

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE**



AGENDA FOR FEBRUARY 13, 2017

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 on Monday, February 13, 2017 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of January 30, 2017

IV. 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.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. 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 white form.)

A. SCHEDULED PUBLIC HEARINGS

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS BROWN CLARKE, HUSSAIN, DUNBAR, HOUGHTON, SPITZLEY, WASHINGTON, WOOD, AND YORKO
 - a. Tribute; in recognition of Cleophus Sturdivant Memorial Black History Event
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Obsolete Property Rehabilitation (OPRA) District; 506 S. Hosmer Street
 - b. Obsolete Property Rehabilitation (OPRA) Certificate; 506 S. Hosmer Street
 - c. LS-18-2016; Lot Split for 3209 Felt Street Habitat for Humanity
3. BY THE COMMITTEE OF THE WHOLE
 - a. Proposed Welcoming\Safe Community

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE OF THE WHOLE
 - a. Fiscal Year 2016 Budget Carry Forwards
 - b. Special Operations Budget Appropriations
 - c. Special Assessment Capital Project Fund Deficit Elimination Plan

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON PUBLIC SAFETY
 - a. An Ordinance of the City of Lansing, Michigan to amend Chapter 1460.49 of the City of Lansing Codified Ordinances by adding the requirement that delinquent real property taxes be paid prior to issuance of a certificate of compliance for rental properties.

F. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON PUBLIC SAFETY

- a. Adoption of an Ordinance of the City of Lansing, Michigan to add Section 1460.04, Home Occupation Registration And Inspection, to Chapter 1460 of the Lansing Codified Ordinances to provide for the registration and inspection of any building or structure in a residentially-zoned district where the operation of a home occupation within such building or structure utilizes electricity that exceeds 3500 kwh (kilowatt hours) per month or where the operation emits gases, fumes, smoke, or odors outside of the building or structure and across the building or structure's property line; and to provide civil infraction penalties for noncompliance with Section 1460.04

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. 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)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
 - b. FY 2017 2nd Quarter General Fund Status Report
 - c. Tri-County Regional Planning Commission Annual Report
2. Letter(s) from the Mayor re:
 - a. Police Pension Ordinance Amendments
 - b. Grant Application; Local Bridge Program Funding
 - c. Public Improvement I & II; Jolly Rd. Sidewalk Rehabilitation
 - d. Z-1-2017, 4215 N. Grand River Avenue
 - e. Greater Lansing Regional Committee on Storm Water; Memo of Understanding and approval of a representative on the Committee
 - f. Sidewalk Snow Removal Assessment

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Notice from the Michigan Liquor Control Commission regarding:

- a. Application for a New SDM License, Speedway, LLC. at 3201 East Saginaw St., Lansing, 48912
 - b. Application for a New SDM License, Speedway, LLC. at 5600 South Cedar St., Lansing, 48911
2. Affidavit of Disclosure from Andrew Watkeys, Lansing Police Department
3. Affidavit of Disclosure from Brett Sorg, Lansing Police Department
4. Claim Appeal (#1358); Randy Walling for trash fee at property located at 1515 Bailey
5. Communication from Karen Holther in support of the City of Lansing to be a "Sanctuary City" for immigrant issues

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. 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.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

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

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,
SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cleophus Sturdivant was born July 18, 1935 in Arkansas to Eddie Ellis Sturdivant and Cicero Sturdivant. Cleophus's wife Catharine Broadnax, four children Linda, Brian, Daryl, and Vickie. Along with his nine grandchildren and eleven great grandchildren hold tightly to their cherished memories of him; and

WHEREAS, Cleophus moved to Lansing and attended Sexton High School and was awarded a scholarship to play football at Louisiana State. Being the strong willed person that he was Cleophus returned to college at the age of 31. Throughout his life he obtained multiple Master's Degrees and retired as a Personnel Officer from Kalamazoo Regional Hospital; and

WHEREAS, Cleophus loved to travel he has visited many foreign countries including Kenya, Zimbawe, and South Africa with his favorite being Africa. He was President Emeritus of the Sturdivant Heritage Project, a Non-profit organization that is dedicated to the education of children in Africa; and

WHEREAS, Cleophus had a deep love for God, his family, and his church family. He was a devoted member of Mt. Zion church in Kalamazoo, Michigan. He and his wife Catharine were Missionaries who minister annually in Ghana. Cleophus credits the love and support of his big brother Calvin for helping him become the man that he was.

BE IT RESOLVED, Lansing City Council hereby recognizes Cleophus Sturdivant as a mentor, leader, devoted to his family and community. Lansing City Council extends its condolences and sympathy to Cleophus's family and friends during this time of sorrow.

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

Resolution to Establish an Obsolete Property Rehabilitation Act District
506 South Hosmer Street

WHEREAS, the owner of property located at 506 South Hosmer Street in the City of Lansing, Michigan (the "Property") has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the "Act"), and

WHEREAS, Hosmer Storage, LP, hereinafter called the "Developer", has executed a Purchase Agreement to acquire the property, and

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

WHEREAS, the Developer has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOT 5 ASSESSORS PLAT NO 24 REC L 10 P 29, Ingham County, Michigan -- Parcel Number: 33-01-01-15-351-051, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on January 30, 2017.

