or impressed thereon. The 2022 SRF Bonds may be transferred by the bondholder as provided in the 2022 SRF Bonds as executed.

Section 8. State Revenue Sharing Pledge. If required by the Authority, as additional security for repayment of the 2022 SRF Bonds, the Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended, to the Authority as purchaser and holder of the 2022 SRF Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority.

Section 9. Applicability of the Outstanding Bond Ordinances. Except to the extent supplemented or otherwise provided in this Resolution (such as if the 2022 SRF Bonds are issued on a subordinate basis to the Outstanding Bonds), the provisions and covenants provided in the Outstanding Bond Ordinances shall apply to the 2022 SRF Bonds issued pursuant to provisions of this Resolution, such provisions of said Ordinances being made applicable to the 2022 SRF Bonds herein authorized, the same as though said 2022 SRF Bonds were originally authorized and issued as a part of the Outstanding Bonds issued pursuant to the Outstanding Bond Ordinances.

Section 10. 2022 SRF Bond Proceeds. The proceeds of the sale of the 2022 SRF Bonds as received by the City shall be deposited in an account separate from other money of the City and held in a bank or banks qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94 designated “2022 SRF Project Construction Fund” (the “**2022 SRF Construction Fund**”). Moneys in the 2022 SRF Construction Fund shall be applied solely in payment of the cost of the 2022 SRF Improvements including any engineering, legal and other expenses incident thereto and to the costs of issuance of the 2022 SRF Bonds. Any balance remaining in the 2022 SRF Construction Fund after completion of the 2022 SRF Improvements may be used for any other improvements to the System if such use is permitted by state law and will not cause the interest on the 2022 SRF Bonds to be included in gross income for federal income tax purposes within the meaning of the Internal Revenue Code. Any remaining balance shall be paid into the Redemption Fund and used as permitted by state law.

Section 11. Bond Reserve Requirement. The City hereby covenants and agrees with the holders of the Bonds that, if an Authorized Officer determines that the 2022 SRF Bonds shall have equal standing and priority of lien with the Outstanding Bonds, the City shall maintain on deposit in the Bond Reserve Account an amount not less than the Bond Reserve Requirement. If at any time there is any excess in the Bond Reserve Account over the Bond Reserve Requirement, such excess may be transferred to such fund or account as the City shall direct.

Section 12. Bond Form. The 2022 SRF Bonds shall be in substantially the following form subject to changes, including references to additional security, as may be required by the Authority:

[Form of Bond To Be Completed After Bond Sale]
United States of America
State of Michigan
Counties of Ingham and Eaton

DISPOSAL SYSTEM
REVENUE BOND (SRF PROJECT #5005-24), SERIES 2022

Interest Rate

Date of Maturity

____%

[Month 1, 20__]

Registered Owner: Michigan Finance Authority

Principal Amount: _____ Dollars (\$_____)

Date of Original Issue: _____, 2022

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the “City”), for value received, acknowledges itself to owe, and for value received hereby promises to pay, but only out of the hereinafter described Net Revenues of the City’s Sewage Disposal System (hereinafter defined), to the Michigan Finance Authority (the “Authority”) the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy. During the time funds are being drawn down by the Issuer under this Bond, the Authority will periodically provide the Issuer a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the Issuer of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on Schedule I attached hereto and made a part hereof[, as Schedule I may be adjusted if less than \$[amount] is disbursed to the City. Interest is first payable on [April 1, 202_/October 1, 202_], and semiannually thereafter, and principal is payable on the first day of [April/October] commencing [April 1, 202_/October 1, 202_] (as identified in the Purchase Contract) and annually thereafter.

The Bond is subject to prepayment by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

Notwithstanding any other provision of this Bond, as long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank National Association or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent (2%) above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the Issuer's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

For prompt payment of principal and interest on this Bond, the City has irrevocably pledged the revenues of its Sewage Disposal System, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration (the "Net Revenues"), and a statutory lien thereon is hereby recognized and created. [This Bond is of [equal][junior] standing and priority of lien as to the Net Revenues of the System with the _____.]

[This Bond is one of a series of bonds aggregating the principal sum of \$_____, issued pursuant to Ordinance No. 29-A, as amended and supplemented by Ordinance Nos. 30-A, 31-A, 35-A, 838, 873, 993, 0544, 2010-423, and Ordinance No. 2012-269, and Ordinance No. _____, each duly adopted by the City Council of the City, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan 1933, as amended for the purposes of constructing and

acquiring improvements to the System, and refunding certain outstanding sewage disposal system revenue bonds of the City.]

For a complete statement of the revenues from which and the conditions under which this Bond is payable, a statement of the conditions under which additional bonds of equal standing may thereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances. Copies of the Ordinances are on file at the office of the City Clerk and reference is made to the Ordinances and any and all supplements thereto and modifications and amendments thereof, if any, and to Act 94 for a more complete description of the pledges and covenants securing the bonds, the nature, extend and manner of enforcement of such pledges, the rights and remedies of the registered owners of the bonds with respect thereto and the terms and conditions upon which the bonds are issued and may be issued thereunder. To the extent and in the manner permitted by the terms of the Ordinances, the provisions of the Ordinances or any resolution or agreement amendatory thereof or supplemental thereto, may be modified or amended by the City, except in specified cases, only with the written consent of the registered owners of at least fifty-one percent (51%) of the principal amount of the bonds then outstanding.

[THIS BOND IS A SELF-LIQUIDATING BOND AND IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATION, AND IS PAYABLE BOTH AS TO PRINCIPAL AND INTEREST, SOLELY FROM THE NET REVENUES OF THE SYSTEM AND CERTAIN FUNDS AND ACCOUNTS ESTABLISHED UNDER THE ORDINANCES. THE PRINCIPAL AND INTEREST ON THIS BOND ARE SECURED BY THE STATUTORY [FIRST][JUNIOR] LIEN HEREINBEFORE DESCRIBED.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by authority of its City Council, has caused this bond to be signed for and on its behalf and in its name by the manual or facsimile signatures of the Mayor and Clerk of the City, and the official seal of the City or a facsimile thereof to be impressed or printed hereon, all as of the Date of Original Issue.

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By _____

Its Mayor

(SEAL)

Countersigned:

By _____

Its City Clerk

[FORM OF SCHEDULE I]

Name of Issuer: CITY OF LANSING

EGLE Project No.: _____

EGLE Approved Amt:

SCHEDULE I

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Department of Environment, Great Lakes, and Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, or (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the City.

<u>Due Date</u>	<u>Amount of Principal Installment</u>
-----------------	--

Interest on the bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of ____% per annum, payable [date], and semi-annually thereafter.

The City agrees that it will deposit with [U.S. Bank National Association], or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

Section 13. Non-Arbitrage Covenant. The City covenants and agrees with the holders of the 2022 SRF Bonds that as long as any of the 2022 SRF Bonds remain outstanding and unpaid as to either principal or interest, the City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the 2022 SRF Bonds pursuant to the Internal Revenue Code of 1986, as amended (the “*Code*”) in such a manner as to cause the 2022 SRF Bonds to be “arbitrage bonds” within the meaning of the Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on the 2022 SRF Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the 2022 SRF Bonds.

Section 14. Municipal Advisor. The City hereby confirms Robert W. Baird & Co., Incorporated, as Municipal Advisor for the 2022 SRF Bonds.

Section 15. Negotiated Sale; Application to EGLE and Authority. The Council has considered the option of selling the 2022 SRF Bonds through a competitive sale and a negotiated sale and determines that it is in the best interest of the City to negotiate the sale of the 2022 SRF Bonds to the Authority because the State Revolving Fund financing program provides significant savings to the City compared to a competitive sale in the municipal bond market. The Authorized Officer and the City’s Director of Public Works are authorized to apply to the Authority and to EGLE for placement of the 2022 SRF Bonds with the Authority. The actions taken by the Authorized Officer and the Director of Public Works with respect to the 2022 SRF Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officer is authorized to sell the 2022 SRF Bonds to the Authority and to execute and deliver the Purchase Contract, the Supplemental Agreement and the Issuer’s Certificate in the forms provided by the Authority. The Authorized Officer and the Director of Public Works are further authorized to execute and deliver such contracts, documents and certificates as are necessary or advisable to qualify the 2022 SRF Bonds for the State Revolving Fund program.

Section 16. Bond Counsel. The City hereby appoints Dykema Gossett PLLC as Bond Counsel with respect to the 2022 SRF Bonds notwithstanding Dykema’s occasional representation of the Authority in other unrelated transactions.

Section 17. Other Actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and to facilitate issuance, sale, and delivery of the 2022 SRF Bonds, and to execute and deliver all other agreements, documents, and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the 2022 SRF Bonds in accordance with this Resolution, and to pay costs of issuance including bond counsel fees, Municipal Advisor fees, filing fees with State Treasury costs of printing the 2022 SRF Bonds bond counsel fees, and any other costs necessary to accomplish sale and delivery of the 2022 SRF Bonds. The Authorized Officer is authorized to determine final bond details for the 2022 SRF Bonds to the extent necessary or convenient to complete the transaction authorized by this Resolution, to exercise the authority and make determinations authorized pursuant to Section 7a(1)(c) of Act 94, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of

issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters.

Section 18. Repeal, Savings Clause. All ordinances, resolutions of orders, or parts thereof, in conflict with the provisions of the Ordinance are repealed.

Section 19. Severability; Paragraph Headings, and Conflict. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such action, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. The paragraph headings in this Resolution are furnished for convenience of reference only and shall not be considered to a part of this Resolution.

Section 20. Publication and Recordation. This Resolution shall be published in full in the Lansing City Pulse, a newspaper of general circulation in the City of Lansing, qualified under State law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the President of the Council and the City Clerk.

Section 21. Effective Date. As provided in Act 94, this Resolution shall be effective upon its adoption.

Passed and adopted by the City of Lansing, Counties of Ingham and Eaton, State of Michigan, on _____, 2021.

[Remainder of page intentionally left blank]

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on December 13, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act No. 267.

I further certify that the following City Council members were present at said meeting: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood and that the following City Council members were absent: none.

I further certify that City Council member Hussain moved adoption of said Resolution, and that the motion was supported by: none. A second is not required under Mason's Manual of Legislative Procedure, which are the rules governing the City Council.

I further certify that the following City Council members voted for adoption of said Resolution, Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood and that the following City Council members voted against adoption of said Resolution. none

Chris Swope, Lansing City Clerk.

Resolution #2021-265

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

WHEREAS, pursuant to Rule 41 of the Lansing City Council Rules, a proposed rule revision shall be placed on the Council Agenda for Council receipt and review, but “shall not be considered for adoption sooner than the next council meeting;”

THEREFORE BE IT RESOLVED, that the City Council hereby moves to amend the City Council Rule 20:

LANSING CITY COUNCIL RULES

Rule 20. Manner of Introduction; Form. In each ordinance amending an existing ordinance, changes or new matter shall be ~~placed in capital~~ BOLDDED, and matter which has been omitted shall be indicated by printing in stricken through type. ANY UNCHANGED ORDINANCE LANGUAGE SHALL BE IN REGULAR TYPE. Every ordinance shall have endorsed thereon the name of the Council member introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. The City Clerk's office shall meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City Council of the City of Lansing until they are finally enacted.

RESOLUTION #2021-266

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 4108 Deerfield Ave., Parcel # 33-01-01-31-251-141 legally described as LOT 118 Pleasant Subdivision, No. 1., City of Lansing to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on April 10, 2018 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on March 25, April 22, May 27, and July 22, 2021, the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Property Maintenance Code (Ord. 1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by August 22, 2021; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that 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;

NOW, THEREFORE, BE IT RESOLVED that a show cause hearing for Monday, January 10, 2022 at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 4108 Deerfield Avenue, as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Compliance Officer notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

DRAFT

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

1 sedimentation of the waters of the state and adjacent properties. Earth change does not
2 include the practice of plowing and tilling of the soil for the purpose of crop production.

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

5 ~~*Land owner* means the person who owns or holds the recorded easement on the~~
6 ~~property or who is engaged in construction in a public right-of-way in accordance with~~
7 ~~Sections 13, 14, 15, and 16 of Act No.~~
8 ~~368 of the Public Acts of 1925, as amended, being §§ 247.183, 247.184, 247.185 and~~
9 ~~247.186 of the~~
10 ~~Michigan Compiled Laws.~~

11 *LANDOWNER* MEANS A PERSON WHO FULFILLS 1 OR MORE OF THE
12 FOLLOWING REQUIREMENTS:

13 (i) THE PERSON OWNS OR HOLDS A RECORDED EASEMENT
14 ON THE PROPERTY.

15 (ii) THE PERSON IS ENGAGED IN CONSTRUCTION IN A
16 PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH SECTIONS
17 13, 14, 15, AND 16 OF 1925 PA 368, MCL 247.183, 247.184,
18 247.185, AND 247.186.

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

21 (A) THE PROJECT IS RELATED TO 1 OR MORE ROADS,
22 HIGHWAYS, SIDEWALKS, TRAILS, DRIVEWAYS, PARKING

1 AREAS, FORMS OF PUBLIC TRANSIT, FORMS OF
2 NONMOTORIZED TRANSPORTATION, OR BOATING, INCLUDING
3 ALL STRUCTURES, IMPROVEMENTS, FEATURES, AND LANDS
4 RELATED TO THE PROJECT.

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

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

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

1 DURING CONSTRUCTION OR DIRECTING CONTRACTORS AND
2 OTHER INDIVIDUALS ENGAGED IN CONSTRUCTION WORK. THE
3 CONTROL PROHIBITED BY THIS SUBPARAGRAPH DOES NOT
4 CONSIST SOLELY OF ESTABLISHING CONSTRUCTION
5 REQUIREMENTS OR CONDUCTING INSPECTIONS.

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

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

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

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

16 *SESC* MEANS SOIL EROSION AND SEDIMENTATION CONTROL.

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

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

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

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

1218.03. - Compliance required.

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

~~1218.04. - Certificates of occupancy.~~

~~No certificate of occupancy for any building or structure shall be issued under the Zoning Code or the Building Code, unless the application for such certificate has complied with this chapter and related land development regulations and standards adopted pursuant hereto, and has satisfactorily completed, as evidenced by a certificate of completion issued pursuant to Section 1218.22 1218.21, the soil erosion and sediment control measures approved for such applicant.~~

1218.05. - Building permits.

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

1218.06. - Soil Erosion and Sedimentation Control.

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

1218.07. - Soil erosion and sediment control plan.

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

- 20 1. A MAP OR MAPS AT A SCALE OF NOT MORE THAN 100 FEET TO THE INCH
21 OR AS OTHERWISE APPROVED BY THE CITY ENGINEER. THE MAP
22 SHALL INCLUDE A LEGAL DESCRIPTION AND SITE LOCATION SKETCH

1 THAT INCLUDES THE PROXIMITY OF ANY PROPOSED EARTH CHANGE
2 TO LAKES, STREAMS, RIVERS OR NATURAL DRAINS. THE MAP SHALL
3 SHOW PREDOMINANT LAND FEATURES, INCLUDING ROADS, BUILDINGS,
4 AND NATURAL FEATURES, AND SHALL INCLUDE CONTOUR INTERVALS
5 OR SLOPE DESCRIPTION.

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

8 3. DETAILS FOR PROPOSED EARTH CHANGES, INCLUDING ALL OF THE
9 FOLLOWING:

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

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

21 (iii) THE TIMING AND SEQUENCE OF EACH PROPOSED EARTH
22 CHANGE, INCLUDING A SCHEDULE INDICATING THE ANTICIPATED

1 STARTING AND COMPLETION DATES OF THE DEVELOPMENT
2 SEQUENCE AND THE TIME OF EXPOSURE OF EACH AREA PRIOR
3 TO THE COMPLETION OF THE SOIL EROSION AND SEDIMENT
4 CONTROL MEASURES REQUIRED BY THIS CHAPTER;

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

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

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

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

1 5. THE ESTIMATED TOTAL COST OF THE REQUIRED SOIL EROSION AND
2 SEDIMENT CONTROLS;

3 6. ANY OTHER INFORMATION OR DATA AS MAY BE REQUIRED BY THE CITY
4 ENGINEER.

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

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

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

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

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

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

21 (4) ~~A description and location of all existing and proposed on-site drainage~~
22 ~~facilities and dewatering facilities, including delineation of the drainage~~

~~area of the land tributary to the site and estimated runoff of the area~~

~~served by any drain;~~

~~(5) A statement of the quantity of excavation or fill involved;~~

~~(6) The existing topography at a maximum of two-foot contour intervals;~~

~~(7) The proposed topography at a maximum of two-foot contour intervals;~~

~~(8) The location of predominant land features, including structures or natural features on the~~

~~site;~~

~~(9) The location of any structure or natural feature on the land adjacent to the site and within one hundred feet of the site boundary line, including any catch basins tributary to the site;~~

~~(10) The proximity of any earth change to any lake, stream, river or natural drain;~~

~~(11) The location of any proposed additional structures or development on the site;~~

~~(12) The description, location, elevations, dimensions, extent and slope of all proposed earth changes, including building and driveway grades. This shall include the limits of the earth change;~~

~~(13) The estimated total cost of the required soil erosion and sediment controls;~~

1 ~~(14) A soil investigation report, which shall include, but not be limited to, data~~
2 ~~regarding the nature, distribution and supporting ability of existing soils~~
3 ~~and rock on the site;~~

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

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

8 1218.08. - Bonds.

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

1 for failure to complete the work on schedule as specified in the SESC permit or in the
2 approved plan. Every bond and instrument of credit shall include, and every cash
3 deposit or certified check shall be made on, the condition that the applicant shall comply
4 with this chapter and all of the terms and conditions of the SESC permit and the
5 approved plan, and shall complete all of the work contemplated under the SESC permit
6 and approved plan within the time limit specified in the SESC permit or plan or, if no
7 time limit is specified, within 180 days after the date of the issuance of the SESC permit.
8 The bond, instrument of credit, cash deposit or certified check shall be released to the
9 applicant upon issuance of the certification of completion as per Section 1218.22.

10 1218.09. - Extension of time.

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

19 1218.10. - Notice of violation; completion of work by City.

20 If the City Engineer determines that soil erosion or sedimentation of adjacent properties
21 or the waters of the State has or will reasonably occur from land in violation of MCL
22 324.9101, et seq., the promulgated rules adopted by the City, or in violation Chapter

1218 of the Codified Ordinances, the City Engineer may enforce a violation of this part by notifying the land owner in writing, as identified by the most current Assessor's records, either in person or by mail, with return receipt requested, of its determination.

This Notice of Violation shall include the following:

- (a) The location of the property in violation.
- (b) The owner of the property in violation.
- (c) Description of the violation.
- (d) The proposed remedy to the violation.
- (e) The time specified to remedy the violation.
- (f) If City corrects the violation, Notification of City costs if they exceed \$10,000.00.

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

After at least five days after the date of the Notice of Violation, or the time specified in the Notice of Violation, if it is the City Engineer's opinion that the condition of the land may result in or contribute to soil erosion or sedimentation of adjacent properties or the waters of the State, and if the required soil erosion and sedimentation control measures are not in place, the City Engineer, or his or her designee, may enter the site and construct, implement and maintain soil erosion and sedimentation control measures in order to bring the site within compliance of the Notice of Violation. If the cost for bringing the site into compliance, including the work, materials, labor, and administration,

1 exceeds \$10,000.00, the City Engineer shall in the Notice of Violation inform the person
2 who owns the land that an expenditure of more than \$10,000.00 may be made. If more
3 than \$10,000.00 is to be expended, work shall not begin until at least ten days after the
4 Notice of Violation has been served.

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

9 The City shall have a lien on the land for the expenses incurred to bring the site into
10 conformance with the Notice of Violation. With respect to single-family or multi-family
11 residential property, the lien for such expenses shall have priority over all liens and
12 encumbrances filed or recorded after the date of such expenditure. With respect to all
13 other property, the lien for such expenses shall be collected and treated in the same
14 manner as provided for property tax liens under the general property tax act, MCL
15 211.1, et seq.

16 1218.11. - Permit applications; review.

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

20 The City Engineer shall approve, disapprove or require modification of the application
21 for a SESC permit within 30 calendar days following receipt of the application. THE

1 PLAN SHALL BE REVIEWED BY A PERSON WITH APPROPRIATE TRAINING AND
2 CERTIFICATES.

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

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

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

12 1218.12. - Conditions for nonissuance of SESC permits.

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

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

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

(c) The applicant has not met the bond, cash, certified check or instrument of credit 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;

- 1 (b) The prevention of damage to adjacent property, including not performing earth
2 changes on the site so close to the property line as to endanger any adjoining
3 public street, sidewalk, alley or public or private property without supporting and
4 protecting such property from settling, cracking or other damage which might
5 result;
- 6 (c) The carrying out of the proposed work in accordance with the approved plan and
7 in compliance with all the requirement of the SESC permit and this chapter;
- 8 (d) The prompt removal of all soil, miscellaneous debris or other materials applied,
9 dumped or otherwise deposited on public streets, highways, sidewalks or other
10 thoroughfares during transit to and from the construction site where such
11 spillage constitutes a public nuisance or hazard;
- 12 (e) The removal of sediment insofar as possible from any runoff water before it
13 leaves the permitted site;
- 14 (f) The design and installation of permanent or temporary control measures for the
15 conveyance of water around, through or from the earth change area to limit the
16 flow of water to a nonerosive velocity;
- 17 (g) The design, construction and completion of an earth change in a manner that
18 limits the exposed area of any disturbed land for the shortest possible period of
19 time as determined by the City Engineer; and
- 20 (h) The installation of temporary soil erosion and sedimentation control measures
21 before or upon commencement of earth change activity and the maintenance of
22 these measures on a daily basis. The removal of temporary soil erosion and

1 sediment control measures after permanent soil erosion and sediment control

2 measures have been implemented and the area stabilized.

3 1218.16. - Permanent and temporary soil erosion and sediment control measures.

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

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

21 1218.17. - Maintenance requirements.

All persons carrying out soil erosion and sediment control measures under this chapter shall have a program for the continued maintenance of all soil erosion and sediment control measures that remain after project completion. Any conveyance of the land on which the permanent soil erosion control measures are located shall provide for maintenance responsibilities. If the conveyance fails to so provide, the subsequent land owner shall be responsible for maintenance responsibilities.

1218.18. - Plans and specifications.

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

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

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

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

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

- (1) The industry generally referred to as logging, except access roads and ancillary activities;

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

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

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

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

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

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

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

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

1 such exempted activities cause or result in a violation of MCL 324.9101, et seq., as
2 amended.

3 (c) A waiver to the SESC permit may be granted at the City Engineer's discretion for
4 an earth change after receiving a signed affidavit from the land owner stating that
5 the earth change will disturb less than 225 square feet and that the earth change
6 will not contribute sediment to lakes and streams.

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

13 1218.20. - Inspections.

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

19 THE CITY ENGINEER SHALL INSPECT THE WORK PURSUANT TO THIS CHAPTER
20 AND SHALL REQUIRE ADEQUATE INSPECTION TO ASSURE THE MINIMIZATION
21 OF SOIL EROSION AND OFF-SITE SEDIMENTATION. SESC INSPECTORS SHALL
22 HAVE THE APPROPRIATE SESC TRAINING AND CERTIFICATES PER MCL

1 324.9123. PER MCL 324.9113, THE CITY ENGINEER MAY ENTER UPON ANY
2 PRIVATE OR PUBLIC PROPERTY FOR THE PURPOSE OF INSPECTING AND
3 INVESTIGATING CONDITIONS OR PRACTICES THAT MAY BE IN VIOLATION OF
4 THIS PART. HOWEVER, AN INVESTIGATION OR INSPECTION UNDER THIS
5 SUBSECTION SHALL COMPLY WITH THE UNITED STATES CONSTITUTION AND
6 THE STATE CONSTITUTION OF 1963.

7 1218.21. - Certification of completion.

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

13 1218.22. - Cease and desist orders; revocation of SESC permits; legal remedies.

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

injunction or other process against a person to restrain or prevent violations of this 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 1. SESC INSPECTION/CORRECTION NOTICE.

2 2. NOTICE OF CORRECTION BY LETTER OR EMAIL.

3 3. NOTICE OF VIOLATION PER SECTION 1218.10

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

6 5. LEGAL ACTION PER SECTION 1218.22.

7 THE CITY ENGINEER MAY FOREGO ANY OF THE STEPS IF IT IS DETERMINED
8 THAT THERE IS AN IMMEDIATE THREAT TO HEALTH, SAFETY OR PROPERTY.
9 1218.99. - Penalty.

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

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

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

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

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

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

Introduction of Ordinance

The Council Member Spitzley introduced:

An Ordinance of the City of Lansing, Michigan, 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.

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2021-268

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, January 10, 2022 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W. Michigan Avenue, Lansing Michigan, for the purpose of:

Approving or opposing the 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.

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.

Introduction of Ordinance

Council Member Hussain introduced

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 Ordinance is read a first time by its title and referred to the Committee of the Whole.

Resolution #2021-269

By the Committee of the Whole

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, January 10, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W. Michigan Avenue, Lansing Michigan, for the purpose of:

Approving or opposing the amendment to 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.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, December 13, 2021, at 7:00 p.m. in the Tony Benavides Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of the City of Lansing.

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#21-261



Chris Swope

Lansing City Clerk

December 9, 2021

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

Lansing Brownfield Redevelopment Authority	November 5, 2021
Economic Development Corporation	November 5, 2021
Tax Increment Finance Authority	November 5, 2021
Michigan Avenue CIA	November 12, 2021
Saginaw Street CIA	September 23, 2021
Planning Board	November 3, 2021
December Park Board	November 10, 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,

Chris Swope, MMC/MiPMC
Lansing City Clerk

DRAFT

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Q5 Distillery Inc. for a Small Distiller, Brandy and Mixed Spirits Manufacturer, Consumer Sampling Event, On-Premise Tasting Room, Outdoor Service and Sunday Sales (PM) License permits; and

WHEREAS, the Committee on City Operations met on _____, 2022, to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Q5 Distillery Inc.. for a Small Distiller, Brandy and Mixed Spirits Manufacturer, Consumer Sampling Event, On-Premise Tasting Room, Outdoor Service and Sunday Sales (PM) License permits.



Manufacturer License & Permit Application

For information on manufacturer and wholesaler licenses and permits, including a checklist of required documents for a completed application, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): <u>QS Distillery, Inc.</u>	
Address to be licensed: <u>112 N. Larch St.</u>	
City: <u>Lansing</u>	Zip Code: <u>48912</u>
City/township/village where license will be issued: <u>Lansing</u>	County: <u>Ingham</u>
Federal Employer Identification Number (FEIN): [REDACTED]	

Leave Blank - MLCC Use Only

1. Are you requesting a new license? ☐ Yes ☒ No
2. Are you applying ONLY for a new permit or permission? ☐ Yes ☒ No
3. Are you buying an existing license? ☒ Yes ☐ No
4. Are you modifying the size of the licensed premises? ☐ Yes ☒ No
If Yes, specify: ☐ Adding Space ☐ Dropping Space ☐ Redefining Licensed Premises
5. Are you transferring the location of an existing license? ☐ Yes ☒ No
6. Is this license being transferred as the result of a default or court action? ☐ Yes ☒ No
7. Do you intend to use this license actively? ☒ Yes ☐ No

Part 2 - License Transfer Information (If Applicable)

If transferring ownership of a license ONLY and not transferring the location of a license, fill out only the name of the current licensee(s)

Current licensee(s): <u>American Fifth Spirits</u>	
Current licensed address: <u>112 N. Larch St.</u>	
City: <u>Lansing</u>	Zip Code: <u>48912</u>
City/township/village where license is issued: <u>Lansing</u>	County: <u>Ingham</u>

Part 3 - Licenses, Permits, and Permissions

Applicants for Manufacturer licenses, permits, and permissions must complete the attached Schedule A and return it with this application. Transfer the fee calculations from the Schedule A to Part 4 below.

Part 4 - Inspection, License, and Permit Fees - Make checks payable to State of Michigan

Inspection Fees - Pursuant to MCL 436.1529(4) a nonrefundable inspection fee of \$70.00 shall be paid to the Commission by an applicant or licensee at the time of filing of a request for a new license or permit, a request to transfer ownership or location of a license, or a request to increase or decrease the size of the licensed premises. Requests for a new permit in conjunction with a request for a new license or transfer of an existing license do not require an additional inspection fee.

License and Permit Fees - Pursuant to MCL 436.1525(1), license and permit fees shall be paid to the Commission for a request for a new license or permit or to transfer ownership or location of an existing license.

Inspection Fees:	License & Permit Fees:	TOTAL FEES:
------------------	------------------------	--------------------

Schedule A - Licenses, Permits, & Permissions

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

License Type:**Base Fee:***Fee Code
MLCC Use
Only*

- | | | |
|--|------------|------|
| ☐ Brewer | \$50.00 | 4038 |
| ☐ Micro Brewer | \$50.00 | 4038 |
| (Under 60,000 barrels annually) | | |
| For delivery vehicle decal fees please use <u>Report of Delivery Vehicles form (LCC-351)</u> . | | |
| ☐ Wine Maker | \$100.00 | 4038 |
| ☐ Small Wine Maker | \$25.00 | 4038 |
| (Under 50,000 gallons annually) | | |
| ☒ Brandy Manufacturer | \$100.00 | 4038 |
| ☒ Mixed Spirit Drink Manufacturer | \$100.00 | 4038 |
| ☐ Distiller (Manufacturer of Spirits) | \$1,000.00 | 4038 |
| ☒ Small Distiller | \$100.00 | 4038 |
| (Under 60,000 gallons annually) | | |
| ☒ Consumer Sampling Event License | No charge | |
| ☐ Industrial Manufacturer | \$10.00 | 4038 |
| ☐ Outstate Seller of Beer | \$1,000.00 | 4038 |
| ☐ Outstate Seller of Wine | \$300.00 | 4038 |
| ☐ Outstate Seller of Mixed Spirit Drink | \$300.00 | 4038 |
| ☐ Warehouser | \$50.00 | 4038 |

**Permits Specific To
Manufacturer License/Premises :****Base Fee:**

- | | |
|---|-----------|
| ☐ Beer and Wine Tasting Permit | No Charge |
| ☐ Living Quarters Permit | No Charge |
| ☐ Off-Premises Storage | No Charge |
| ☐ Direct Connection(s) | No Charge |

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

Permits Specific to On-Premises Tasting Room:**Base Fee:***Fee Code
MLCC Use
Only*

- | | | |
|---|-----------|------|
| ☒ On-Premises Tasting Room Permit | \$100.00 | 4085 |
| ☐ Sunday Sales Permit (AM)* | \$160.00 | 4033 |
| ☒ Sunday Sales Permit (PM) ** | \$15.00 | 4032 |
| ☐ Catering Permit | \$100.00 | 4031 |
| ☐ Dance Permit | No Charge | |
| ☐ Entertainment Permit | No Charge | |
| ☐ Specific Purpose Permit (list activity below): | | |
| Days/Hours requested: _____ | | |
| ☐ Extended Hours Permit (check type below): | No Charge | |
| ☐ Dance ☐ Entertainment | | |
| Days/Hours requested: _____ | | |
| ☒ Outdoor Service | No Charge | |

*Sunday Sales Permit (AM) allows the sale of liquor, beer, and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

**Sunday Sales Permit (PM) allows the sale of spirits or mixed spirit drinks on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of beer and wine on Sunday after 12:00 noon. The Sunday Sales Permit (PM) fee is 15% of the fee for the license that allows the sale of spirits or mixed spirit drinks.

Inspection, License, Permit, & Permission Fee Calculation

Number of Licenses: _____ x \$70.00 Inspection Fee

Total Inspection Fee(s): _____

Total License Fee(s): _____

Total Permit Fee(s): _____

TOTAL FEES DUE: _____Make checks payable to **State of Michigan**

Part 5a - Information on Individual Applicant, Stockholder, Member, or Limited Partner

Each individual, stockholder, member, or partner must complete Part 5a, 5b, and 5c. If a stockholder or member of an applicant company is a corporation or limited liability company, complete Part 5a and 5c and submit a completed Form LCC-301.

For applications with multiple individuals, stockholders, members, or partners - each person or entity must complete a separate copy of this page.

Name: <u>Charles Scott Quoss</u>			
Home address: <u>281 Greentree Lane NE</u>			
City: <u>Ada</u>		State: <u>MI</u>	Zip Code: <u>49301</u>
Business Phone: <u>616 364-0666</u>	Cell Phone: <u>517 974 4446</u>	Email: <u>scott@evanussports.com</u>	
Have you ever been licensed by the Michigan Liquor Control Commission (MLCC) or do you currently hold an interest in any other licenses issued by the MLCC? If Yes , please list business ID numbers below. If you hold interest in 2 or more locations under the same name, please also write "chain" below. Pursuant to MCL 436.1603, a manufacturer licensee may hold interest in another manufacturer licensee, but not a wholesaler or retailer licensee; a wholesaler licensee <u>may not</u> hold interest in another wholesaler licensee or a manufacturer or retailer licensee. ☐ Yes ☒ No			
Do you hold 10% or more interest in the applicant entity? ☐ Yes ☒ No			
If you answered "no" to the first question and "yes" to the second question, you must submit fingerprints and undergo an investigation by the MLCC. Please see the attached instructions for submitting fingerprints to the MLCC. You must submit a copy of the completed and endorsed " <u>Livescan Fingerprint Background Request</u> " with your application.			

Part 5b - Personal Information (Individuals) - Must be at least 21 years of age, pursuant to administrative rule R 436.1105(1)(a).

Date of Birth: [REDACTED]	Social Security Number: [REDACTED]	Driver's License Number: [REDACTED]	
Are you a citizen of the United States of America? ☒ Yes ☐ No			
Have you ever legally changed your name? ☐ Yes ☒ No			
If you answered "yes", please list your prior name(s) (including maiden):			
Spouse's full name (if currently married): <u>Michelle Lynn Quoss</u>			
Spouse's date of birth: [REDACTED]	Is your spouse a citizen of the United States of America? ☒ Yes ☐ No		
Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan? ☐ Yes ☒ No			
Does your spouse hold a retailer, manufacturer, or wholesaler license issued by the MLCC? ☐ Yes ☒ No			
Have you ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary): ☐ Yes ☒ No			
Date	City/State	Charge	Disposition
Has your spouse ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes , list below (attach additional pages if necessary): ☐ Yes ☒ No			
Date	City/State	Charge	Disposition

Part 5c - Signature

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003. (This form must be signed by the person whose information it contains).