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

LOT 5 ASSESSORS PLAT NO 24 REC L 10 P 29, Ingham County, Michigan -- Parcel Number: 33-01-01-15-351-051, and

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

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

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
506 South Hosmer Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Hosmer Storage, LP has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 506 South Hosmer Street, Lansing, Michigan (Obsolete Property); and

WHEREAS, Hosmer Storage, LP (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted February 13, 2017, after a public hearing was held on January 30, 2017, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on January 30, 2017 in order to provide an opportunity for the applicant, 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 Certificate; and

WHEREAS, Hosmer Storage, LP has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 12 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Hosmer Storage, LP has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2018; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize an urban area, and increase the number of residents in the community in which the facility is situated; and

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at 506 South Hosmer Street legally described as LOT 5 ASSESSORS PLAT NO 24 REC L 10 P 29, Ingham County, Michigan -- Parcel Number: 33-01-01-15-351-051; for a period of 12 years, beginning December 31, 2017 and ending December 30, 2029.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

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

LS-18-2016, 3209 Felt Street
Lot Split Application

WHEREAS, Habitat for Humanity has requested a lot split (LS-18-2016) to divide the property at 3209 Felt Street into two separate parcels of land; and

WHEREAS, the resulting parcels, one of which will be a corner parcel, will have a depth of 96 feet; and

WHEREAS, Section 1236.07(c) of the Subdivision Ordinance requires a minimum depth of 100 feet for interior residential parcels and a minimum depth of 135 feet for residential corner parcels of land; and

WHEREAS, one of the resulting lots will be a corner lot; and

WHEREAS, the lot split will not present a significant deviation from the existing development pattern in the area; and

WHEREAS, the lot split will allow the applicant to construct single family homes on each of the resulting parcels; and

WHEREAS, the Planning Board, at its meeting held on January 3, 2017 voted (6-0) to recommend approval of the lot split; and

WHEREAS, the Committee of the Whole has reviewed the recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the lot split request (LS-18-2016) by Habitat for Humanity to divide the property at 3209 Felt Street into two separate parcels of land, legally described as follows:

Interior Parcel: The West 60 Feet of Lots 56 & 57, Ideal Homesites

Corner Parcel: The East 75 Feet of Lots 56 & 57, Ideal Homesites

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

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

That the following remaining balances as of June 30, 2016 be reappropriated in Fiscal Year FY2016/2017 as indicated:

<u>Department/Fund</u>	<u>Description</u>	<u>Encumbered (Outstanding Purchase Orders)</u>	<u>Unencumbered</u>
<u>GENERAL FUND</u>			
General Fund	Use Of Fund Balance		\$ 441,414
Finance Operating	Pension & Retiree Healthcare Study		\$ 100,000
Human Services Agencies	Human Services Discretionary		10,224 ⁽¹⁾
Human Services Agencies	Grant Match Fund		10,000 ⁽¹⁾
Human Services Agencies	Community Problem Solving		34,625 ⁽¹⁾
Human Services Agencies	Youth RFP		4,371 ⁽¹⁾
Human Services Agencies	Kids Café After School Nutrition		40,328 ⁽¹⁾
Human Services Agencies	Kids Connect		44,889 ⁽¹⁾
Human Services Agencies	Womens Support Initiative		6,000 ⁽¹⁾
Human Services Agencies	Chronic Homeless Outreach		6,153 ⁽¹⁾
Human Services Agencies	Project Homeless Connect		10,114 ⁽¹⁾
Human Services Agencies	Mobile Food Pantry		2,669 ⁽¹⁾
Human Services Agencies	Subsidized Eviction Prevention		6,429 ⁽¹⁾
Public Service Operating	Uncompleted Storm Sewer Maintenance		165,612
General Fund Total		\$ -	\$ 441,414
<u>Major Streets Fund</u>			
Major Streets Fund	Use Of Fund Balance		\$ 47,724
Major Streets Fund Operating	Final Maintenance Work	\$ 7,724	
Major Streets Fund Operating	Municipal Standards Update		40,000
Major Streets Fund Total		\$ 7,724	\$ 40,000

⁽¹⁾ Restricted funds that are required to be carried forward per ordinance provisions

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

That the following FY 2017 supplemental appropriation be approved:

State & Local Asset Forfeiture Fund

\$47,500.00 From fund balance

\$47,500.00 Equipment

To appropriate \$47,500.00 from the LPD State & Local Drug Forfeiture Fund for the purchase of one (1) LPD Special Operations undercover vehicle in the amount of \$30,000; upgrades to the LPD multi-agency meeting space to include garage door and warehouse lighting repairs in the amount of \$15,000; and purchase of GPS tracker for undercover operations in the amount of \$2,500.

Approved for placement on the City Council agenda:

Jim Smiertka, City Attorney

Date

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

WHEREAS, the Michigan Department of Treasury, through issuance of Numbered Letter 2016-1, changed the criteria for deficit fund calculations of governmental funds to no longer provide exceptions for cases where future property tax or special assessment revenue offset special assessment balances; and

WHEREAS, the City's Special Assessment Capital Project Fund ended fiscal year 2016 with a current year deficit of \$210,252 due amounts fronted by the City for special assessment rolls which are to be repaid in future years;

NOW, THEREFORE, BE IT RESOLVED that the attached schedule is adopted as the City's Special Assessment Capital Project Fund deficit elimination plan for special assessment roll balances as of June 30, 2016.

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INTRODUCTION OF ORDINANCE
AMENDMENT TO CHAPTER 1460

Council Member Hussain, Chair of the Committee on Public Safety introduced:

An Ordinance of the City of Lansing, Michigan to amend Chapter 1460.49 of the City of Lansing Codified Ordinances by adding the requirement that delinquent real property taxes be paid prior to issuance of a certificate of compliance for rental properties.

The Ordinance is read a first time by its title and referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING
By Council Member Hussain

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, February 27, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Avenue, Lansing, MI for the purpose of considering an amendment to Chapter 1460.49 of the City of Lansing Codified Ordinances by adding the requirement that delinquent real property taxes be paid prior to issuance of a certificate of compliance for rental properties.

Interested Persons are invited to attend this Public Hearing.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTION 1460.49 OF THE LANSING CODIFIED ORDINANCES BY ADDING THE REQUIREMENT THAT DELINQUENT REAL PROPERTY TAXES BE PAID PRIOR TO ISSUANCE OF A CERTIFICATE OF COMPLIANCE FOR RENTAL PROPERTIES.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1460.49(a) of Chapter 1460 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

CHAPTER 1460. BUILDING AND HOUSING CODE.

1460.49(a). Certificates of compliance.