Scott Quoss
Print Name

[Signature]
Signature

9/20/21
Date

Part 6 - Contact Information

Provide information on the contact person for this application. Please note that corporations and limited liability companies must provide documentation (e.g. meeting minutes, corporate resolution) authorizing anyone other than the applicant or an attorney of record to be the contact person. If an authorization is not provided, your contact person will not be acknowledged if they are anyone other than the applicant or attorney.

What is your preferred method of contact?		☒ Phone	☐ Mail	☐ Email	☐ Fax
What is your preferred method for receiving a Commission Order?		☐ Mail	☒ Email	☐ Fax	
Contact name:	Scott Quoss		Relationship: manager		
Mailing address: 281 Greentree Lane NE					
City:	Ada		State:	MI	
Zip Code:		49301			
Phone:	517 974-4446		Fax number:	Email: scott@vanssports.com	

Part 7 - Attorney Information (If You Have An Attorney Representing You For This Application)

Attorney name:		Member Number: P-	
Attorney address:			
Phone:	Fax number:		Email:
Would you prefer that we contact your attorney for all licensing matters related to this application?			☐ Yes ☐ No
Would you prefer any notices or closing packages be sent directly to your attorney?			☐ Yes ☐ No

Part 8 - Signature of Applicant

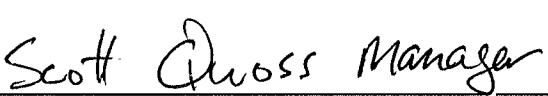
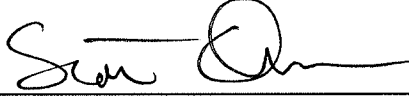
Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

Notice: When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business. Sellers can make a request for the tax clearance certificate through the Michigan Department of Treasury.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false or fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

		
Print Name of Applicant & Title	Signature of Applicant	Date

Please return this completed form along with corresponding documents and fees to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933

Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906

Fax to: 517-284-8557



City of Lansing, Michigan
On-Premises Alcohol Sales Application

Business Name: Q5 Distillery dba: American Fifth Spirits
Business Address: 112 N Larch
City: Lansing State: MI Zip: 48912
Main Contact Number: (517) 999-2631 Secondary Contact Number: (517) 974-4446
Email Address: scott@vanssports.com
License(s) for which you are seeking Local Government Approval small distillery and onsite tasting room

Provide the name, age and address of the applicant, in the case of an individual, or, in the case of a co-partnership, the names, addresses and ages of the persons entitled to share in the profits thereof, or, in the case of a corporation, the objects for which the corporation is organized, the names, addresses and ages of the officers and directors and, if a majority interest in the stock of such corporation is owned by one person or his or her nominee, the name, address and age of such person:

Name	Position	Address	Age
(applicant)			
Charles Scott Quoss	Manager	281 Greentree LN NE Ada, MI 49301	

If an Individual, provide Applicant's:

Date of Birth:

Place of Birth: Kalamazoo

What character of business do you intend to operate? small distillery

What is the length of time your business has been of that character, or in the case of a corporation, the date when its charter was issued? 3 months

When you are done with this form, please return it to:

Chris Swope, City Clerk
Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
Phone: 517-483-4131 Fax: 517-377-0068
City.clerk@lansingmi.gov lansingmi.gov/clerk

Have you made applications for a similar or other license on premises other than those described in this application? Yes ☐ No ☒

If yes, what is the disposition of any such earlier application? _____

Are building plans on file? Yes ☒ No ☐ If not please submit them with this application showing the entire structure and premises and, in particular, the specific areas where the license is to be utilized. Such plans shall demonstrate adequate off-street parking, lighting and refuse disposal facilities and, where appropriate, adequate plans for screening and noise control, as provided in the Zoning, Building and Housing, and Fire Prevention Codes.

☒ I (we) have never been convicted of a felony and is (are) not disqualified to receive a license by reason of any item contained in this chapter or the laws of the State.

☒ I (we) will not violate any State or Federal laws or any ordinance of the City in the conduct of this business.

☒ I (we) or my (our) agent(s) do not owe any personal property taxes.

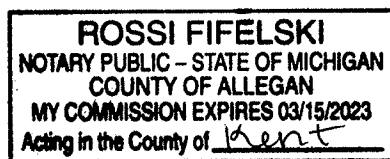
☒ The copy of the Michigan Liquor Control Commission application submitted with this application is a true copy of what I (we) intend to submit to the Michigan Liquor Control Commission.

I hereby certify that this application is complete and accurate to the best of my knowledge, information and belief.

[Signature]

Signature

11/29/21
Date



Subscribed and sworn to before me this

29th day of November, 2021.

Signature Rossi Fifelski

Printed Name Rossi Fifelski

Notary Public, Kent County, Michigan

My Commission Expires: 03/15/2023

Acting in the County of Kent

When you are done with this form, please return it to:

Chris Swope, City Clerk

Lansing City Clerk's Office

Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695

Phone: 517-483-4131

Fax: 517-377-0068

City.clerk@lansingmi.gov

lansingmi.gov/clerk



CITY OF LANSING
TREASURER'S OFFICE/INCOME TAX DIVISION
Room G-29, First Floor, City Hall
124 W Michigan Ave
Lansing, Michigan 48933
(517) 483-4121
FAX (517) 483-6084

ANDY SCHOR, MAYOR

LANSING TREASURY INFORMATION REQUEST

COMPLETE A SEPARATE FORM FOR EACH INDIVIDUAL SUBJECT TO VERIFICATION

Date: 11/29/21

APPLICANT/EMPLOYEE INFORMATION

Name (RA): Charles Scott Quoss

Home Address: 281 Greentree lane NE
Ada, MI 49301

Daytime Phone Number: 616 364-0666

Social Security (last 4 digits ONLY): [REDACTED]

Drivers License # [REDACTED]

Date of Birth: [REDACTED]

EMPLOYER/BUSINESS INFORMATION

Corporate Name: QS distillery

Doing Business As (DBA):

Address: 281 Greentree lane NE
Ada, MI 49301

Business Phone Number:

FEIN #: [REDACTED]

Date business was established: 2021

Do you, or any of these businesses, owe the City of Lansing money for any reason? ☐ Yes ☒ No

If Yes, for what reason?

Name of any other Lansing area business in which your ownership participation exceeds 25%

Signature

11/29/21

Date

Revised 5/9/2018

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the ARTICLES OF ORGANIZATION

for

Q5 DISTILLERY, LLC

ID Number: 802721384

received by electronic transmission on August 16, 2021 ***, is hereby endorsed.***

Filed on August 16, 2021 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 16th day of August, 2021.

Linda Clegg

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau

LARA Corporations
Online Filing System
Department of Licensing and Regulatory Affairs

Form Revision Date 02/2017

ARTICLES OF ORGANIZATION

For use by DOMESTIC LIMITED LIABILITY COMPANY

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned executes the following Articles:

Article I

The name of the limited liability company is:

Q5 DISTILLERY, LLC

Article II

Unless the articles of organization otherwise provide, all limited liability companies formed pursuant to 1993 PA 23 have the purpose of engaging in any activity within the purposes for which a limited liability company may be formed under the Limited Liability Company Act of Michigan. You may provide a more specific purpose:

Article III

The duration of the limited liability company if other than perpetual is:

Article IV

The street address of the registered office of the limited liability company and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: SCOTT QUOSS
2. Street Address: 281 GREENTREE LANE
Apt/Suite/Other:
City: ADA
State: MI Zip Code: 49301

3. Registered Office Mailing Address:

P.O. Box or Street Address: 281 GREENTREE LANE
Apt/Suite/Other:
City: ADA
State: MI Zip Code: 49301

Article V

(Insert any desired additional provision authorized by the Act; attach additional pages if needed.)

THE BUSINESS OF THE COMPANY WILL BE MANAGED BY OR UNDER THE AUTHORITY OF ONE OR MORE MANAGERS.

Signed this 16th Day of August, 2021 by the organizer(s):

Signature	Title	Title if "Other" was selected
Robert J. Nolan	Organizer	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

Page 124 of 219

☐ Decline ☐ Accept

**RESOLUTION #2021-
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, in Resolution 2021-093, the City of Lansing established three Social Districts within the City, the Downtown Social District, the REO Town Social District, and the Old Town Social District; and

WHEREAS, Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 is located within the previously established commons area of the Downtown Social District; and

WHEREAS, The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 is located within the previously established commons area of the Old Town Social District; and

WHEREAS, both Sidecar Slider Bar and The Creole Burger Bar & Southern Kitchen have requested that the City of Lansing approve each as a qualified entity that may apply for a social district permit issued by the Michigan Liquor Control Commission; and

WHEREAS, the COMMITTEE OF THE WHOLE met on December 13, 2021 to review the request with affirmative action taken; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Sidecar Lansing, LLC DBA Sidecar Slider Bar, 500 E Michigan Ave, Lansing MI 48912 to be added as a qualified licensee to the Downtown Social District.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Lansing City Council, hereby, approves the request from The Potent Potables Project, LLC DBA The Creole Burger Bar & Southern Kitchen, 1218 Turner Rd, Lansing MI 48906 to be added as a qualified licensee to the Old Town Social District.

BE IT FINALLY RESOLVED, the City Clerk is shall notify the Michigan Liquor Control Commission of the addition of the above two entities as qualified licensees who may apply for a social district permit.

DRAFT

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;

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.



City of Lansing

OFFICE OF THE CITY ATTORNEY

TO: Ways and Means Committee

FROM: F. Joseph Abood, Chief Deputy City Attorney

DATE: December 01, 2021

RE: WC Settlement 2062876-01100



CompOne Administrators, Inc. has evaluated this claim for settlement. We have negotiated a settlement of \$150,441.00 to release all past, present and future claims against the City of Lansing.

The Mayor, the Law Department and the Department of Human Resources support the recommendation for settlement and the Department of Human Resources advises that funds are available in the Workers Compensation Claims account. We are requesting your approval of the redemption of this case.

Please contact this office as soon as possible with any concerns you may have regarding the redemption of this claim.

cc: Linda Sanchez-Gazella, Human Resources Director
Kathy Woodman, Health & Wellness Administrator

DRAFT
BY THE COMMITTEE
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
Development Grant for Fenner Nature Center Walking Path (TF21-0170)	\$300,000
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.

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a(1)(b), which established the criteria for a new Class C Development District or Area Liquor Licenses; and

WHEREAS, through the provisions of Public Act 501 of 2006, as amended ("Act") the Michigan Liquor Control Commission (LCC) may issue new public on-premises liquor licenses in order to allow cities to enhance the quality of life for their residents and visitors to their communities; and

WHEREAS, the issuance of a Development District Liquor License under Section 521a(1)(b) of the Act requires a proposed licensed premises to be located in one of the development districts or areas listed in MCL 436.1521a(1)(b); and

WHEREAS, pursuant to Public Act 120 of 1961 for Principal Shopping Districts, the Lansing City Council created the Lansing Principal Shopping District by Resolution in 1996 which is listed as a qualifying development district or area under MCL 436.1521a(1)(b); and

WHEREAS, the City of Lansing received a request from RBM PROPERTIES, LLC ("Applicant") regarding its intention to apply to the Michigan Liquor Control Commission for a new Class C Development District or Area Liquor License for its business located at 224 S. Washington Square, Lansing, MI 48933 ("Proposed Licensed Premises") which is located within the Lansing Principal Shopping District; and

WHEREAS, the Applicant has affirmed that the Proposed Licensed Premises meets the statutory requirements for a Development District or Area Liquor License under the Act including 1) that its business must be engaged in activities of dining, entertainment, or recreation, and 2) the licensed business must be open to the general public and have a seating capacity of not less than 25 persons; and

WHEREAS, the Applicant will provide evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than \$75,000.00 in the rehabilitation or restoration of the building that will house the licensed premises over a period of the preceding five (5) years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license, as required by the Act; and

WHEREAS, the Committee on City Operations met on **[INSERT DATE]**, to review the request with affirmative action taken;

WHEREAS, the Applicant has been informed that licensure of the Proposed Licensed Premises will be subject to approval by the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from RBM PROPERTIES, LLC, for a new Class C License issued under the provisions of MCL 436.1521a(1)(b) for its business located at 224 S. Washington Square, Lansing, MI 48933.

BE IT FURTHER RESOLVED, the City Council affirms that the Proposed Licensed Premises, 224 S. Washington Square, Lansing, MI 48933 is within the established boundaries of the Lansing Principal Shopping District; and

BE IT FURTHER RESOLVED, the City Council directs the City Assessor to verify via an Affidavit the total amount of public and private investment in real and personal property within the Lansing Principal Shopping District amounts to \$200,000.00 or more over the preceding 5 years.

BE IT FURTHER RESOLVED, the applicant meets the qualifications of Lansing's City Liquor Ordinances, and those required under MCL 436.1521a(1)(b) and that the license is approved "Above all others."

BE IT FINNALLY RESOLVED, the City Council directs the City Clerk to complete the Local Governmental Unit Approval Form (LCC-106) for the specific license approval of a New Class C license issued under MCL 436.1521a(1)(b) and to forward a copy of the certified form and this resolution to RBM PROPERTIES, LLC and the Michigan Liquor Control Commission.



New On-Premises Redevelopment or Development District License Questionnaire

Complete and submit this questionnaire along with a fully completed [Retailer License & Permit Application \(LCC-100\)](#) with the documents required to be submitted with that form and any other documents required as listed below.

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): RBM PROPERTIES LLC		
Address to be licensed: 224 S WASHINGTON SQUARE		
City: LANSING	Zip Code: 48933	
City/township/village where license will be issued: CITY OF LANSING		County: INGHAM
Contact Name: KEVIN MEYER	Phone: 517-980-6557	Email: kevin@mientertainmentgroup.com
Mailing address (if different from above): 503 Mall Court, #329		
City: LANSING	Zip Code: 48912	

I am applying for the following on-premises redevelopment or development district license:

☐ **MCL 436.1521a(1)(a) - Redevelopment (RDA) License - Complete Parts 2a, 3, 4, & 5**

Select one: ☐ Class C ☐ B-Hotel ☐ Tavern ☐ A-Hotel

- The proposed licensed premises must be located in a redevelopment project area defined by the local governmental unit and the investment in the redevelopment project area must meet one (1) of following requirements:
 - Investment of not less than \$50 million in cities, townships, or villages having a population of 50,000 or more
 - Investment of not less than \$1 million per 1,000 people in cities, townships, or villages having a population of less than 50,000
- The licensed business must be engaged in activities related to dining, entertainment, or recreation and provide that activity not less than five (5) days per week
- The licensed business must be open to the public not less than ten (10) hours per day, five (5) days per week
- The initial enhanced license fee for a license issued under this section is \$20,000.00

☒ **MCL 436.1521a(1)(b) - Development District (DDA) License - Complete Parts 2b, 3, 4, & 5**

Select one: ☒ Class C ☐ B-Hotel ☐ Tavern ☐ A-Hotel

- The proposed licensed premises must be located in one of the development districts or areas listed in MCL 436.1521a(1)(b):
 - Tax Increment Finance Authority District Under Part 3 of Public Act 57 of 2018 (Formerly Public Act 450 of 1980)
 - Corridor Improvement Authority Act Development Area under Part 6 of Public Act 57 of 2018 (Formerly Public Act 280 of 2005)
 - Downtown Development Authority (DDA) District under Part 2 of Public Act 57 of 2018 (Formerly Public Act 197 of 1975)
 - Principal Shopping District under Public Act 120 of 1961
- The total investment in real and personal property within the development district or area shall not be less than \$200,000.00 over a period of the preceding five (5) years
- The building shall be a restoration or rehabilitation of an existing building and **cannot be a brand new building**
- The building that will house the proposed licensed premises must have at least \$75,000.00 expended for the rehabilitation or restoration of the building over the preceding five (5) years or a commitment for a capital investment of at least \$75,000.00 in the building that must be expended before the license is issued
- The licensed business must be engaged in activities related to dining, entertainment, or recreation
- The licensed business must be open to the general public and have a seating capacity of not less than 25 persons
- The initial enhanced license fee for a license issued under this section is \$20,000.00

Please Note: Pursuant to MCL 436.1521a(8) a license issued under MCL 436.1521a cannot be transferred to another location and if the licensee goes out of business the license issued under MCL 436.1521a shall be surrendered by the licensee to the Commission and the Commission will terminate the license.

Part 2a - MCL 436.1521a(1)(a) - Redevelopment (RDA) License Required Documents

- ☐ Resolution from local governmental unit establishing the redevelopment project area
- ☐ Affidavit from the assessor, certified by the city, township, or village clerk, which states the following:
 - The amount of investment money expended for manufacturing, industrial, residential, and commercial development within the redevelopment project area during the preceding three (3) years (must specifically state start and end dates for the investment, i.e. January 1, 2013, to December 31, 2015).
 - Statement that the amount of commercial investment in the redevelopment project area constitutes not less than 25% of the total investment in real and personal property in the area.
- ☐ Legible map of the redevelopment project area which clearly labels all street names

Part 2b - MCL 436.1521a(1)(b) - Development District (DDA) License Required Documents

- ☒ Resolution from local governmental unit establishing the development district or area which specifically references the statute under which the area was established:
 - Part 3 of Public Act 57 of 2018 (Formerly Public Act 450 of 1980) for Tax Increment Finance Authorities
 - Part 6 of Public Act 57 of 2018 (Formerly Public Act 280 of 2005) for Corridor Improvement Authorities
 - Part 2 of Public Act 57 of 2018 (Formerly Public Act 197 of 1975) for Downtown Development Authorities
 - Public Act 120 of 1961 for Principal Shopping Districts
- ☒ Affidavit from the assessor, certified by the city, township, or village clerk, which states the following:
 - The total amount of public and private investment in real and personal property within the development district or area over a period of the preceding five (5) years (must specifically state start and end dates for the investment, i.e. January 1, 2011, to December 31, 2015).
- ☒ Legible map of the development district or area which clearly labels all street names

Part 3 - Available License Search

MCL 436.1521a(9) requires any person signing an application for an on-premises Redevelopment or Development District license to verify that he or she attempted to purchase any of the on-premises licenses that are in escrow that do not have a pending transfer on file with the MLCC within the county in which the applicant for the on-premises Redevelopment or Development District license proposes to operate.

You should not apply for an on-premises Redevelopment or Development District license if there is an available quota license in the local governmental unit in which the proposed licensed business will be located. You may verify the availability of quota licenses on the Commission's website using the [Local Government Quota search page](#).

- ☒ I verify that I have attempted to purchase any readily available on-premises escrowed licenses that do not have pending transfers on file with the MLCC in the county where the proposed licensed business will be located.
 - Applicant should provide a notarized affidavit outlining all attempts and responses (or lack thereof) to secure a readily available on-premises license.
 - Applicant should send certified letters of inquiry as to the availability of the license to each licensee at the address listed on the licensee listing report provided by the MLCC.
 - Applicant should submit copies of the letters sent, certified tags, signed certified return receipts, copies of any envelopes returned by the USPS, and copies of any correspondence received from the licensees.
 - Applicant should provide dates, the name of the person contacted, and a synopsis of the conversation if escrowed licensees are contacted by telephone.
 - Applicant should provide documentation regarding the fair market value of the license based on where the applicant will be located, if determinable, the size and scope of the proposed operation, and/or the existence of mandatory contractual restrictions or inclusion attached to the sale of the license when indicating to the MLCC that purchase of a license is not economically feasible or the license is not readily available.
- ☒ There are no readily available on-premises licenses in escrow in the county where the proposed licensed business will be located.
- ☒ There are no unissued, on-premises quota licenses readily available in the local governmental unit where the proposed licensed business will be located.

Part 4 - Local Governmental Approval

An applicant for a new on-premises Redevelopment or Development District license requires approval by the legislative body of the local governmental unit in which the licensed premises will be located. Applicants for a license in a city that has a population of 600,000 or more do not require local governmental approval. Please use the [Local Governmental Unit Approval Form \(LCC-106\)](#) or obtain a resolution from the local governmental unit that contains the same information required on the form. The form or a resolution from the city, village, or township must specifically state the applicant's legal name, if an individual person, or the corporate name of the business, the proposed licensed address, and contain a recommendation for the issuance of a license under one of the two following options:

- New Class C* license issued under the provisions of MCL 436.1521a(1)(a)
- New Class C* license issued under the provisions of MCL 436.1521a(1)(b)

**May substitute other license types such as Tavern, A-Hotel, or B-Hotel licenses*

Part 5 - Signature of Applicant

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

I certify that I understand that pursuant to MCL 436.1521a(8) a license issued under MCL 436.1521a cannot be transferred to another location and that if the licensee goes out of business the license issued under MCL 436.1521a shall be surrendered by the licensee to the Commission and the Commission will terminate the license.

RBM PROPERTIES LLC, KEVIN MEYER, MANAGING



10/22/21

Print Name of Applicant & Title

Signature of Applicant

Date

Please return this completed form along with corresponding documents:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059

Application for Redevelopment Liquor License – City of Lansing

To apply for a redevelopment liquor license, a business must be located in either a **Business District** listed below or in a **City Redevelopment Area**, as defined in Sec. 521a (2)(c)

- Tax Increment Finance Authority (TIFA) PA 450 of 1980
- Corridor Improvement Authority (CIA) PA 280 of 2006
- Downtown Development Authority (DDA) PA 197 of 1975
- Principal Shopping District (PSD) PA 120 of 1961

Per State Law, Redevelopment Liquor Licenses require the following:

1. The amount expended for the rehabilitation or restoration of the building that houses the licensed premises shall be not less than \$75,000 over a period of the preceding 5 years, or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license.
2. That the licensed business is engaged in dining, entertainment, or recreation, that is open to the general public, with a seating capacity of not less than 25 persons.

You should also be aware of the following:

- The initial enhanced license fee for licenses issued is \$20,000.
- The licenses issued under the Redevelopment Liquor License criteria may **not be** transferred to another location.
- If the licensee goes out of business, the licensee shall surrender the license to the Commission. The governing body of the local governmental unit may approve another applicant within the redevelopment project area or development district area to replace a licensee who has surrendered the license to the Commission.
- Do not invest any money in improvements or bind yourself in any agreements until you have been officially notified by the Michigan Liquor Control Commission that your request has been approved.
- The individual signing the application shall state and demonstrate that they attempted to secure an appropriate on-premises escrowed license first or quota license which may be available within the local unit of government in which the applicant proposes to operate.

The Lansing Economic Area Partnership (LEAP) will receive, process, and represent an application for a redevelopment liquor license for the initial approval through City Council. Once City Council has approved the application it is the applicant's responsibility to carry out the remaining application process with the State Liquor Control Commission.

There is a local fee of \$1,500 per application, due to LEAP at the time of application.

Property Address: 224 S WASHINGTON SQUARE, LANSING, MI 48933

Applicant Name: RBM PROPERTIES LLC

Doing business as (if applicable): _____

Phone #: 517-980-6557

Email Address: KEVIN@MIENTERTAINMENTGROUP.COM

EIN #: ██████████

Seating Capacity: 600

Usage (circle all that apply): Dining | Entertainment | Recreation

Application for Redevelopment Liquor License – City of Lansing (cont.)

Please write a brief description of your business below and why you would like to apply for a redevelopment liquor license:

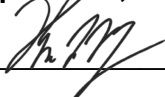
~~The 224 S Washington venue located in the downtown business corridor of Lansing will become one of the most popular and storied music venues in the Midwest. In addition to public performances, 224 will also be available for private functions, including weddings, meetings and corporate events. Alcohol sales will be a key component of our business model. We have been unable to find an existing licensee willing to sell a license, rendering purchase of a license not readily available, or economically feasible to support our business plan. Applying for a redevelopment liquor license is the next step.~~

Please provide the following:

- ☐ Proof of ownership of the property where Redevelopment Liquor License will be requested. (a copy of the deed)
 - ☐ If not the owner of subject address, please provide a valid copy of the signed and executed lease.
- ☐ Proof that at least \$75,000 worth of personal and or real property improvements to the subject address has been made within the previous five (5) years.

*If \$75,000 has not been expended on the subject address please sign statement below that you agree to make such expenditures prior to any issuance of a Redevelopment Liquor License.

I, the undersigned, state that, to the best of my knowledge, am current on all City of Lansing and State of Michigan taxes, personal and real, as they pertain to the property and entity located at the address indicated above, and that, failure to remain current on all taxes, personal and real, may result in the denial of application, or revocation of any issued Redevelopment Liquor License.

Signature  Date 10/22/21

Print Name Kevin Meyer/Member, RBM Properties LLC

***I, the undersigned, commit to making expenditures equal to or in excess off \$75,000 relating to real and personal property at the address indicated above, having not done so in any of the previous five years, prior to the issuance of any Redevelopment Liquor License.**

Signature  Date 10/22/21

Print Name Kevin Meyer/Member, RBM Properties LLC

If you have any questions regarding the requirements or the application, please contact Lansing Economic Area Partnership (LEAP) at (517) 702-3387.

BY THE COMMITTEE ON DEVELOPMENT & 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, , 2021, 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 the Ordinance for rezoning:

SLU-1-2021: 611 N. Butler Boulevard (Parcel #: 33-01-01-17-226-182), Special Land Use Permit, Parking lot in the “R-6B” Urban Detached Residential Zoning District

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**5411 Wise Road
SLU-2-2021, Special Land Use Permit – Electrical Substation**

The Lansing City Council will hold a public hearing on Monday, , 2022 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-2-2021, a request by the Lansing Board of Water & Light for a special land use permit to construct a new electrical power substation at 5411 Wise Road.

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, 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, City Clerk

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

SLU-2-2021
5411 Wise Road
Electrical Power Substation

WHEREAS, the Lansing Board of Water & Light has requested a special land use permit to authorize the construction of a new electrical power substation at 5411 Wise Road; 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 December 7, 2021 at which a representative of the Board of Water & Light spoke in support of the request and no other comments were received; and

WHEREAS, the Planning Board, at its November 7, 2021 meeting, voted (5-0) to recommend approval of SLU-2-2021 for a special land use permit to authorize the construction of a new electrical power station at 5411 Wise Road; and

WHEREAS, the City Council held a public hearing regarding SLU-2-2021 on 2022; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-2-2021 for a special land use permit to authorize the construction of a new electrical power station at 5411 Wise Road

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 substation will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed substation will not change the essential character of the area.
3. The proposed substation will not interfere with the enjoyment of adjacent properties.
4. The proposed substation does represent an improvement to the property.
5. The proposed substation will not generate any nuisances or hazardous conditions.

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

GENERAL INFORMATION

APPLICANT/OWNER:	Board of Water & Light (LBWL) 1201 S. Washington Avenue Lansing, MI 48910
REQUESTED ACTION:	Special Land Use permit to authorize the construction of a new BWL electric power substation
EXISTING LAND USE:	BWL electric power substation
EXISTING ZONING:	"R-2", Suburban Detached Residential
PROPERTY SIZE & SHAPE:	1,240,800 square feet – 28.4 acres
SURROUNDING LAND USE:	N: City Park S: Consumer's Energy Right-of-Way, School, & Single Family Residential E: Vacant Property & Single Family Residential W: Church & Single Family Residential
SURROUNDING ZONING:	N: "R-2", Suburban Detached Residential S: "R-2", Suburban Detached Residential & "INST-1" Suburban Institutional E: "R-2" Suburban Detached Residential W: "R-2" Suburban Detached Residential
MASTER PLAN DESIGNATION:	Open Space-Quasi-Public/Utility

APPLICANT'S PROPOSAL

The Lansing Board of Water & Light is requesting a special land use permit to authorize the construction of a new electric power substation to replace the existing electrical substation at 5411 Wise Road.

AGENCY RESPONSES:

Building Safety:	The fire rating of exterior walls shall comply with Tables 601 and 602 and section 705.5 Michigan Building Code 2015 (MBC). Exterior wall openings shall be protected as required by Table 705.8 MBC.
Parks & Recreation:	Parks has been in communication with BWL on this project and we are comfortable with the design and impact to the trail system.

Public Service:

- Access will be from Pleasant Grove Road. There is an existing curb cut for the property on Pleasant Grove Road.
- There is an existing storm sewer in Pleasant Grove Road. It is adequate to serve the site.
- There is no sanitary sewer in Pleasant Grove. Sanitary sewer service may be an issue for the site.
- The South Lansing Pathway is located between the proposed substation and the Wise Road Water Treatment Plant. There is a culvert under the pathway to provide drainage from the water treatment plant.
- The water table in this area is high.
- The site will need to comply with the City's stormwater management ordinance.
- There is no sidewalk on Pleasant Grove Road.
- SESC will be performed under the LBWL's APA.
- I have been working with the LBWL's design team for over a year on the design issues for the site. All unresolved Public Service E&I issues will be worked out in the site plan process.

Transportation:

The proposed site is adjacent a utility corridor, existing substation and water treatment facility. The characteristics of the project are similar to the land use of the adjacent areas. Once complete, traffic generated by this facility would be minimal and have little impact on surrounding traffic. The documents propose a pedestrian ramp at Pleasant Grove Road. If approved, this would require relocation. It appears as if the project is proposed within a federally regulated wetland and is located on the National Wetland Inventory (NWI) map. Any construction in this wetland would require approval from the regulating agency. Additionally, significant tree removal appears proposed and should be conducted during Indiana Bat hibernating season.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance 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 proposed substation will be designed to be compatible with the surrounding area. While the proposed project will result in the removal of numerous mature trees on the site, the mature trees surrounding the substation compound area will be preserved to ensure a

proper buffer/screen from surrounding properties and public rights-of-way. As depicted on the attached renderings, the proposal also involves the planting of evergreen trees in areas where the existing trees are not adequate to properly buffer the compound area.

The substation will have no negative impacts on the surrounding area. It will generate very little traffic and no noise, fumes, light glare, vibrations or hazardous electric or magnetic fields.

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

The proposed substation involves several transformers, up to 80 feet in height. There are numerous mature trees of adequate height to buffer the proposed substation from the City Park to the north and to a certain extent, from view of the site to its east and west. Additional evergreen trees will be planted to fill in the gaps where there are no existing trees.

The property adjoins a Consumer's Energy utility corridor/right-of-way along its south property line that contains power poles, to a similar if not greater height that what is being proposed for the substation.

The area of the site where the new substation will be located does not adjoin any residential properties.

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

The proposed power substation will not interfere with the enjoyment of adjacent properties. See responses to 1 and 2 above.

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?.

The proposed substation will have no more of an impact on the natural environment of the lot than any other development of the property. The development will be required to go through administrative site plan review to ensure that it is in full compliance with all applicable City ordinances.

The City's Public Service Director has noted that it appears as if the project is proposed within a federally regulated wetland and is located on the National Wetland Inventory (NWI) map. Any construction in this wetland would require approval from the regulating agency. Additionally, significant tree removal appears proposed and should be conducted during Indiana Bat hibernating season.

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 power substation will not generate any nuisances or hazardous conditions. In fact, the proposed substation is a component of BWL's "Energy Tomorrow" initiative to provide reliable, affordable and clean energy to its customers. This includes the "Integrated Resources Plan" process that specifies how the BWL will replace the 1950's era, coal-fired, Eckert Power Station with new facilities that comply with the Environmental Protection Agency's regulations for reducing greenhouse gas emissions. The IRP process will be based on consideration of costs to customers, ensuring a reliable energy source for the region, environmental stewardship, managing future uncertainty and risks, compliance with all applicable federal regulations, local-generation capacity, and impact on economic development.

The substation will produce very little traffic and no smoke, noise, odors, fumes or glare.

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?

If the special land use permit is approved, the project will have to be approved through the City's administrative site plan review process before any construction can commence on the site. This will involve a complete review of the proposed stormwater management plan and plans for sanitary sewer service to the site. The City's Transportation Engineer has noted in his comments on page 2 of this report that the traffic generated by the substation will be minimal and will not impact the transportation system in the area.

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

The only issue with regard to the adequacy of public services is the lack of sanitary sewer on Pleasant Grove Road. As noted in the comments from the Public Service Department on page 2 of this report, all issues, which would include sanitary sewer service will be addressed during the site plan review phase of this project.

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 substation is consistent with the "Open Space-Quasi-Public/Utility" Design Lansing Comprehensive Plan land use designation.

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

The plans that are attached to this report demonstrate compliance with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATIONS

Staff recommends approval of SLU-2-2021, a special land use permit to authorize the construction of a new electrical power substation at 5411 Wise Road, as generally depicted on the site plan dated 10-06-2021, based upon a finding that the request complies with the special land use permit evaluation criteria listed in Section 1262.02(f) of the Zoning Ordinance, as described in this staff report.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**



Andy Schor, Mayor

PETITION FOR SPECIAL LAND USE

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval of a Special Land Use on the following described property:

5411 Wise Road, Lansing, Michigan 48911

full street address, including zip code, or location of property

Legal
description:

S 1/2 OF S 1/2 OF NE 1/4 Excepting the South 190 FT; Section 6 Township 3 North Range 2 West

Applicant: **Lansing Board of Water and Light**

Address (including zip code): **1201 S Washington Ave, Lansing, MI 48910**

Phone number(s): **(517) 702-6006**

Name of owner(s): **Lansing Board of Water and Light**

Owner address (including zip code): **1201 S Washington Ave, Lansing, MI 48910**

Owner phone number(s): **(517) 702-6006 (Darren Cunningham 517-702-6058)**

Interest in property (please check one):

☐ Option to buy

☒ Owner

☐ Lessee

☐ Represent owner

☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Proposed Special Land Use: **Electrical Substation**

☐ Child Care (13 or more)

☐ Residential Care Facility (7 or more)

Zoning of the property: **R-2 - Suburban Detached Res.**

Size of Parcel:

Width: **470** ft. Length: **2640** ft. Area: **1,240,800** Sq. ft.