(a) *General.* Rental dwellings or units required by this Code to be registered shall not be occupied unless a Certificate of Compliance has been issued by the Office of Code Compliance. The Certificate of Compliance shall be issued only after an inspection of the premises has been conducted by the Office of Code Compliance, APPROPRIATE FEES HAVE BEEN PAID AND VERIFICATION THAT REAL PROPERTY TAXES ARE NOT DELINQUENT. A violation of this Code shall not prevent the issuance of a certificate, but the Office of Code Compliance shall not issue a certification when the existing conditions constitute a hazard to the health or safety of those who may occupy the premises. Two copies of the certificate shall be issued within 30 days after written application has been made, an inspection has been conducted, verification there are no delinquent real property taxes owed and a determination has been made that the property meets the requirements of this Code. One copy of the certificate shall be prominently displayed in the front entrance area of the rental dwelling in dwellings containing one or more rental units when any rental unit in the dwelling is vacant. If both rental units are rented then the certificate

1 need only be kept on the premises and made available at the request of tenants or government
2 officials. Any rental property with three or more rental units must prominently display the
3 certificate in the front entrance area of the rental dwelling.

4 (b) *Occupancy if Violation is Found.* Upon a finding that there is a violation of this Code, but
5 that the existing violation does not constitute any unsafe condition, occupancy may continue at
6 the discretion of the Manager of Code Compliance. Allowing continued occupancy shall not
7 nullify or otherwise effect the enforcement of any violations of this Code.

8 (c) *No Certificate or Expiration of Certificate.* Prior to the issuance of initial certificate or the
9 expiration of a Certificate of Compliance, the Office of Code Compliance shall notify by regular
10 first class mail, the registered owner and the registered agent, to arrange for a certification
11 inspection. The registered owner shall be responsible for arranging an initial certification
12 inspection within the time specified to register the rental dwelling in Section 1460.44(c). (Time
13 allowed to register). The registered owner shall also be responsible for arranging for all
14 certification inspections required thereafter prior to the expiration date on the certificate. If the
15 registered owner fails to schedule a certification inspection before the expiration of the existing
16 Certificate of Compliance, the fees for the certification inspection will be doubled.

17 (d) *Lack of Valid Certificate or Unregistered Rental Dwelling.* If the owner or agent has not
18 registered the rental dwelling or paid the appropriate fees or arranged an initial certification
19 inspection, the Office of Code Compliance shall issue a notice of lack of valid Certificate of
20 Compliance to the owner and the occupants of each unit. If the registered owner or registered
21 agent has not paid the appropriate inspection fees, or arranged a certification inspection, after a
22 valid Certificate of Compliance has expired, the Office of Code Compliance shall issue a notice

of lack of valid Certificate of Compliance to the registered owner and registered agent and the occupant of each unit. The notice shall state:

(1) That the dwelling does not have a valid Certificate of Compliance.

(2) That it is unlawful for any vacant unit to be reoccupied or rented.

(3) That current tenants may be entitled to escrow rent moneys as provided for under state law.

(4) That a placard containing this information may be posted on the dwelling and may not be removed until a new Certificate of Compliance is issued.

(5) That the registered owner, registered agent or occupant may arrange for a certification inspection.

(6) That if the certification inspection has not been scheduled and if the registration and inspection fees have not been paid, the Manager of Code Compliance may order the structure vacated within 30 days.

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

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.

PASSAGE OF ORDINANCE

Adoption an Ordinance of the City of Lansing, Michigan to add Section 1460.04, Home Occupation Registration And Inspection, to Chapter 1460 of the Lansing Codified Ordinances to provide for the registration and inspection of any building or structure in a residentially-zoned district where the operation of a home occupation within such building or structure utilizes electricity that exceeds 3500 kwh (kilowatt hours) per month or where the operation emits gases, fumes, smoke, or odors outside of the building or structure and across the building or structure's property line; and to provide civil infraction penalties for noncompliance with Section 1460.04

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

COUNCIL MEMBER	YEAS	NAYS
BROWN CLARKE	☐	☐
DUNBAR	☐	☐
HOUGHTON	☐	☐
HUSSAIN	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐
YORKO	☐	☐

☐ ADOPTED

☐ FAILED

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO ADD SECTION 1460.04, HOME OCCUPATION REGISTRATION AND INSPECTION, TO CHAPTER 1460 OF THE LANSING CODIFIED ORDINANCES TO PROVIDE FOR THE REGISTRATION AND INSPECTION OF ANY BUILDING OR STRUCTURE IN A RESIDENTIALLY-ZONED DISTRICT WHERE THE OPERATION OF A HOME OCCUPATION WITHIN SUCH BUILDING OR STRUCTURE UTILIZES ELECTRICITY THAT EXCEEDS 3500 KWH (KILOWATT HOURS) PER MONTH OR WHERE THE OPERATION EMITS GASES, FUMES, SMOKE, OR ODORS OUTSIDE OF THE BUILDING OR STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE; AND TO PROVIDE CIVIL INFRACTION PENALTIES FOR NONCOMPLIANCE WITH SECTION 1460.04.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Section 1460.04 be added to Chapter 1460 of the Lansing Codified Ordinances ("Code") to read as follows:

1460.04 HOME OCCUPATION REGISTRATION AND INSPECTION

(a) THE CITY OF LANSING FINDS THAT THE OPERATION OF A HOME OCCUPATION, AS DEFINED IN THE CODE, WHICH UTILIZES ELECTRICITY THAT EXCEEDS 3500 KWH PER MONTH , OR WHERE THE HOME OCCUPATION EMITS GASES, FUMES, SMOKE, OR ODORS OUTSIDE OF THE BUILDING OR STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE, PRESENTS A DANGER OF FIRE OR EXPLOSION OR OTHERWISE CREATES A PUBLIC NUISANCE, AS DEFINED IN CHAPTER 655 OF THE CODE, TO SURROUNDING RESIDENTIAL PROPERTIES; FURTHER, THAT SUCH UTILIZATION OR EMISSION PRESENTS A

24 CLEAR AND PRESENT DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE
25 OF THE RESIDENTS OF THE CITY OF LANSING, AND IT IS IN THE PUBLIC INTEREST
26 THAT SUCH HOME OCCUPATION BE INSPECTED FOR SAFETY REASONS AT LEAST
27 ANNUALLY.

28 (b) EVERY PERSON OPERATING, OR AS A LESSOR OF AN OWNER
29 ALLOWING AN OPERATION OF, A HOME OCCUPATION, AS DEFINED IN SECTION
30 1240.03 OF THE CODE, IN A RESIDENTIALLY-ZONED DISTRICT SHALL ANNUALLY
31 REGISTER THE BUILDING OR STRUCTURE WITHIN WHICH SUCH HOME
32 OCCUPATION IS SITUATED WITH THE CITY OF LANSING OFFICE OF CODE
33 COMPLIANCE IF:

34 1. THE HOME OCCUPATION UTILIZES ELECTRICITY THAT EXCEEDS 3,500
35 KWH PER MONTH; OR

36 2. THE HOME OCCUPATION EXHAUSTS OR EMITS GASES, FUMES, SMOKE
37 OR ODOR INTO THE SURROUNDING AREAS OUTSIDE OF THE BUILDING OR
38 STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE.

39 (c) ANY DWELLING OR ACCESSORY BUILDING USED AS PART OF A HOME
40 OCCUPATION REGISTERED PURSUANT TO THIS SECTION SHALL BE INSPECTED
41 ANNUALLY BY THE OFFICE OF CODE COMPLIANCE FOR CODE AND SAFETY
42 COMPLIANCE AND FOR ADEQUATE VENTING OF GASES, FUMES, SMOKE OR
43 ODOR SO AS NOT TO CAUSE A PUBLIC NUISANCE IN THE SURROUNDING AREAS.

44
45 (d) IT IS THE INTENT OF THIS SECTION THAT THE REGISTRATION REQUIRED
46 HEREIN BE FOR SAFETY REASONS RELATED TO BUILDINGS OR STRUCTURES AND

NOT RELATED TO THE OWNER OR OCCUPANT OF SUCH BUILDING OR
STRUCTURE; THUS, EXCEPT FOR A NAME AND NECESSARY CONTACT
INFORMATION, PERSONAL INFORMATION RELATED TO ANY PERSON
REGISTERING THE BUILDING OR STRUCTURE SHALL NOT BE REQUIRED OR
COLLECTED. FURTHER, TO THE EXTENT ALLOWABLE UNDER THE MICHIGAN
FREEDOM OF INFORMATION ACT AND PROTECTED UNDER MICHIGAN AND
FEDERAL LAWS, INCLUDING, BUT NOT LIMITED TO, MCL 333.26421 ET SEQ. AND
U.S.PUBLIC LAW 104 -191 AND FEDERAL REGULATIONS PROMULGATED
THEREUNDER, PERSONAL INFORMATION RELATED TO AN OWNER OR OCCUPANT
OF A REGISTERED BUILDING OR STRUCTURE SHALL NOT BE DISCLOSED.

(e) FAILURE TO REGISTER A HOME OCCUPATION BUILDING OR STRUCTURE
AS REQUIRED BY THIS SECTION SHALL CONSTITUTE A MUNICIPAL CIVIL
INFRACTION PURSUANT TO CHAPTER 203 OF THE CODE AND THE PENALTIES SET
FORTH IN SECTION 202.99 OF THE CODE SHALL APPLY TO EACH SUCH CIVIL
INFRACTION OR AS SUCH PENALTIES MAY BE AMENDED FROM TIME TO TIME BY
AN ORDINANCE ENACTED BY THE LANSING CITY COUNCIL.

(f) THE PROVISIONS OF THIS ORDINANCE SHALL EXPIRE FIVE YEARS
AFTER THE DATE OF ITS ENACTMENT.

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 void and
of no effect.

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

71 Section 4. This Ordinance shall take effect on the 30th day after enactment unless given
72 immediate effect by the City Council.

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Chris Swope

Lansing City Clerk

February 10, 2017

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

Planning Board

DATE OF MEETING

Nov. 1, 2016

Police & Fire Retirement System

Nov. 8, 2016

Nov. 10, 2016

Dec. 15, 2016

Board of Water and Light Board of Commission Minutes for November 15, 2016 are available at: <https://www.lbwl.com/About-the-BWL/Board-Meetings/Board-Meeting-Agendas,-Minutes,-and-Packets/>

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, CMC, CMMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX

www.lansingmi.gov/clerk □ clerk@lansingmi.gov



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

JAN 31 2017

A handwritten signature in black ink, appearing to be "CP", is written over the date stamp.

TO: City Clerk Chris Swope
FROM: Mayor Virg Bernero
DATE: January 31, 2017
RE: FY 2017 2nd Quarter General Fund Status Report

Pursuant to Section 7-110 of the City Charter, attached please find the General Fund Status Report for the second quarter of Fiscal Year 2017.

General Fund Status Report – FY 2017 2nd Quarter

Please see accompanying summary detail (page 3)

Revenues

In total, General Fund revenues collected in the first half of Fiscal Year 2017 (July – December) were higher than the average of the past three years' second quarter collection rates, as a percentage of year-end amounts, at 57.6% compared to 56.5%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year. At the end of the second quarter of the fiscal year, they were higher as a percentage of budget, at 100.7%, compared to the average of the past three year's second quarter collection rates of 98.5%. Part of the difference was due to a change in timing recognition of certain infrastructure fee agreement receipts. Additionally, State reimbursement of phased-out personal property taxes for the current and two previous years was received in the second quarter and exceeded purposefully-conservative budget estimates. It should be noted that property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.
- As a percentage of budget, **Income Tax** collections were higher than the average collection rate for the past three years, at 33.8% of budget, compared to 32.3%. It should be noted that income tax revenues fluctuate from previous trends due to timing differences in remittances; however, the trend is consistent with that of the past several quarters.
- **State Revenue Sharing** were on target as of the second quarter, and Fire Protection/Bad Driver Fees, received once per year, were \$413,000 higher than anticipated. State Revenue Sharing and Fire Protection/Bad Driver fees are dependent on State revenue collections.
- **Charges for Services** were somewhat lower than collection rates from the average of the same period for the last three years, at 39.5% of budget compared to 42.9% in prior years, due mainly to timing of grant administration revenues. Licenses and permits make up only 7% of General Fund revenues.
- In total, **Licenses and Permits** revenues were also on par with the average collection rate of the same period for the last three years as a percentage of year-end totals, at 24.4% of budget, compared to 24.2%. Licenses and permits make up only 1.5% of General Fund revenues.
- Collection rates for **Fines and Forfeiture** for the second quarter were lower as a percentage of year-end totals for the average of the last three years, at 31.1% of the budget compared to 41.6%, due to reductions in traffic tickets and penal case revenues.
- The City's **Return on Equity** payment from the Board of Water and Light (BWL) for the first half of the year exceeded budgetary expectations at 53% of the budget, compared to 50%.
- As a category, **Interest and Rents** were behind previous years' trends due to a change in the timing of cell tower revenue payments from previous years. Interest revenue is posted as investments mature, the timing of which varies from year-to- year.