Irregular: (specify and attach scale drawing with dimension)

**Please describe
your proposal:**

A greenfield substation to replace the existing Wise single transformer, six-feeder layout substation to a new two-transformer, twelve 13.2 kV feeders, 138 kV ring bus configuration with one additional position for future 138 kV equipment. The project includes installing two new 138 kV-13.8 kV 30/40/50MVA transformers, installing a new twelve-feeder 15 kV main-tie-tie-main switchgear, and installing a 138 kV exit for the South Reinforcement Transmission Line. Project includes clearing and removing approximately 3 acres of vegetation and mature trees.

include specific background information and copies of permits, approvals, and program information

Submit the following:

- Lot Plan (showing location of existing structure and include adjacent properties and setback dimensions).
- Site Plan (showing parking areas, driveways, accessory buildings, trash receptacles).
- Landscape, screening, and buffering plan in accordance with Chapter 1290.
- Photographs of the site.
- Flood plain elevations, if applicable.
- Copies of permits from other agencies, if applicable.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please review the application and file it with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant:



Name:

William D. Cunningham

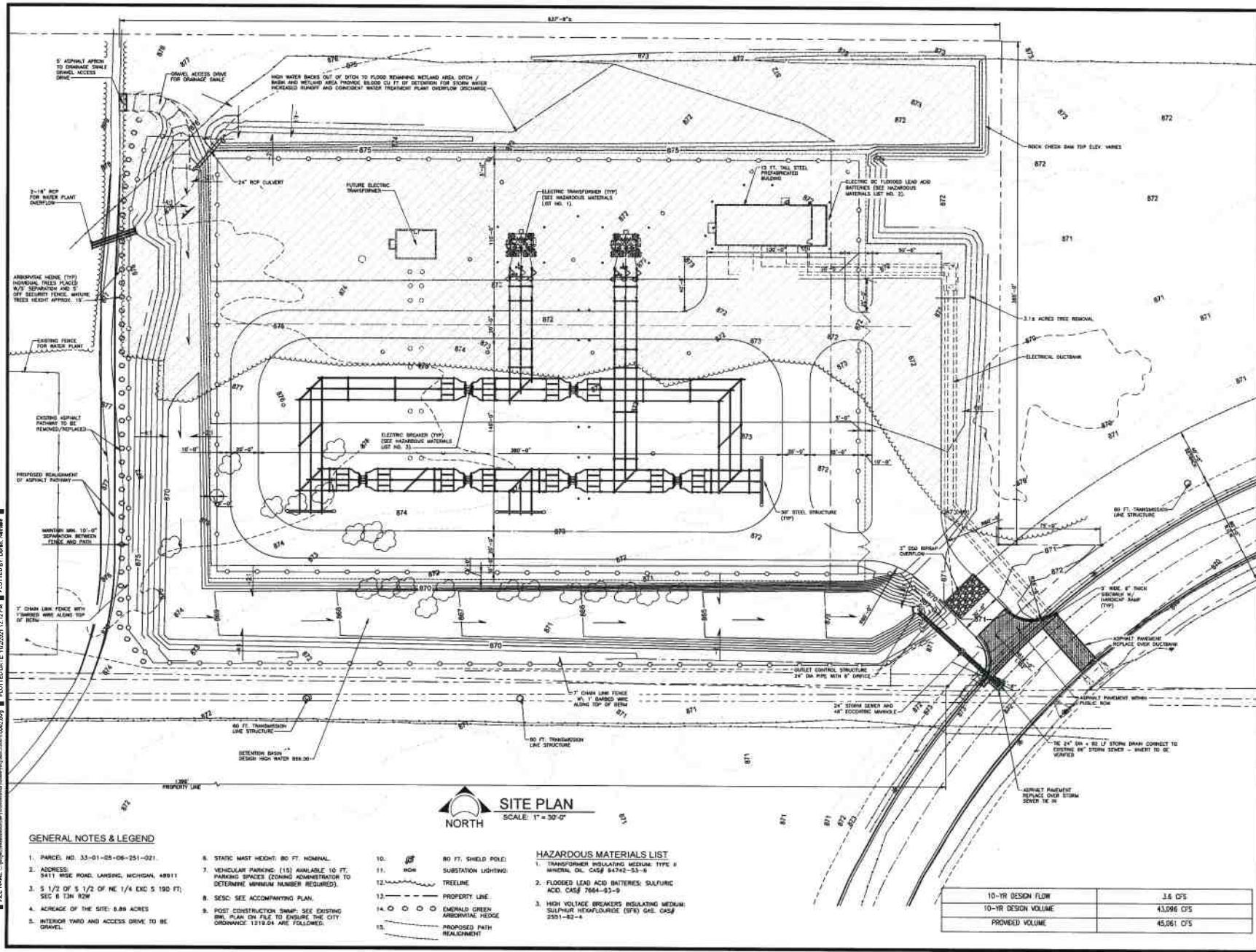
For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036



LBWL Wise Substation







HomeTown People. HomeTown Power.

PROJECT ENGINEERING DEPARTMENT
1001 S. WASHINGTON AVE. LANSING, MICHIGAN 48101

PROJECT AREA



REVISIONS			
NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY - SITE REVIEW	BLT/RT	10-20-2011



Stanley Consultants Limited, Inc.
236 East Wacker Drive, Suite 2000, Chicago, IL 60601-2000
www.stanleyconsultants.com

DATE: 10-20-2011	DESIGNER: ND(SCLP)
DRAWN BY: JET(SCLP)	INCHES: 1/4"
SCALE: 1"=30'-0"	STATUS: PRELIMINARY
PROJECT NAME: WISE SUBSTATION - REBUILD	
USING FILE: PERMITTING - SITE PLAN SPECIAL LAND USE	
FILE: WISE ROAD SUB	
DRAMA: SUBSTATION	
SCHEME: CIVIL	
CODE: -	
DR. DRAWING NUMBER: 236-CG001-2	RECORD: A



EXISTING CONDITIONS PLAN
SCALE: 1" = 30'

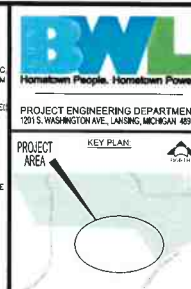
GENERAL NOTES

1. PARCEL NO. 33-01-05-06-251-021.
2. EXISTING CONDITIONS WERE CREATED FROM LIGHT DATA RECEIVED FROM WESTWOOD (DEC 28TH, 2020) AND UTILITY INFORMATION FROM MANHOLE & SMITH (8/26/2021).
3. GEOTECHNICAL INVESTIGATION WAS COMPLETED ON FEB. 25, 2021 BY MANHOLE & SMITH GROUP, INC. THE REPORT MAY BE REQUESTED FROM BNL.
4. VERIFY LOCATION OF UTILITIES IN FIELD BEFORE BEGINNING CONSTRUCTION.
5. TREES OUTSIDE OF THE SITE ARE TO BE PROTECTED AND NOT DAMAGED. ANY DAMAGE CAUSED BY CONSTRUCTION WILL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE.

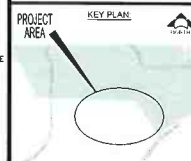
EXISTING CONDITIONS KEY NOTES

- 1 EXISTING TREES/VEGETATION
- 2 EXISTING OVERHEAD UTILITY POLES
- 3 EXISTING ACCESS DRIVE (GRAVEL THICKNESS UNKNOWN)
- 4 EXISTING WATER LINES
- 5 EXISTING GAS LINES
- 6 EXISTING 60" DIA. STORM SEWER
- 7 EXISTING UNDERGROUND ELECTRIC
- 8 EXISTING BIKE PATH
- 9 EXISTING HMA ROADWAY (THICKNESS UNKNOWN)

See also project drawings for the substation site as well.



PROJECT ENGINEERING DEPARTMENT
1201 S. WASHINGTON AVE., LANSING, MICHIGAN 48210



REVISIONS

REV	DESCRIPTION	BY	CHK	DATE
1	PRELIMINARY - SITE REVIEW	MD	AT	11-26-2021

PRELIMINARY
60%

Stanley Consultants Limited, Inc.
225 East Avenue, Macleod, Alberta T2H 1Y4
www.stanleyconsultants.com

DATE: 10-05-2021 DWG BY: NLD (SOLPC)
CHK BY: JST (SOLPC) APPR BY:
PROJECT NO: PS-2021 DWG NO: PRELIMINARY
PROJECT NAME:
WISE SUBSTATION - REBUILD