- **Other Revenues** were lower as of the second quarter-end, at 29.1%, compared to previous years' averages of 38.2% because of small one-time grants received in previous years.

Expenditures

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were within the budgetary target -- at 47.6% as of December 31, compared to a budgetary target (taking into account the timing of payroll dates) of 48.9%. All departments were within budgetary targets as of December 31, with the exception of Human Relations & Community Services, resulting from work involved from the announcement of the closing of the Magnuson Hotel; the City Clerk's Office, due to timing of elections; and the Financial Empowerment Center, due to supplies for events. Budget adjustments may be needed for the three departments, depending on reimbursements and grant amounts received.

Summary

For the first half of the fiscal year, total General Fund revenues were ahead of budgetary expectations, and expenditures were, with three exceptions, within budgetary expectations.

General Fund Status Report – FY 2017 (as of December 31, 2016)

Revenues	Annual Budget	Actual as of 12/31/16	Percent of Budget	Avg. Percent of Year-End Actuals as of December 31 FY 2014 - 2016
Property Taxes	\$ 38,952,000	39,228,991	100.7%	98.5%
Income Taxes	33,150,000	11,202,610	33.8%	32.3%
Revenue Sharing	15,655,900	4,192,670	26.8%	24.6%
Licenses & Permits	1,652,500	403,574	24.4%	24.2%
Charges for Services	9,153,500	3,618,550	39.5%	44.9%
Fines & Forfeitures	2,960,100	920,963	31.1%	41.6%
Interest & Rent	38,500	16,004	41.6%	53.5%
Return on Equity	22,000,000	11,651,819	53.0%	50.6%
Other Revenue	437,500	127,325	29.1%	38.2%
Total Revenues	\$ 124,000,000	\$ 71,362,506 ⁽¹⁾	57.6%	56.5%
Less: Addition to Reserves	(500,000)			
	<u>\$ 123,500,000</u>			

Expenditures	Annual Budget	Actual as of 12/31/16	Percent of Budget	12/31/16 Budgetary Target
Council	\$ 675,800	\$ 285,540	42.3%	47.7%
Internal Audit	202,200	60,001	29.7%	47.0%
Courts	6,247,400	2,720,349	43.5%	47.6%
Mayor's Office	1,050,200	491,399	46.8%	47.3%
Media Center	415,600	175,051	42.1%	47.0%
Financial Empowerment Center	182,100	121,940	67.0%	48.0%
Clerk's Office	1,018,700	589,624	57.9%	54.2%
Planning & Neighborhood Development	1,091,500	498,126	45.6%	49.6%
Finance	5,083,800	2,069,863	40.9%	47.6%
Human Resources	2,139,000	1,027,307	48.0%	48.1%
Attorney's Office	1,880,700	748,588	39.8%	46.9%
Vacancy Factor	(800,000)			
Police	38,952,900	18,612,547	47.8%	49.0%
Fire	33,612,300	16,435,116	48.9%	49.3%
Public Service	10,867,100	5,246,418	48.3%	49.7%
Human Relations & Community Service	1,249,200	632,420	50.6%	47.2%
Parks & Recreation	7,893,900	3,500,826	44.3%	48.5%
Subtotal - Departmental Budgets	\$ 111,742,400	\$ 53,215,115	47.6%	48.9%
Human Services & City Supported Agencies	\$ 1,868,900	\$ 794,455	42.5%	
Library Lease	165,000	72,228	43.8%	
Debt Service	1,045,200	74,815 ⁽²⁾	7.2%	
Transfers	8,678,500	8,518,047	98.2%	
Subtotal - Non-departmental Budgets	11,757,600	9,459,545		
Total General Fund	<u>\$ 123,500,000</u>	<u>\$ 62,674,660 ⁽¹⁾</u>		

Please see Pages 1 and 2 for an explanation of revenues and expenditures.

⁽¹⁾ Note: Year-to-date revenue is greater than expenditures at this time of year, as property taxes, accounting for 31% of General Fund revenues, are collected at the beginning of the year. Property taxes include delinquent amounts that will be reimbursed by the counties upon settlement. Property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.

⁽²⁾ The majority of General Fund debt service is paid in the fourth quarter of the fiscal year.



Chris Swope
Lansing City Clerk

February 10, 2017

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file:

Tri-County Regional Planning Commission 2016 Annual Report

This document is available for review at the office of the City Clerk or at
<http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

Chris Swope, CMC
Lansing City Clerk



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 2-9-17
RE: Police Pension Ordinance Amendments FOP Sups and Non-Sups

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Mary Riley, HR Director

Subject: Police Pension Ordinance Amendments FOP Sups and Non-Sups

Date: 2-9-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 294, SECTIONS 294.02(a), 294.02(i), 294.02(k) AND 294.02(r) TO CONFORM TO THE POLICE OFFICERS' PENSION BENEFIT CHANGES CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY AND FOP LOCAL #141 SUPERVISORY AND NON-SUPERVISORY DIVISIONS, BOTH RATIFIED IN 2015, BY ADDING THE DEFINITION OF BASE WAGE; PROVIDING A MINIMUM RETIREMENT AGE OF 50 FOR NEW HIRED POLICE OFFICERS; LIMITING PENSIONS TO 115% AND 110% OF A BASE WAGE; AMENDING THE POLICE OFFICER EMPLOYEE PENSION CONTRIBUTION; AND REDUCING THE PENSION BENEFIT MULTIPLIER FOR NEW HIRED POLICE OFFICERS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 294, Sections 294.02(a), 294.02(i), 294.02(k) and 294.02(r), of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

294.02. Pensions.

(a) *Definitions.* As used in this chapter, unless a different meaning is clearly required by the context:

Accumulated contributions means the sum of all amounts deducted from the compensation of a member or contributed by the member as allowed in this chapter, and credited to his or her individual account in the employees' savings fund, together with regular interest thereon.

Annual base salary means the salary paid by the City to a police officer or firefighter for 12 consecutive months of credited service.

Base wage means a ~~firefighters base wage~~ MEMBER'S SALARY DETERMINED BY HIS OR HER POLICE OFFICER OR FIREFIGHTER CLASSIFICATION AND ANNUALIZED RATE OF PAY CONTAINED IN THE APPENDIX OF THE COLLECTIVE BARGAINING AGREEMENT COVERING THE MEMBER AND IN EFFECT ON THE DATE OF THE MEMBER'S SEPARATION FROM CITY SERVICE.

Beneficiary means any person, except a retiree, who is in receipt of, or who is designated and eligible to receive, a retirement allowance or other benefit payable by the retirement system.

Board of Trustees or *Board* means the Board of Trustees provided for in this chapter.

Credited service means the number of years, and fraction of a year, of service (as defined in this chapter) standing to a member's credit in the member's service account. Any future reference in this chapter to "credited service" shall have the same meaning as "service credit".

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 *Dependent* means a child, children or parent for whom a police officer or firefighter
2 provides at least 50 percent of the persons financial support and who was claimed as a
3 dependent, pursuant to the United States Internal Revenue Code of 1986, as amended, by the
4 police officer or firefighter on his or her Federal Income Tax Return for the most recently ending
5 tax year.

6 *Final average compensation* means the monthly average of the member's final
7 compensation that is included in "included compensation," as defined in this subsection, paid
8 during the period of the member's 24 highest consecutive months of credited service as a police
9 officer, or firefighter. If the member has less than 24 months of credited service, the member's
10 final average compensation shall be the monthly average of the included compensation paid for
11 his or her total period of credited service. For a police officer member, included compensation is
12 defined as annual base salary, overtime pay (including holiday pay), longevity, gun allowance,
13 clothing allowances, sick leave reimbursement (buy-back), shift premium and retroactive pay
14 (prorated by effective date). For a Police Supervisory Division Unit member, the definition of
15 included compensation also includes compensatory time buy-back (up to a maximum of 160
16 hours), provided that the compensatory time was earned in the same 24 months on which final
17 average compensation is based. For a firefighter member, included compensation is defined as
18 annual base salary, overtime pay, acting pay, ambulance wage differential pay, longevity,
19 holiday pay, field training instructor pay and retroactive pay (prorated by effective date).

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 *Final compensation* means a member's monthly rate of compensation at the time his or her
2 employment by the City as a police officer or firefighter last terminates.

3 *Firefighter* means a permanent employee in the Fire Department who holds the rank of
4 firefighter or higher rank and who has taken the oath required in Section 4-303.4 of the City
5 Charter. "Firefighter " does not include the civilian employees in the Department.

6 ~~*Firefighter's base wage* means a firefighter's salary determined by his or her classification~~
7 ~~and annualized rate of pay contained in appendix a of the collective bargaining agreement~~
8 ~~covering the member and in effect on the date of the firefighter's separation from city service.~~

9 *Member* means any person who is included in the membership of the retirement system
10 whether or not such person was represented by a collective bargaining unit upon the effective
11 date of his or her retirement.

12 *Membership service* means service rendered after December 31, 1943, to the extent credited
13 a member by the Board of Trustees.

14 *Police officer* means a permanent employee in the Police Department who holds the rank of
15 patrolman or higher rank and who has taken the oath required in Section 4-307.4 of the City
16 Charter, but it shall not include the civilian employees in the Police Department.

17 *Regular interest* means such rate or rates of interest per annum, compounded annually, as
18 the Board of Trustees shall from time to time adopt, subject to the approval of Council.

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 *Retiree* means a former member who meets the eligibility requirements of this chapter and
2 retires with a retirement allowance payable by the retirement system.

3 *Retirement allowance* means a monthly amount payable throughout the future life of a
4 person, or for a temporary period, as provided in this Chapter.

5 *Retirement allowance reserve* means the present value of all payments to be made on
6 account of any retirement allowance. The retirement allowance reserve shall be computed upon
7 the basis of such mortality and other tables of experience, and regular interest, as the Board of
8 Trustees shall from time to time adopt.

9 *Retirement system* means the Police and Fire Retirement System of the City.

10 *Service* means personal service rendered as a police officer or firefighter in the employ of
11 the City and paid for by the City or purchased by the member pursuant to this chapter.

12 The masculine gender shall include the feminine, and the plural form shall include the
13 singular.

14 (i) *Voluntary Retirement.*

15 (1) A member may retire upon his or her written application filed with the Board of
16 Trustees setting forth at what time, not less than 30 days nor more than 90 days
17 subsequent to the execution and filing thereof, he or she wishes to be retired, provided
18 that such member is eligible to retire according to subsection (i)(2) upon his or her

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 retirement, he or she shall receive a retirement allowance as provided in subsection
2 (k)(1) hereof.

3 (2) A member may retire after 25 or more years of credited service, or after his or her
4 attainment of age 55, except that a firefighter ~~who becomes a member~~ WHOSE
5 MEMBERSHIP COMMENCED on or after May 19, 2014, AND A POLICE OFFICER
6 WHOSE MEMBERSHIP COMMENCED ON OR AFTER AUGUST 1, 2014, with 25
7 or more years of credited service may not retire before attainment of age 50.