DWG TITLE:
PERMITTING
EXISTING CONDITIONS PLAN

PROJECT NAME:
WISE ROAD SUB

PROJECT TYPE:
SUBSTATION

DISCIPLINE:
CIVIL

REVISION NUMBER:
236-CG002-2

REVISION:
A





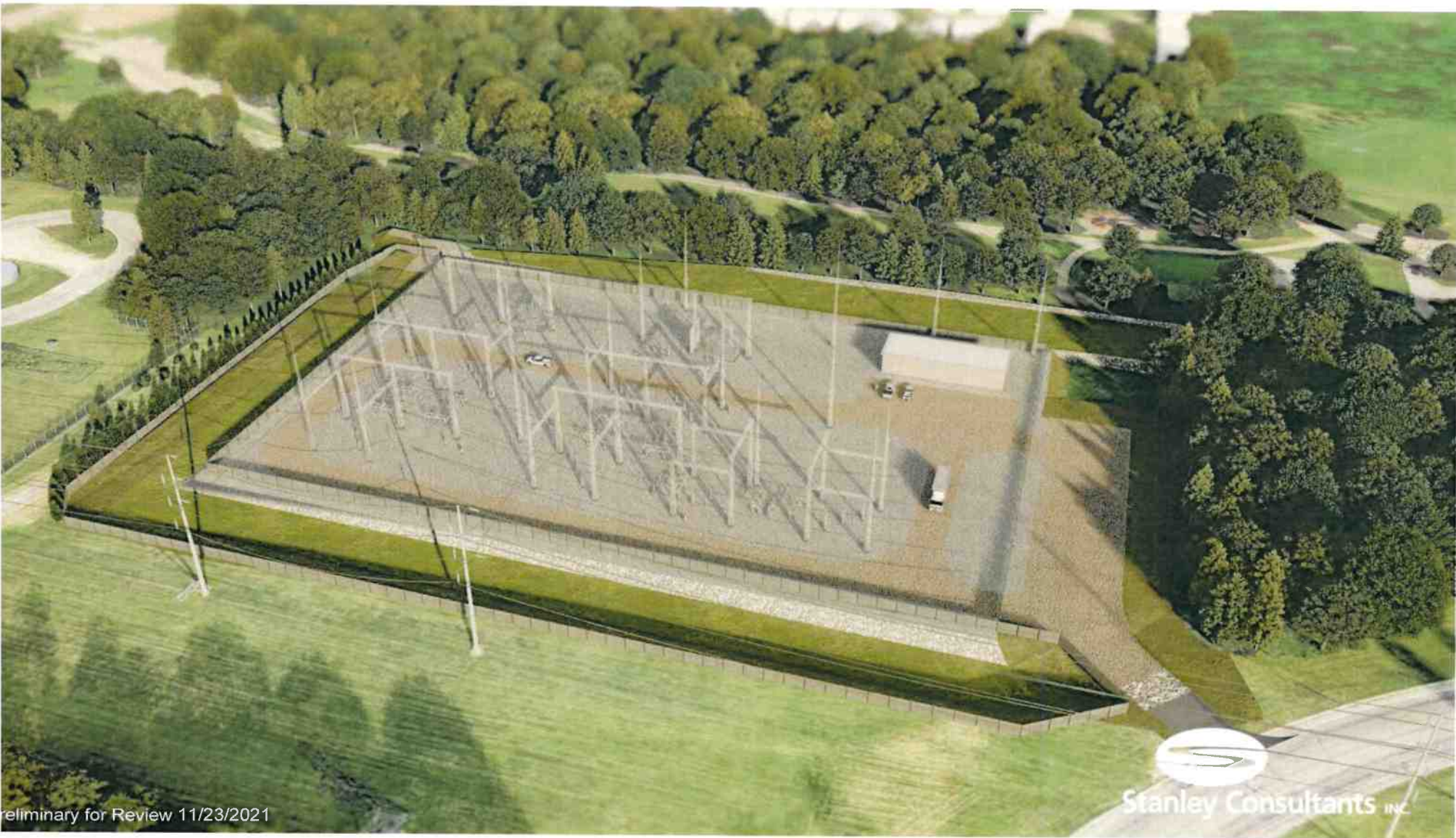
preliminary for Review 11/23/2021





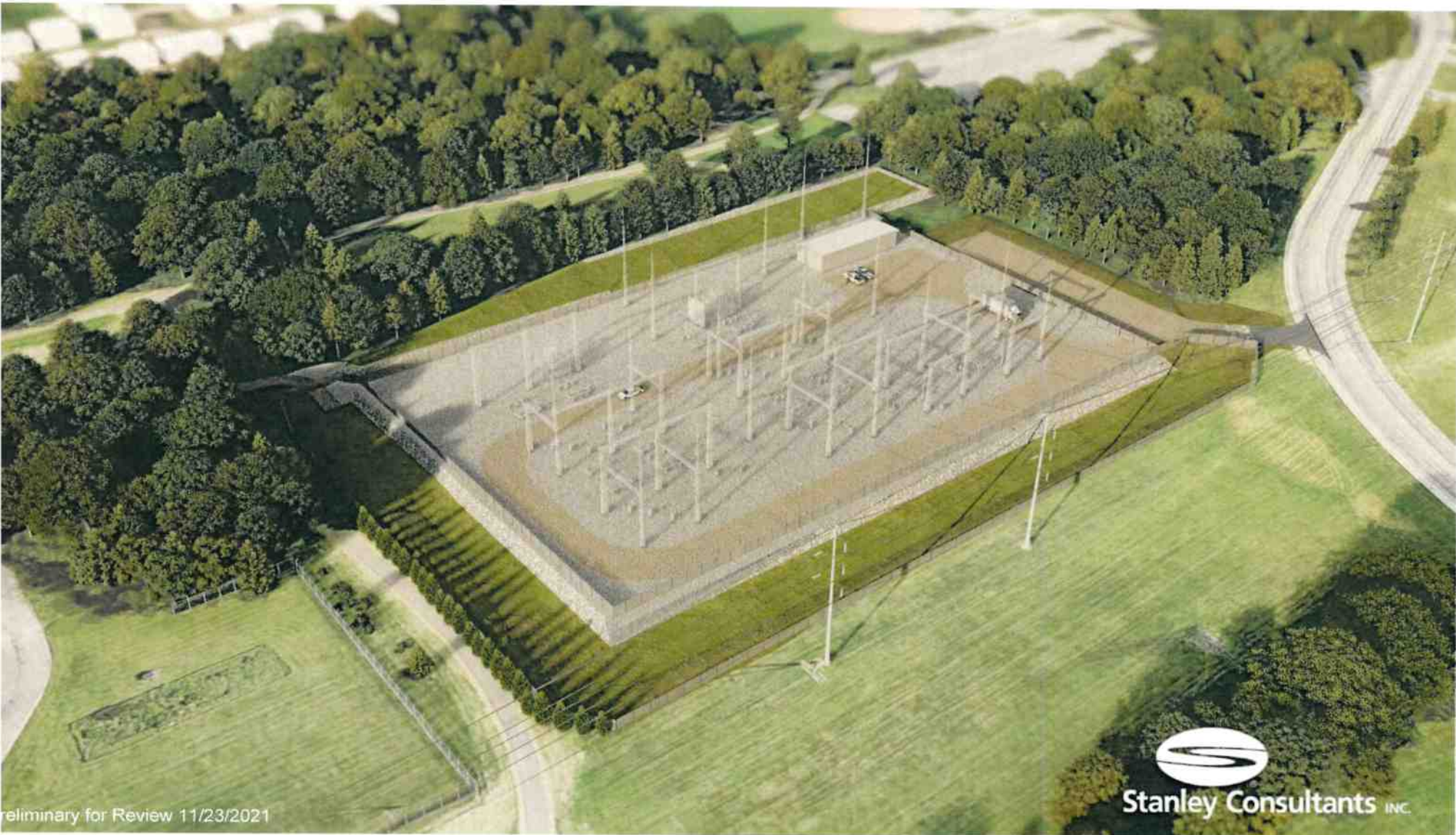
preliminary for Review 11/23/2021





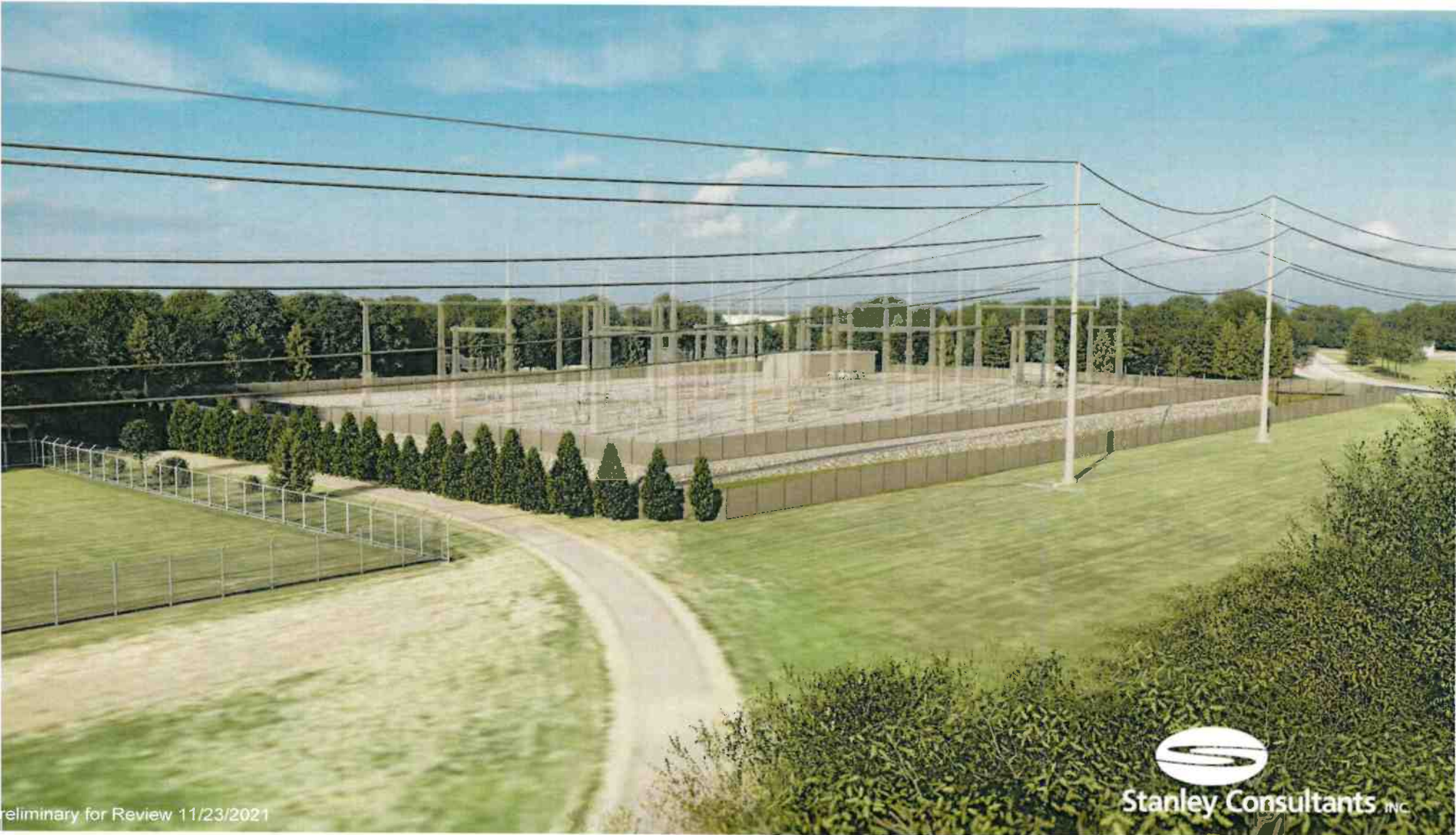
Preliminary for Review 11/23/2021





Preliminary for Review 11/23/2021





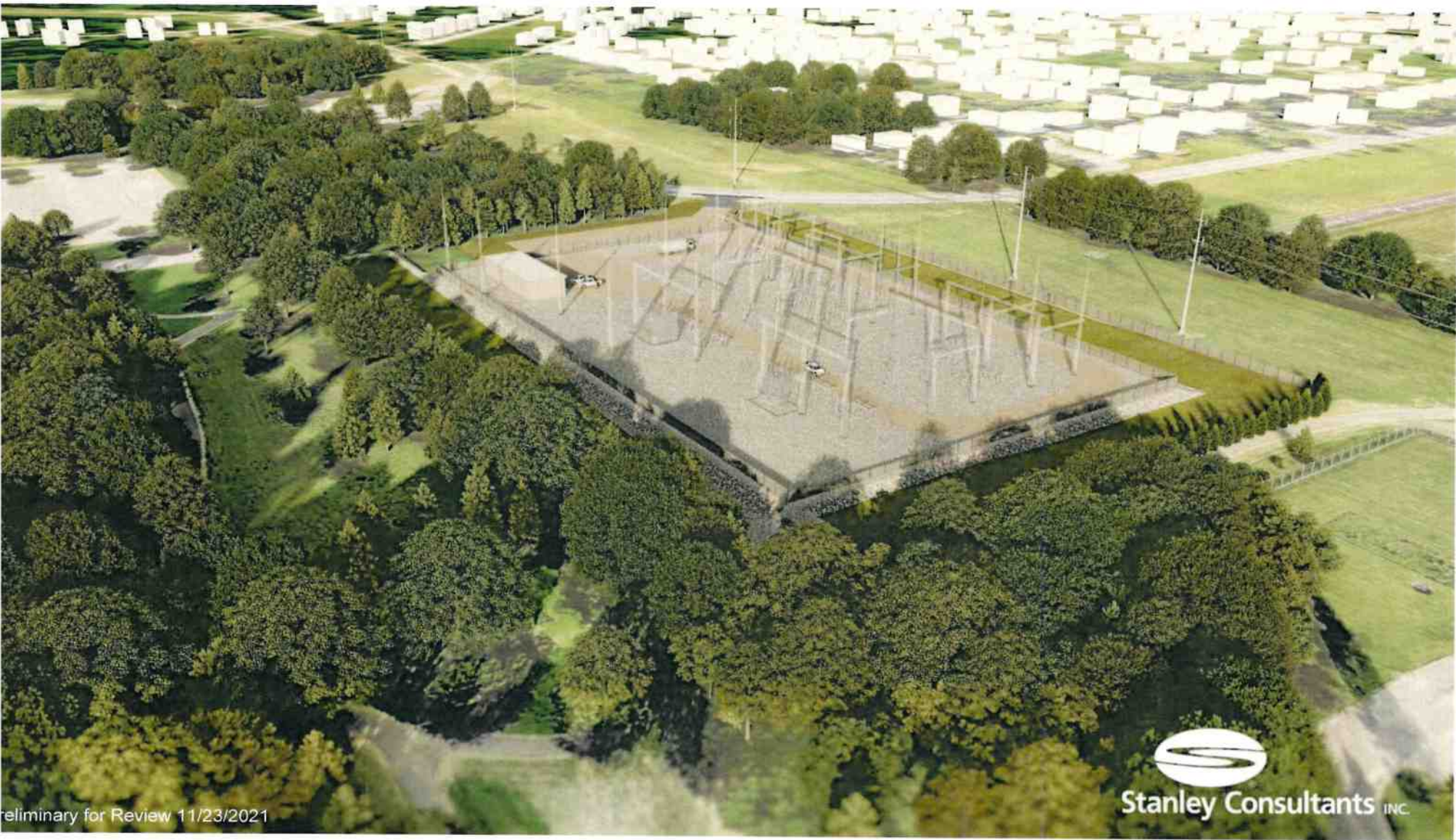
Preliminary for Review 11/23/2021





preliminary for Review 11/23/2021





preliminary for Review 11/23/2021





preliminary for Review 11/23/2021





preliminary for Review 11/23/2021



RESOLUTION # _____
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) and Delta Charter Township (Township) are “local units” as defined by Public Act 425 of 1984, as amended (Act 425), (MCL 124.21 et seq.); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, on May 8, 2000, the City and Township conditionally transferred certain property from the Township to the City pursuant to Act 425 (“425 Agreement”; and

WHEREAS, on November 18, 2002, the City and Township entered into a First Amendment of the Agreement entered into pursuant to Act 425; and

WHEREAS, a proposed Second Amendment providing for the continuation of the original 425 Agreement, modifying tax and other revenue sharing, and for matters permitted and required under Act 425 has been negotiated and prepared; and

WHEREAS, the proposed Second Amendment has been presented to City Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED that the City finds that the continuation of the conditional transferred property from the Township to the City pursuant to the Second Amendment will provide for the division of municipal powers, functions, and responsibilities to allow for the joint administration of the transferred area and will continue to support economic development and be beneficial to the residents of the City and the Township.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the City entering into the Second Amendment.

BE IT FURTHER RESOLVED that pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Second Amendment that will continue the Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney’s prior approval and correction of minor technical revisions, if any.

BE IT FINALLY RESOLVED that after the Second Amendment is executed, the City Clerk will file a duplicate original of the Second Amendment with the County Clerk of the County of Ingham and with the Secretary of the State of Michigan in the office of the Great Seal.

**SECOND AMENDMENT TO
AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425**

This Second Amendment to Agreement for Conditional Transfer of Property (this “Second Amendment”) is made this _____ day of December, 2021 (the “Effective Date”), between the **CHARTER TOWNSHIP OF DELTA** (“Delta”), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, *et seq.*, as amended, and the **CITY OF LANSING** (“Lansing”), a Michigan municipal corporation (individually, a “Party” and collectively, the “Parties”).

WHEREAS, the Parties entered into an agreement, dated May 8, 2000, for the conditional transfer of property located within the Township (the “425 Agreement”); and

WHEREAS, the Parties amended the 425 Agreement to revise the boundaries through a First Amendment, dated November 18, 2002 (“First Amendment”); and

WHEREAS, the Parties desire to amend the 425 Agreement upon the terms and conditions contained in this Second Amendment; and

WHEREAS, except as previously amended by the First Amendment and by this Second Amendment, the remaining terms and conditions contained in the 425 Agreement shall remain in full force and effect.

NOW, THEREFORE, it is agreed as follows:

1. Subsection 2.4.B. of the 425 Agreement is amended in its entirety as follows:

B. Delta shall be responsible for building and trade inspections, permitting, and plan review. All fees associated with any inspection, permit, or plan review, including, but not limited to, those denominated above, shall be at the rate or cost assessed by Delta. Delta shall collect and retain all inspection, permit, and plan review fees. Any appeals of decisions of the building official shall be heard by the Delta Board of Appeals.

2. Subsection 2.5.B. of the 425 Agreement is amended in its entirety as follows:

B. Delta shall conduct preliminary and final review with respect to all plans of development within the Transferred Area. Delta shall be accorded agency status under the Zoning Code of Lansing.

3. Section 3.1 of the 425 Agreement is amended in its entirety as follows:

Section 3.1 Revenue Sharing and Taxing Collection.

During each year commencing with the year following the year in which this Agreement is adopted, and each year thereafter, Lansing shall annually remit:

A. To Delta fifty percent (50%) of Lansing's ad valorem property tax revenue collected on the taxable value of all real and taxable personal property within the Transferred Area, including all interest, penalties, late fees, and collection fees due thereon. Lansing shall be entitled to an administrative fee for the cost of assessing and collecting ad valorem property tax in an amount equal to what is allowed under the General Property Tax Act. In the event of an appeal of taxable value by any landowner or interested party in the Transferred Area, the Parties will jointly determine the defense of the appeal and any proposed resolution. Delta shall be responsible for fifty percent (50%) of the cost of defense and make payment of the same to Lansing.

B. To Delta fifty percent (50%) of Lansing's industrial facilities tax revenue collected on all property within the Transferred Area for which an industrial facilities exemption certificate ("IFEC") is in effect.

C. To Delta, fifty percent (50%) of the infrastructure improvement and service payment ("IISP") which Lansing collects in consideration of Lansing's representations set forth in any Tri-Party Agreement that may be entered into between Lansing, GM, and Delta concurrently with this Agreement, as well as any Tri-Party Agreement that may be entered into between Lansing, Ultium Cells LLC, and Delta concurrently with the Second Amendment.

D. To Delta, a percentage of all income tax revenue collected by the City from within the Transferred Area, based on the following schedule:

- i. For income earned on the part of the Transferred Area commonly known as the Lansing Delta Plant ("LDT") and east of a line approximately 350 feet west of the centerline of the former right of way known as Guinea Road, including without limitation the facility located thereon, and beginning in 2025,
 - a. In the first year, Delta shall receive five percent (5%),
 - b. In the second year, Delta shall receive ten percent (10%),
 - c. In the third year, Delta shall receive fifteen percent (15%),
 - d. In the fourth year, Delta shall receive twenty percent (20%),
 - e. In the fifth year, Delta shall receive twenty-five percent (25%),
 - f. In the sixth year, Delta shall receive thirty percent (30%),
 - g. In the seventh year, Delta shall receive thirty-five percent (35%),
 - h. In the eighth year, Delta shall receive forty percent (40%),
 - i. In the ninth year, Delta shall receive forty-five percent (45%),
 - j. In the tenth year, and thereafter for the duration of the 425 Agreement, Delta shall receive fifty percent (50%);

- ii. If and when a new factory or employer is operational on the part of the transferred Area west of a line approximately 350 west of the centerline of the former right of way known as Guinea Road, more specifically described in Exhibit "A-2", for income earned at said new factory or employer, Delta shall receive fifty percent (50%);
- iii. At all times and for all income earned in the Transferred Area, Lansing shall be entitled to an administrative fee for the cost of collecting income tax in an amount equal to one percent (1%) of the total income tax revenue received.

E. Should any real or personal property taxes be reduced, limited, or eliminated by legislation or other legal process with respect to any real or personal property or class of property subject to the tax sharing formula provided at subparagraphs (A) and (B) of this section then any substitute tax or source of revenue which the legislation or other legal process may provide or authorize Lansing to collect in lieu of said taxes shall likewise be allocated and remitted to Delta in an amount reasonably equivalent to that remitted to Delta as provided in subparagraphs (A) and (B) above for the prior year.

4. Section 3.3 of the 425 Agreement is amended in its entirety as follows:

Section 3.3 Gifts, Grants, Etc.

All gifts, grants, assistance funds, bequests, or other funds from any private or public source, including without limitation state and federal grants for infrastructure, given to either Party with respect to the Transferred Area and activity performed upon or within the Transferred Area, shall belong to the Party that received the Funds (collectively, "Funds"). Any infrastructure constructed with Funds received by or provided by a Party shall belong to that Party. Except as otherwise provided in this Agreement, Lansing shall annually pay to Delta the equivalent of the amount of state and federal revenue sharing payments based upon the population of the Transferred Area, if any, that Delta would have received if the Transferred Area remained with Delta.

5A new Section 3.4 shall be added to the 425 Agreement as follows:

Section 3.4 Certain Transferred Property Subjected to Development Incentives.

A. The Parties acknowledge and agree that the City may apply for and be granted a Renaissance Zone pursuant to 1996 P.A. 376 for only that area of the Transferred Property that is legally described in Exhibit “A-2,” attached, which if granted would reduce the tax revenues collected.

B. The Parties acknowledge and agree that the City may establish an Industrial Facilities Exemption pursuant to 1974 P.A. 198 for only that area of the Transferred Property that is legally described in Exhibit “A-2,” attached, which if granted would reduce the tax revenues collected.

6. A new Section 3.5 shall be added to the 425 Agreement as follows:

Section 3.5 Remittance of Shared Taxes and Revenue.

Lansing shall remit to Delta, within sixty (60) days of Lansing’s receipt of any tax or other revenue described in Section 3.1 (collectively, the “Shared Taxes and Revenue”), Delta’s share of the Tax and Other Revenue.

7. A new Section 3.6 shall be added to the 425 Agreement as follows:

Section 3.6 Audit Rights.

When remitting the Shared Taxes and Revenue to Delta, Lansing shall provide to Delta a detailed summary accounting of the Shared Taxes and Revenue. Delta shall be entitled, upon reasonable notice to Lansing, to inspect, examine and make copies of Lansing’s books, documents and records of the Shared Taxes and Revenue. The inspection shall occur at Lansing’s offices. Any inspection, examination, or copying of Lansing’s books, documents and records shall occur within three (3) years of Delta’s receipt of the Shared Taxes and Revenue.

8. Section 4.1 of the 425 Agreement is amended as follows:

Section 4.1 Term.

The term of this 425 Agreement commenced on May 8, 2000 and pursuant to the Second Amendment shall terminate on December 31, 2046. Delta and Lansing may renew this 425 Agreement for additional terms for such period as permitted by law by an affirmative vote of the legislative body of each party to this 425 Agreement. The additional terms shall be on the same

terms and conditions as stated in this 425 Agreement, as amended, unless the Parties shall agree otherwise in writing.

9. Miscellaneous. The following miscellaneous provisions are agreed to by the Parties:

A. Except as specifically modified above by this Second Amendment, the 425 Agreement remains unmodified and unchanged by the Parties. The 425 Agreement shall continue in full force and effect and is hereby ratified and affirmed by this Amendment.

B. This Second Amendment shall be construed, interpreted and enforced under the laws of the State of Michigan.

C. This Second Amendment shall be binding upon and shall inure to the benefit of the Parties, their successors and assigns

D. All terms that are not defined by this Second Amendment shall have the same meaning as those terms described in the 425 Agreement.

E. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall together be construed as one in the same Second Amendment. Electronic and facsimile signatures will be binding.

F. In the event of any conflict between the terms of this Second Amendment and the terms of the 425 Agreement, the terms of this Second Amendment shall govern and control.

/SIGNATURES APPEAR ON THE FOLLOWING PAGE/

IN WITNESS WHEREOF, the Parties hereto have executed this 425 Agreement on the date above first written by authority of the respective Lansing City Council and Delta Township Board of Trustees.

**CHARTER TOWNSHIP OF DELTA,
a Michigan charter township**

**CITY OF LANSING,
a Michigan municipal corporation**

By: _____

By: _____

Its: _____
Township Supervisor

Its: _____

and

and

By: _____

By: _____

Its: _____
Township Clerk

Its: _____

Approved as to form:

Approved as to form:

**CHARTER TOWNSHIP OF DELTA
ATTORNEY**

LANSING CITY ATTORNEY

By: _____

By: _____

EXHIBIT A-2

Legal Description:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001

RESOLUTION #

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Renaissance Zone Act, being Public Act 376 of 1996 (PA 375 of 1996), Ultium Cells, LLC (the Developer) has filed an application (the "Application") for a Michigan Strategic Fund (MSF) Designated Renaissance Zone with the Lansing City Clerk, for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars (\$2,500,000,000) (the "Project"), to be constructed on the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, (the "Property").

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves an application for submission to the Michigan Strategic Fund with a City Council recommendation to approve a Michigan Strategic Fund Designated Renaissance Zone, for the property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917, legally described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001,

for the period of eighteen (18) consecutive years to begin on December 31, 2022, or such other start date as set by the Michigan Strategic Fund.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The applicant is not delinquent in any taxes related to the properties.
2. All of the items described in the Application for Michigan Strategic Fund Designated Renaissance Zone have been provided to the City of Lansing by the applicant.
3. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Renaissance Zone.
4. The application relates to the Renaissance Zone property more commonly known as 8100 Davis Hwy., Lansing, MI. 48917 for a proposed redevelopment project in Lansing with an estimated cost of two billion five hundred million dollars (\$2,500,000,000).
5. The completion of the Project is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, and revitalize an urban area.

6. If the renaissance zone designation is granted, persons and property within the renaissance zone are exempt from taxes levied by the city, as provided in the Renaissance Zone Act.

IT IS FINALLY RESOLVED that the City Clerk shall cause the Application for the Renaissance Zone to be completed, including the "Clerk Certification" and submit the Application and a certified copy of this resolution to the Michigan Strategic Fund.

MICHIGAN RENAISSANCE ZONE PROGRAM

Application for Creating a Michigan Strategic Fund (MSF) Designated Renaissance Zone

MICHIGAN STRATEGIC FUND

December 2015

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone

Application Contents / Instructions

APPLICATION PROCESS

The application for a MSF Designated Renaissance Zone consists of 3 parts and required attachments. The required attachments include: Authorizing Resolution(s), Firm Financial Commitment(s), Geographic Map, Property Parcel Map and Site Plan, if applicable. All portions of the application must be completed and provided for consideration. If the application is deemed complete by Renaissance Zone staff, a Development Agreement will be prepared by the MEDC staff in consultation with the Department of Attorney General. The Development Agreement is prepared from the information contained in the application. Before the project will be presented to the Michigan Strategic Fund (MSF) Board for consideration, the Company/Owner must sign off on the Development Agreement.

The applicant is to be the "qualified local governmental unit" which is either of the following:

- A County
- A City, Village or Township that contains an eligible distressed area and as defined in Sec. 11, of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1411 "Distressed Unit".

Authorizing Resolution(s):

- If the Applicant is the County, authorizing resolutions will be required from the County and the Local Governmental Unit.
- If the Applicant is the Distressed Unit, as defined in Sec. 11, of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1411, an authorizing resolution is only required from the Local Governmental Unit.

Taxes still due are those mandated by the federal government, local bond obligations, school sinking fund or special assessments. Speak with your local Treasurer if there are any questions as to whether they apply to your property tax bill. Companies and individuals are also not exempt from paying Michigan sales and use tax. You will be required to pay these taxes.

Taxes shall be abated as defined in the Michigan Renaissance Zone Act, Act 376 of 1996, Sec. 125.2689.

Application Fee

The Application Fee must be made payable to the Michigan Strategic Fund, is due upon receipt of the application. The fees are as followed:

- \$5,000 if more than 50 employees
- \$2,500 if less than 50 employees

NOTE: This application, including any attachments, contains information from the Renaissance Zone Program of the Michigan Strategic Fund. This information is intended for use only by the project to which it is released. If you are not the intended recipient of this application, be advised that any dissemination, distribution, or use of the contents of this application is strictly prohibited.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone

Application Checklist / Submission Instructions

APPLICATION CHECKLIST

- ☐ Completed Application and any extended attachments
- ☐ Authorizing Resolution(s) from the qualified local governmental unit agreeing to forego the pertinent taxes. If the county is the applicant, then a resolution is also required from the local unit of government.
The resolution(s) must have original signatures or be a certified copy including the number of years they are willing to waive taxes (up to 15)
- ☐ Firm Financial Commitment(s) for project. Submit one or all of the following:
(dollar values must be included)
 - Firm monetary commitment letter from Financial Institution(s).
 - Two (2) years of Audited Annual Financial Statements.
 - Proof of Financial Assets to be used for project.
- ☐ A Geographic map of the local governmental unit showing the proposed MSF Designated Renaissance Zone.
- ☐ A Property Parcel map including boundaries, parcel numbers and acreage.
- ☐ A Site Plan of the Project (if applicable)
- ☐ Copies of the two (2) most recent real property tax bills.
- ☐ Application Fee

APPLICATION SUBMISSION

The completed original application should be mailed to the address below.

**Michigan Renaissance Zone Program
Michigan Economic Development Corporation
300 North Washington Square
Lansing, Michigan 48913**

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 1 – Application Form

A. COMPLETE THIS SECTION ONLY IF COUNTY IS APPLICANT-CONTACT/SIGNATORY INFORMATION

Contact Person Name:		Title:	
County Name(s):			
Telephone:		E-mail:	
Street Address / PO Box:			
City:		State:	ZIP Code:
Elected County Executive/Authorized Officer:			
Title:			
Street Address / PO Box:			
City:		State:	ZIP Code:
Telephone:		E-mail:	
Signature:		Title:	Date:

B. COMPLETE THIS SECTION ONLY IF DISTRESSED UNIT IS APPLICANT (PER PA 346) – CONTACT/SIGNATORY INFORMATION

Contact Person's Name: Karl R. Dorshimer		Title: Senior VP of Economic Development	
City: Lansing		State: Michigan	ZIP Code: 48910
Telephone: 517-702-3387 x 210		E-mail: karl@purelansing.com	
Local Unit Name(s): City of Lansing			
Street Address / PO Box: 1000 S. Washington Ave, Suite 201			
City: Lansing		State: MI	ZIP Code: 48910
Telephone: 517-702-3387 X 210		E-mail: karl@purelansing.com	
Mayor Name (if City)/Authorized Officer: Andy Schor			
Title: Mayor of Lansing			
Street Address / PO Box: 124 W. Michigan Ave			
City: Lansing		State: MI	Zip Code: 48933
Telephone: 517-483-4141		E-mail: Lansing.Mayor@lansingmi.gov	
Signature:		Title: Mayor	Date: 12/8/2021

C. COMPANY INFORMATION

Name of Company: Ultium Cells LLC			
Street Address / PO Box: 7400 Tod Avenue SW			
City: Warren		State: OH	ZIP Code: 44481
Contact Name: Lincoln Schomer		Title: CFO - Ultium Cells LLC	
Telephone: 586-295-5429		E-mail:	
Signatory's Name: Lincoln Schomer		Title: CFO - Ultium Cells LLC	
Street Address / PO Box: GM Tech Center - PPO North, 30745 Louis Chevrolet Road			
City: Warren		State: MI	Zip: 48093-2350
Telephone: 586-295-5429		Email: lincoln.schomer@gm.com	

D. PROPERTY INFORMATION

Owner Name & Title: General Motors LLC (anticipated land lessor / licensor or seller)			
Street Address: 8100 Davis Hwy. (subject to change)			
City: Lansing		State: MI	Zip Code: 48917
Telephone: 313-418-5569		E-Mail: troy.d.kennedy@gm.com	
Total Acres to be included within zone: Approximately 590 acres			
Number of years applying for a MSF Designated Renaissance Zone: 18 years (Renewable Energy) (Note: Not to exceed 15 years)			

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 2 – Description of the Project

A. Describe in detail the history and background of the company.

Ultium Cells LLC was formed in 2019 (originally as Gigapower LLC). This joint venture between General Motors Holdings LLC ("GM") and LG Energy Solution Michigan, Inc. ("LGESMI") was formed to manufacture battery cells and capacity for the battery powered automobile market.

At the beginning, the initial project focused on the launch and operation of one facility producing in excess of 30 Gigawatt hours of cell capacity. This facility is located in Ohio and is scheduled to begin production in August of 2022. In April of 2021, GM and LGESMI agreed to expand the project to include a second facility of equal capacity in Spring Hill, TN.

Currently, the demand growth for EVs, along with GM's commitment to an EV future, warrants the considerations for a third plant of equal capacity. The JV is looking for a third location to establish an additional plant.

B. Is the Company who is obligating itself to the investment and/or job creation, registered with Michigan's *Department of Licensing & Regulatory Affairs* (DLARA), to conduct business in the State of Michigan? *(If not, the Company will need to be registered in order for consideration of the Renaissance Zone).* Please make sure all representation of the Company is exactly as the registration with DLARA, including correct punctuation, etc.

No ☐ or Yes ☒

C. Describe the Project, equipment to be purchased, type of building to be constructed or purchased and any necessary infrastructure improvements, etc.

The building, site improvements, and machinery and equipment to be constructed and installed will all be for the main purpose of high volume battery cell manufacturing. The building and related site improvements will be approximately 2.5 million square feet, where ~2/3 of the area under roof will be a clean room environment. The machinery and equipment consists of electrode mixing, coating, assembly and formation areas. Each area of the process has uniquely designed pieces of equipment to allow for the high volume output necessary to produce cells at this capacity.

D. Identify the types of activities that will occur in the proposed MSF Designated Renaissance Zone.

Battery cell manufacturing

E. What is the expected total private dollar investment? (building and equipment, etc.)

\$up to or more than \$2.5B

F. When will investment for this project be completed?

12/31/2025

	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
Real – New Construction	\$210	\$312	\$341	\$	\$
Real – Bldg Improvements	\$	\$	\$	\$	\$
New Personal Property	\$	\$544	\$829	\$265	\$
TOTAL	\$210	\$856	\$1170	\$265	\$

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 2 – Description of the Project - Continued

G. Will you be able to commence the project within one (1) year from when the MSF Designated Renaissance Zone is designated?					☒ Yes or ☐ No	
H. How many new jobs will be created at the facility?					up to 1,700	
I. By what date will all of the proposed jobs be created?					12/31/2026	
	First Year of Operation		Third Year of Operation		Fifth Year of Operation	
	Year Ending: 2025		Year Ending: 2028		Year Ending: 2030	
Job Category (add categories that reflect your company)	New Full Time Jobs Created	Avg Weekly Wage	New Full Time Jobs Created	Avg Weekly Wage	New Full Time Jobs Created	Avg Weekly Wage
Mgmt/Prof						
Technical/Sales						
Clerical/Service						
Skilled/Unskilled	750	900	1,700	950	1,700	1000
TOTAL	750	675,000	1,700	1,615,000	1,700	1,700,000
J. What is your current workforce at the facility?					0	
K. Describe the benefit package provided to the employees: Ultium Cells LLC anticipates offering a competitive total compensation package with average wages of approximately \$46,000 plus other benefits, including healthcare, for example. In section I, Skilled/unskilled jobs category comprises all potential job categories not separately estimated at this time.						
L. Does Company have Ownership or Control of the Property? ☒ Yes ☐ No						
M. Is the Property a single Contiguous Geographic Area? ☒ Yes ☐ No						
N. Property Parcel ID#(s): 23-50-40-32-250-001 (Anticipated to lease / license or potentially sell all or a portion of the acreage to Ultium Cells LLC by General Motors LLC)						
O. Legal Description of the property to be included in the MSF Designated Renaissance Zone.						
ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001						
P. What will be the anticipated economic impact on the community?						

The initial impact will occur while the investment funds are being spent to construct the facility and install the machinery and equipment. During this time, it is anticipated that there will be a need for well over 1,000 skilled trades and construction jobs.

Once in production and the plant is operational, members of the community will have the opportunity to fill the many hourly or salaried available positions, up to ~1,700. The skills required for these positions will vary depending on the type of work; however, for the community, it should offer an attractive level of diversity and new innovative types of opportunities.

Given the growth and transformation of the EV market, the community stands to benefit from the brand and significance an operation of this nature provides.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 2 – Description of the Project - Continued

Q. Please indicate what type, quantity and what percentage of Michigan commodities/raw materials will be purchased for use in the MSF Designated Renaissance Zone.

<1%

R. What percentage of commodities/raw materials will be purchased out-of-state?

>99%

S. If purchasing commodities outside the state, please explain why that is necessary.

The primary commodities necessary to produce these battery cells largely consist of Nickel, Cobalt, LiOH, Manganese, Graphite and Silicon. Each of these materials only has certain places across the globe to mine them and then the processing post mining is very specialized and resides with suppliers outside the state.

T. Identify all public programs, public funding sources and public incentives that will be utilized.

Economic incentives associated with this proposed project include the Michigan Renaissance Zone program, Industrial Facilities Tax Exemption program, and other potential various programs to be determined and offered by the MEDC and local partners.

U. List the State and Local permits required for the project.

See Attached. To the best of our knowledge. there are no outstanding permits in response to Section V. below.

V. List any permits that are outstanding.

Permit:	Agency:	Anticipated Receipt Date:
Permit:	Agency:	Anticipated Receipt Date:
Permit:	Agency:	Anticipated Receipt Date:

W. Identify any infrastructure and/or physical needs of the MSF Designated Renaissance Zone that need to be implemented to make the zone viable.

Potential infrastructure needs may include the following:

- Surrounding Road Paving, acceleration, deceleration lanes, potential traffic signal pending traffic study
- Bordering street lighting on Davis Road and Nixon Road
- Regulatory Signage along adjoining streets
- Storm water piping and potential offsite outlet improvements
- Flood plain alteration speedy approvals
- Water Main connections / metering
- Sanitary Main connections/ metering
- Fiber/Data infrastructure extension
- Natural Gas connections/extension/metering

- Road and Traffic improvements, utility connections and storm water relocation
- High voltage transmission lines extended to the site/dedicated industrial sub-station and others as may be identified through due diligence with local partners.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 2 – Description of the Project - Continued

X. Why is this important to Michigan?

The battery cell production facility will generate significant economic activity throughout Michigan, initially through the anticipated construction investment and construction jobs followed by new full-time battery cell production jobs. This proposed battery cell production facility, with important technology and over 1,000 new good paying jobs, will be a valuable addition to the Lansing region, as well as the State as a whole. Especially at a time when other states are aggressively working to attract this type of project, it is particularly important for this project to be located in Michigan

Y. Can this facility be located in an existing renaissance zone? Yes ☐ No ☒ (If No, Explain below)

Existing available land owned by JV parent entity (GM) with sufficient acreage meets many requirements.

MICHIGAN RENAISSANCE ZONE PROGRAM

MSF Designated Renaissance Zone Part 3 – Tax Information

A. FOREGONE PROPERTY TAXES

Estimated annual savings of property taxes for the Company after Renaissance Zone designation	\$See Attached
---	----------------

B. SEV AND TV ON THE PROPERTY

SEV Year:2020

TV Year:2020

Real Property-LAND

SEV: \$

TV: \$

Real Property-BUILDING

SEV: \$

TV: \$

Personal Property

SEV: \$

TV: \$

TOTALS

SEV: \$See Attached

TV: \$See Attached

C. TOTAL MILLAGE RATE

Total Non-Principal Residence Exemption
Millage Rate for ALL taxing jurisdictions

See Attached

D. PLEASE PROVIDE A BREAKOUT OF MILLAGE(S) LEVIED FOR THE FOLLOWING:

Debt Service (local bond obligations)

School Sinking Fund

Special Assessment(s)

TOTAL

See Attached

E. ADDITIONAL INFORMATION

Are Taxes Current? Yes ☒ No ☐ Explain:

School District Code (Speak with your Treasurer if you do not know your 5-digit School District Code)

23060

Company's Federal Employer Identification Number (FEIN)

84-4244377 (Ultium Cells LLC)

Senator's Name:Tom Barrett

Senate District:24

Representative's Name:Angela Witwer

House District:71

Identify all the affected local governmental unit(s).

See attached taxing entities

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

WHEREAS, the City of Lansing received and filed an application from Ultium Cells, LLC requesting an Industrial Facilities Exemption Certificate (IFT-01-21) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21);

NOW, THEREFORE, BE IT RESOLVED that a hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, December 20, 2021 at 4:30p.m., on the Ultium Cells, LLC application for an Industrial Facilities Exemption Certificate (IFT-01-21) located at 8100 Davis Hwy., Lansing, MI. 48917 within the boundary more particularly described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001;

and that the City Clerk cause the applicant, City Assessor, and legislative body of each taxing unit levying ad valorem taxes on this property, be notified of this application and the scheduled public hearing.

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a hearing on December 20, 2021 at 4:30 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for the applicant, the assessor, and a representative of the affected taxing units to be heard on the application of Ultium Cells, LLC for an Industrial Facilities Exemption Certificate (IFT-01-21) pursuant to Public Act 198 of 1974, as amended, as requested by the applicant for the location indicated below:

Applicant: Ultium Cells, LLC
By: Troy Kennedy
IFT Location: 8100 Davis Hwy., Lansing, MI. 48917

Legally described as:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT & DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001.

Approval of IFT-01-21 as requested by Ultium Cells, LLC will make certain new property investment (real property) eligible for tax abatements and/or exemptions. Further information regarding this application may be obtained from Mr. Karl Dorshimer, Lansing Economic Area Partnership, 1000 South Washington Ave., Ste. 201, Lansing, Michigan, 48910, (517) 702-3387.

Chris Swope

City Clerk

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and one copy of this form and the required attachments (two complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires one complete set (one original). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call 517-335-7460.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date Received by Local Unit 12/10/2021
STC Use Only	
Date Received by STC	Application Number

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Ultium Cells LLC		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 335912	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 8100 Davis Hwy., Lansing, MI. 48917		1d. City/Township/Village (indicate which) City of Lansing	1e. County Eaton
2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment		3a. School District where facility is located Grand Ledge	3b. School Code 23060
		4. Amount of years requested for exemption (1-12 Years) See Attached	
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. The proposed investment is for the construction of a battery cell production facility and related structures and site improvements necessary to support the project.			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		863,000,000 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		0 Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar		863,000,000 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
Begin Date (M/D/Y) Real Property Improvements 05/01/2022		End Date (M/D/Y) 12/31/2025	
Personal Property Improvements		☒ Owned ☐ Leased ☐ Owned ☐ Leased	
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No			
9. No. of existing jobs at this facility that will be retained as a result of this project. 0		10. No. of new jobs at this facility expected to create within 2 years of completion. up to 1,700 jobs	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.			
a. TV of Real Property (excluding land)			
b. TV of Personal Property (excluding inventory)			
c. Total TV			
12a. Check the type of District the facility is located in: ☒ Industrial Development District ☐ Plant Rehabilitation District			
12b. Date district was established by local government unit (contact local unit) 05/08/2000		12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No	

APPLICANT CERTIFICATION - complete all boxes.