8 (k) *Retirement Allowance.*

9 (1) *Generally.*

10 A. ~~Upon a~~ A police officer ~~member's retirement, he or she~~ WHOSE MEMBERSHIP
11 COMMENCED BEFORE AUGUST 1, 2014, AND WHO RETIRES, shall receive
12 a retirement allowance equal to THE SUM OF 3.2 percent of ~~the member's~~ HIS OR
13 HER final average compensation multiplied by the number of years, and fraction of
14 a year, of credited service not to exceed 25 years. IN ADDITION TO THE
15 LIMITATION IN THE PRIOR SENTENCE, A POLICE OFFICER'S
16 RETIREMENT ALLOWANCE SHALL ALSO NOT EXCEED THE
17 FOLLOWING: THE RETIREMENT ALLOWANCE FOR A POLICE
18 SUPERVISORY DIVISION MEMBER WHO SEPARATES FROM CITY
19 EMPLOYMENT ON OR AFTER JULY 16, 2015 AND PRIOR TO JULY 14,
20 2019, SHALL NOT EXCEED 115% OF THE MEMBER'S BASE WAGE; THE

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 RETIREMENT ALLOWANCE FOR A POLICE SUPERVISORY DIVISION
2 MEMBER WHO SEPARATES FROM CITY EMPLOYMENT ON OR AFTER
3 JULY 15, 2019, SHALL NOT EXCEED 110% OF THE MEMBER'S BASE
4 WAGE; THE RETIREMENT ALLOWANCE FOR A POLICE
5 NONSUPERVISORY DIVISION MEMBER WHO RETIRES ON OR AFTER
6 JULY 1, 2015, SHALL NOT EXCEED 110% OF THE MEMBER'S BASE
7 WAGE.

8 B. A POLICE OFFICER WHOSE MEMBERSHIP COMMENCED ON OR AFTER
9 AUGUST 1, 2014, AND WHO RETIRES, SHALL RECEIVE A RETIREMENT
10 ALLOWANCE EQUAL TO THE SUM OF 2.5 PERCENT OF HIS OR HER
11 FINAL AVERAGE COMPENSATION MULTIPLIED BY THE NUMBER OF
12 YEARS, AND FRACTION OF A YEAR, OF HIS OR HER CREDITED
13 SERVICE NOT TO EXCEED 25 YEARS, EXCEPT THAT THE RETIREMENT
14 ALLOWANCE SHALL NOT EXCEED 110% OF THE MEMBER'S BASE
15 WAGE.

16 ~~BC. FOR a~~ A firefighter ~~who is a member~~ WHOSE MEMBERSHIP COMMENCED
17 before May 20, 2014, and WHO retires, ~~he or she~~ shall receive a retirement
18 allowance equal to the sum of 3.2 percent of his or her final average compensation
19 multiplied by the number of years, and fraction of a year, of his or her credited
20 service, not to exceed 25 years, except that for a member who separates from City

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 employment on or after October 1, 2014, the retirement allowance shall not exceed
2 110% of the ~~firefighter's~~ MEMBER'S base wage ~~at the time of separation.~~

3 ~~CD. For a~~ A firefighter ~~who becomes a member~~ WHOSE MEMBERSHIP
4 COMMENCED on or after May 20, 2014, and WHO retires, ~~he or she~~ shall receive
5 a retirement allowance equal to the sum of 2.5 percent of his or her final average
6 compensation, multiplied by the number of years, and fraction of a year, of his or
7 her credited service, not to exceed 25 years, except that the retirement allowance
8 shall not exceed 110% of the ~~firefighter's~~ MEMBER'S base wage ~~at the time of~~
9 ~~separation from city employment.~~

10 ~~DE.~~ If a retiree dies before he or she has received in retirement allowance payments an
11 aggregate amount equal to his or her accumulated contributions standing to his or
12 her credit in the employees' savings fund at the time of his or her retirement and
13 does not have a beneficiary who will receive a retirement allowance under this
14 chapter, the difference between his or her accumulated contributions and the
15 aggregate amount of retirement allowance payments received by him or her shall
16 be paid from the retirement reserve fund to such person or persons as the retiree has
17 nominated by written designation, duly executed and filed with the Board of
18 Trustees. If there is no such designated person or persons surviving the retiree, such
19 difference, if any, shall be paid to the retiree's legal representative. No benefits
20 shall be paid under this section on account of the death of a retiree if a retirement

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

allowance becomes payable under subsections (k)(3) and (k)(4) hereof on account of his or her death.

(2) *Deferred allowance.* Should any member, who has ten or more years of credited service, leave the employ of the City before becoming eligible to retire as provided in section (i) hereof for any reason except his or her discharge, retirement or death, he or she shall be entitled to a retirement allowance, as provided in subsection (k)(1) hereof pursuant to its provisions in force at the time he or she left City employment, provided that he or she does not withdraw his or her accumulated contributions from the employees' savings fund. His or her retirement allowance shall begin the first day of the calendar month next following the month in which his or her written application on the approved form for the same is filed with the Board of Trustees, within 30 days before, on or after his or her attainment of age 55.

(3) *Retirement options.*

A. A police officer member, within 30 days prior to retirement, may select one of the following four survivor election options by making an election on a form agreed upon by the collective bargaining unit for which the employee is a member and the City:

Option I. Under this option, the member at retirement shall receive the full retirement allowance as provided in subsection(k)(1)A and upon the retiree's death,

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 his or her surviving spouse, who was his or her legally married spouse at the time
2 of retirement, shall receive a retirement allowance equal to 50 percent of the
3 retiree's retirement allowance until the spouse's death.

4 *Option II.* Under this option, the member at retirement shall receive 93 percent of
5 the full retirement allowance as provided in subsection (k)(1)A and upon the
6 retiree's death, his or her surviving spouse, who was his or her legally married
7 spouse at the time of retirement, shall receive a retirement allowance equal to 75
8 percent of the retiree's retirement allowance until the spouse's death.

9 *Option III.* Under this option, the member at retirement shall receive 86 percent of
10 the full retirement allowance as provided in subsection (k)(1)A and upon the
11 retiree's death, his or her surviving spouse, who was his or her legally married
12 spouse at the time of retirement, shall receive a retirement allowance equal to 86
13 percent of the retiree's retirement allowance until the spouse's death.