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 are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, 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 Industrial Facilities Exemption Certificate by the State Tax Commission.

13a Preparer Name Troy Kennedy	13b Telephone Number (313) 418-5569	13c Fax Number (313) 665-4125	13d E-mail Address troy.d.kennedy@gm.com
14a Name of Contact Person Troy Kennedy	14b Telephone Number (313) 418-5569	14c Fax Number (313) 665-4125	14d E-mail Address troy.d.kennedy@gm.com
15a Name of Company Officer (No Authorized Agents) Lincoln Schomer - CFO Ultium Cells LLC			
15b Signature of Company Officer (No Authorized Agents) 		15c Fax Number (313) 665-4125	15d Date 12/7/2021
15e Mailing Address (Street, City, State, ZIP Code) MC482-C16-B16, P.O. Box 300 Detroit, MI 48265		15f Telephone Number (313) 418-5569	15g E-mail Address troy.d.kennedy@gm.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

16 Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.		
16c. School Code 23060 Grand Ledge		
17. Name of Local Government Body City of Lansing		18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk 	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original of the completed application and all required attachments to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
1 LUCI Code	2 Begin Date Real	3 Begin Date Personal	4 End Date Real	5 End Date Personal

ATTACHMENT NO. 1

Legal Description:

ENTIRE SEC 32, EXC E 350 FT OF SEC 32, ALSO EXC COM 405 FT W OF SE COR SEC 32, TH N 665.5 FT, W 2236.43 FT TO W LINE OF SE 1/4 SAID SEC, S 676.5 FT TO S LINE SAID SEC, E 2236.75 FT TO BEG, AND ALSO EXC LANDS USED FOR GUINEA AND NIXON RDS & MILLETT& DAVIS HWYS; 548 ACRES +/- ; SEC 32 T4N R3W, 23-50-40-32-250-001

BY THE COMMITTEE _____
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 _____ 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.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 9, 2021

Lansing Hotel Investors LLC
Attorney Mike Brown
(mbrown@cebhlaw.com)

RID # 2110-18687 **Reference/Transaction:** CONDITIONAL LICENSE, Transfer Ownership 2021 Resort B-Hotel issued under MCL 436.1531(4), non-transferable & SDM license with Sunday Sales Permit (PM), Dance-Entertainment Permit, Direct Connection (2), Specific Purpose Permit (food) and 5 Bars from Block 100 Limited Partnership; cancel existing Social District Permit; New Sunday Sales Permit (PM) SDM-Mixed Spirit Drink and Participation Permit.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Lansing Hotel Investors LLC

Business address and phone number: 111 N Grand Ave, Lansing 48933

Home address and phone number of partner(s)/subordinates:

1. Lansing Hotel Investors JV LLC: 13101 Preston Rd #110-1060, Dallas TX 75240

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office: **Lansing District Office (866) 813-0011**

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is **not required**. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (city.clerk@lansingmi.gov)



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Thursday, December 09, 2021

John J Doyle, Attorney
c/o LE&O MANSION LLC
john.doyle924@gmail.com

RID # RQ-2111-19427 **Reference/Transaction:** TRANSFER OWNERSHIP 2021 RESORT CLASS C LICENSE ISSUED UNDER MCL 436.1531(2), MINIMUM SEATING 100 (ORIGINAL 550 RESORT, NOT ISSUED AT ITS ORIGINAL LOCATION, MUST MEET MINIMUM SEATING OF 100 AND FOOD REQUIREMENTS) AND SDM LICENSED BUSINESS WITH SUNDAY SALES PERMIT (PM) FOR CLASS C LICENSE – SPIRITS AND MIXED SPIRIT DRINK AND DANCE-ENTERTAINMENT PERMIT FROM GUS'S LLC; TRANSFER LOCATION FROM 2321 W MICHIGAN AVE, LANSING TO 6810 CEDAR ST, STE A, LANSING; TRANSFER GOVERNMENTAL UNIT UNDER MCL 436.1531(1) FROM LANSING TOWNSHIP TO LANSING CITY; NEW SUNDAY SALES PERMIT (AM); NEW SUNDAY SALES PERMIT (PM) FOR SDM LICENSE – MIXED SPIRIT DRINK AT 6810 S CEDAR ST STE A, LANSING, MI 48911-6962 IN LANSING CITY IN INGHAM COUNTY

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: LE&O MANSION LLC

Business address and phone number: 6810 S CEDAR ST STE A, LANSING, MI 48911-6962 IN LANSING CITY IN INGHAM COUNTY

Home address and phone number of partner(s)/subordinates:

Leonard D Brown; 1600 S Cedar St Lansing MI 48910; Cell: 734-972-6160

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (517) 284-6330

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: LE&O MANSION LLC leocollections@gmail.com
GUS'S LLC imp2712@yahoo.com
LANSING CITY city.clerk@lansingmi.gov

MICHIGAN LIQUOR CONTROL COMMISSION
PAT GAGLIARDI, CHAIR
525 W. Allegan St. • P.O. BOX 30005 • LANSING, MICHIGAN 48909
www.michigan.gov/lcc • 866-813-0011



12/6/21
I want to appeal the decision of the Claims
Review Committee to
the City Council.
City of Lansing
OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

DEC 8'21 11AMCLERK

November 29, 2021

Todd Dowrick
6435 Heathfield Drive
East Lansing, MI 48823

Re: Claim – 1032 Clear St.

DEC 8'21 11AMCLERK

Dear Mr. Dowrick:

Please be advised that with further review of your claim in the amount of \$524.00 regarding a trash violation at the above address, and has GRANTED a portion of your claim, in the amount of \$34.00. **Your new balance due is \$490.00.**

Enclosed please find a Release for your review and signature. If the decision of the committee meets with your approval, please sign the release in front of a witness and have the witness also sign the form, then return the signed Release to this office. Once our office receives the signed Release with both signatures, we will request the amount be removed from the tax rolls, or a refund issued if the penalty has been paid.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

Thank you for your cooperation in this matter. If you should have any questions, please feel free to contact me.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Enclosure
Claim #1870

DATE: 9/29/2021

1870

PPN: 33-01-01-21-253-055
DATE SUBMITTED: 9/13/2021
ADDRESS OF VIOLATION: 1032 Clear Street
LISTED TAXPAYER OF RECORD: Dowrick Todd K & Sandra
OTHER TAXPAYER OF RECORD:
CLAIMANT: Dowrick, Todd
CLAIMANT'S ADDRESS: 6435 Heathfield Dr.
East Lansing, MI 48823
TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 6/30/2021
NOTIFICATION DATE: 6/30/2021
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$524.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 21-T065 7/15/2021
AMOUNT OF CLAIM: \$524.00

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY: Trash
Violation
6/30/2021

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for trash and an overflowing recycle bin on 6/30/2021 with a compliance due date of July 7, 2021. The officer returned on 7/08/2021 the violations were still present and the property was submitted to the trash contractor for removal. The trash contractor arrived on 7/15/2021 16 days after the initial notice was sent the recycle bin was still overflowing and had not been removed by Public Service as it contained items that cannot be recycled. After the claimant and the occupant received the notice they never contacted the officer or the Public Service Department to see why the recycle bin was not emptied. This office would also like to note Public Service Service has a list of what is allowed and not allowed to be recycled on their web site it specifically states window blinds are not allowed.

RECEIVED SEP 13 2021



City of Lansing

OFFICE OF THE CITY ATTORNEY

1870

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Todd Dourick DATE: 8/17/21
MAILING ADDRESS: 6435 Heathfield Dr. EMAIL: todd.dourick@yahoo.com
CITY: E. Lansing STATE: MI ZIP CODE: 48823
TELEPHONE: Home (517) 896.9959 Work (517) 896.9959

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1032 Clear PARCEL NO. 33-01-01-21-263-055
DATE OF INCIDENT: 7/7/21 AMOUNT YOU WERE BILLED: \$524.00
TOTAL AMOUNT YOU ARE CONTESTING: \$ 524
TYPE OF ASSESSMENT: Trash & Debris Correction Notice

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

There was trash and debris closer to the house not
pictured. That was picked up, as well as the
garbage bags that was placed in the bins. The
recycle bins contained recyclable items, other than
the blinds. The blinds were plastic as well
and thought they were an approved recycle item

A description of the claims review process is available on our website at: <https://www.lansingmi.gov/349/Claims-Review-Process>

To download the claim form: <https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=>



Andy Schor, Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

DOWRICK TODD K & SANDRA
6435 HEATHFIELD DR
EAST LANSING, MI 48823-9659

Violation Date: 06/30/2021
Violation Location: 1032 CLEAR ST
Parcel No: 33-01-01-21-253-055
Compliance Due Date: July 07, 2021

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Garbage

INSPECTOR COMMENTS: trash, debris in yard and recycle bin. please dispose of.

Violation: Trash found in bags/boxes

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. Please be advised that moving the items to another area on the property does not bring the violation into compliance. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess graduated fees from \$75.00 to \$300.00 for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM for any questions or extensions.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Chris Breiter (517) 483 4379 Chris.Breiter@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy

RECEIVED SEP 13 2021



CITY OF LANSING

316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Bill to:
DOWRICK TODD K & SANDRA
6435 HEATHFIELD DR
EAST LANSING, MI 48823-9659

DUE DATE: 09/02/2021

INVOICE

08/09/2021

TOTAL AMOUNT DUE
\$ 524.00



Invoice Number	Record No	Address	Amount Due
00182071	E21-40491	1032 CLEAR ST	\$524.00
07/03/2021			
Trash - Admin Fee			
Trash - Contractor Charge			

TOTAL DUE \$524.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

RECEIVED SEP 18



1032 clear (3)

08/03/2021 13:48

LPUNTE

RECEIVED SEP 13 2021



IMG_4812

06/30/2021 12:18

CBreiter

RECEIVED SEP 13 2021



IMG_4812

06/30/2021 12:18

CBreiter



Nuisance Fees
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Floor
 Lansing, MI 48933
 Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 08/03/2021
 Due Date: 09/02/2021
 Pay Invoice In Full



DOWRICK TODD K & SANDRA
 6435 HEATHFIELD DR
 EAST LANSING MI 48823-9659

Inv Number: 00182071
 Parcel: 33-01-01-21-253-055
 Address: 1032 CLEAR ST

Parcel: 33-01-01-21-253-055

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00182071		E21-40491	1032 CLEAR ST	\$524.00
Fee Details:		Quantity	Description	Balance
		1.000	Trash - Admin Fee	\$ 265.00
		259.000	Trash - Contractor Charge	\$ 259.00
Total Amount Due				\$ 524.00

Questions regarding this invoice: Contact **CODE ENFORCEMENT** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Fl
 Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
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Eric's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericsrefuse@hotmail.com

INVOICE

BILL TO

Economic Development &
Planning Code
Enforcement Office
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 4541
DATE 07/28/2021

PROPERTY ADDRESS

1032 Clear ST

PARCEL NUMBER

33-01-01-21-253-055

DESCRIPTION	QTY	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	225.00	225.00
city:add cy any after 3	1	34.00	34.00
7/15/21 4 yards chris breiter			

BALANCE DUE

\$259.00



Andy Schor, Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

DOWRICK TODD K & SANDRA
6435 HEATHFIELD DR
EAST LANSING, MI 48823-9659

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Violation Location: 1032 CLEAR ST
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INSPECTOR COMMENTS: *trash, debris in yard and recycle bin. please dispose of.*

Violation: Trash found in bags/boxes

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **Please be advised that moving the items to another area on the property does not bring the violation into compliance. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess graduated fees from \$75.00 to \$300.00 for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM for any questions or extensions.

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Code Officer: Chris Breiter (517) 483 4379 Chris.Breiter@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant
1032 CLEAR ST
LANSING, MI 48910

Violation Date: 06/30/2021
Violation Location: 1032 CLEAR ST
Parcel No: 33-01-01-21-253-055
Compliance Due Date: July 07, 2021

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Garbage

INSPECTOR COMMENTS: *trash, debris in yard and recycle bin. please dispose of.*

Violation: Trash found in bags/boxes

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **Please be advised that moving the items to another area on the property does not bring the violation into compliance. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess graduated fees from \$75.00 to \$300.00 for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM for any questions or extensions.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Chris Breiter (517) 483 4379 Chris.Breiter@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form

Submitted to: Eric Crutcher on 07/08/2021

TAXPAYER: DOWRICK TODD K & SANDRA, 6435 HEATHFIELD DR EAST LANSING, MI 48823-9659

Location of Work:

Enf Num: E21-40491

Address: 1032 CLEAR ST
Lot No:
Description:
Parcel No: 33-01-01-21-253-055

Remove Trash and Debris

Work Authorized:
Violation: *Garbage*

INSPECTOR COMMENTS: *trash, debris in yard and recycle bin. please dispose of.*

Violation: *Trash found in bags/boxes*

Violation: *Paper/Glass/Plastic/Metal/Cardboard debris*

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 1
Authorized Cubic Yards: 2

Warning Comment:
overfull dumpsters left at curb.

Submitted By: Chris Breiter (517) 483 4379

This action is authorized by the Manager of Code Compliance

WHAT TO RECYCLE

Recycle right and help reduce contamination in Lansing's recycling stream by learning about what items can and can't be put into your green recycling bin.

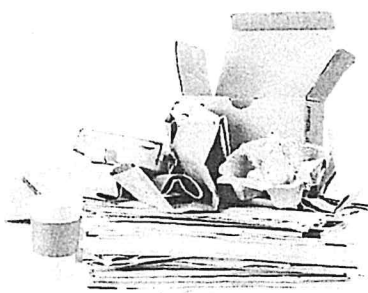
If you have a question about recycling an item, please [email the CART Office](#).

Guidelines

Residents must follow the [recycling guidelines \(PDF\)](#) for green recycling carts to be emptied.

▶ ACCEPTED RECYCLABLE ITEMS

▼ UNACCEPTED RECYCLABLE ITEMS



Paper

Junk Mail, Office Paper, Newspaper/Magazines, Paper Bags, Cereal or Food Boxes, Paper Cups, Flattened Cardboard

- No paper plates, wrapping paper (unless it is purely paper without decorations), or tissues
- Shredded paper must be bagged in a paper bag with the word "SHRED" written on it

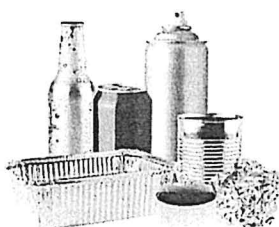




Plastic

Food, Beverage and Soap Bottles, Containers and Cups

- *No StyrofoamTM or yogurt lids*



Metal

Aluminum Foil and Containers, Foil/Steel Cans

- *Clean and empty*
- *No paint or aerosol cans*



Cartons

Milk, Juice and Soap Cartons

- *No frozen food containers*



Glass

Bottles and Jars (All Colors)

- *No mirrors, ceramics, or lightbulbs*

Select Language ▼

Below are common recycling items and contaminants that are not accepted by our recycling program (this is not a comprehensive list of all unacceptable items). You may be able to recycle some of these items elsewhere. Use the [Recycling Center Locator Map](#) to find a center that will accept less common items.

Books

Drop-off locations:

- Michigan State University Surplus Store
468 Green Way
East Lansing, MI 48824
- Friedland
405 E Maple Street
Lansing, MI 48906

Styrofoam

Drop-off locations:

- East Lansing Public Works
1800 E State Road
East Lansing, MI 48823
- Dart
432 Hogsback Road
Mason, MI 48854
- Dart
2148 Depot Street
Holt, MI 48842
- Impression 5 Science Center
200 Museum Drive
Lansing, MI 48933



Electronics

Drop-off locations:

- Staples
- BestBuy

Select Language ▼

Plastic Bags

Drop-off locations:

- Meijer
- Target
- Kroger
- Walmart

Old Medicine

Drop-off location:

- Capital Area Take Back Meds Program
Ingham County Health Department
5303 S Cedar, Street
Lansing, MI 48911

Learn more about recycling medication or call 517-887-4586.

Needles/Syringes

Drop-off location:

- Ingham County Health Department
5303 S Cedar, Street
Lansing, MI 48911

Learn more about [Recycling Sharps \(PDF\)](#).

CFL / LED Light Bulbs

Drop-off location:

- Lansing Board of Water and Light
1232 Haco Drive
Lansing, MI 48912

Paint / Pesticides / Household Hazardous Waste

Drop-off location:

- Ingham County Health Department
5303 S Cedar, Street
Lansing, MI 48911

Select Language ▼

Clothing/Household Goods

Clothing/household goods can be recycled through Simple Recycling. [Email Simple Recycling](#) or see the [Clothes and Textiles page](#).

Other Contaminants

Other contaminants that are not accepted include:

- Diapers (only accepted in blue carts and if double-bagged)
- Hangers
- Hoses
- Mirrors
- Plastic Bags
- Plastic Silverware
- Plastic Wrap
- Straws
- Trash (only accepted in your blue cart)
- VHS Tapes
- Window Blinds



20

32



15/07/2021 07:10





15/07/2021 07:10





15/07/2021 07:19



15/07/2021 07:19

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 Homelessness

Name (print) Jody Washington E-Mail (optional) _____

Address (street, city, zip) 521 N. Antrim

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

Signature [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

* *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.



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Topic(s) to be addressed Thanking the clerk's office

Name (print) Ross michels E-Mail (optional) _____

Address (street, city, zip) michelsross@gmail.com

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

Signature R. Michels

- 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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