14 *Option IV. Non-spousal beneficiary.* A member may select a reduced pension
15 naming a parent, brother, sister, child or grandchild as beneficiary. The reduced
16 pension shall be actuarially determined based on the age of the member and the
17 beneficiary at the time of retirement, and shall not be actuarially more costly than
18 Option I. For this option to be made and take effect, the member who is married
19 must first have filed with the Board a voluntary written spousal relinquishment of

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

beneficiary agreement on a form approved by the Board that has been duly and voluntarily executed by the member's spouse.

B. A firefighter member, within 30 days prior to retirement, may select one of the following four survivor election options by making an election on a form agreed upon by the Collective Bargaining Unit for which the employee is a member and the City:

Option I. Under this option, the member at retirement shall receive the full retirement allowance as provided in subsection (k)(1)B and upon the retiree's death, his or her surviving spouse, who was his or her legally married spouse at the time of retirement, shall receive a retirement allowance equal to 50 percent of the retiree's retirement allowance until the spouse's death.

Option II. Under this option, the member at retirement shall receive 93 percent of the full retirement allowance as provided in subsection (k)(1)B and upon the retiree's death, his and her surviving spouse, who was his or her legally married spouse at the time of retirement, shall receive a retirement allowance equal to 75 percent of the retiree's retirement allowance until the spouse's death.

Option III. Under this option, the member at retirement shall receive 86 percent of the full retirement allowance as provided in subsection (k)(1)B and upon the retiree's death, his or her surviving spouse, who was his or her legally married

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 spouse at the time of retirement, shall receive a retirement allowance equal to 86
2 percent of the retiree's retirement allowance until the member's spouse's death.

3 *Option IV. Non-spousal beneficiary.* A member may select a reduced pension
4 naming a parent, brother, sister, child or grandchild as beneficiary. The reduced
5 pension shall be actuarially determined based on the age of the employee and the
6 beneficiary at the time of retirement, and shall not be actuarially more costly than
7 Option 1 above. For this option to be made and take effect, the member who is
8 married must first have filed with the Board a voluntarily written spousal
9 relinquishment of beneficiary agreement on a form approved by the Board that has
10 been duly and voluntarily executed by the member's spouse. Regardless of the
11 indicated beneficiary, retiree health care shall be passed on only to the member's
12 spouse.

13 If the non-spousal beneficiary is a minor child, health care shall be available until
14 the age of 19 or up to the age of 25 if the non-spousal beneficiary is unmarried and
15 is a full-time student for at least five months of the year.

16 C. If a retiree who retired under subsection (i)(1) hereof dies prior to the earlier of his
17 or her attainment of age 55 or the date upon which he or she would have achieved
18 25 years of credited service but for the disability, his or her widow or widower,
19 who was his or her legally married spouse at the time of his or her retirement, shall
20 receive a retirement allowance computed according to subsection (k)(1) hereof. In

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 computing the retirement allowance, the retiree's credited service shall be increased
2 to include the period he or she was in receipt of a disability retirement allowance
3 provided in subsection (i)(3) hereof, and his or her final average compensation shall
4 be recomputed using the monthly rates of compensation as of the date of his or her
5 death for the rank or ranks held by him or her during the period used in computing
6 his or her final average compensation at the time of his or her retirement. For Fire
7 Department employees, if the employee incurred the disability while "acting" at a
8 higher rank, the final average compensation of the employee shall be based upon
9 the pay he or she would have received in the "acting" rank for the applicable
10 service period. The widow or widower retirement allowance shall not be less than
11 20 percent of the retiree's recomputed final average compensation and shall be
12 subject to subsection (k)(3)C. hereof.

13 D. No retirement allowance shall be paid thereunder on account of the death of a
14 retiree if any retirement allowance is paid or payable under subsection (n) hereof on
15 account of his or her death. Any retirement allowance payable under this section
16 shall be subject to subsection (o) hereof.

17 (4) *Allowance for spouse of deceased member.* If a member, who has ten or more years of
18 credited service, dies on or after the effective date of this revised chapter (September 1,
19 1966) while in the employ of the City, and leaves a widow or widower, the widow or
20 widower shall receive a retirement allowance equal to one-half of the members accrued

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

retirement allowance computed according to subsection (k)(1) hereof in the same manner in all respects as if the member had retired the day preceding the date of his or her death, notwithstanding that he or she might not have satisfied the applicable provisions of subsection (1) hereof. However, the widow or widowers retirement allowance shall not be less than 20 percent of the member's final average compensation and shall be subject to subsection (o) hereof. No retirement allowance shall be paid or payable under this section on account of the death of a member if any retirement allowance is paid or payable under subsection (n) hereof on account of his or her death.

(r) *Retirement System Funds.*

(1) *Generally.* The employees' savings fund, the pension accumulation fund and the retirement reserve fund are hereby established. Effective January 1, 1999, the health insurance fund is additionally established. The Board of Trustees may from time to time establish such other funds as shall be required for the proper operation of the retirement system. The funds shall be held and administered for the exclusive purpose of providing benefits to the members and their beneficiaries and defraying reasonable expenses of the retirement system. The entire amount of all moneys paid into the fund shall constitute an irrevocable contribution by the City, and the City shall have no further rights or claims to said funds other than such amounts as remain in the funds upon the retirement system's termination because of erroneous actuarial computations after the satisfaction of all fixed and contingent obligations to the members and their

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 beneficiaries. A balance due to an erroneous actuarial computation shall mean any
2 surplus arising because actual requirements differed from expected requirements based
3 on previous actuarial valuations of liabilities or determinations of costs of providing
4 pension benefits under the retirement system in accordance with reasonable
5 assumptions as to mortality, interest, etc., and correct procedures relating to the method
6 of funding, all as made by the City upon and with the advice of an actuary.
7 Notwithstanding the foregoing, any contributions made by the City by a mistake of fact
8 shall be returned to the City, upon its request, within one year after such contribution
9 was made.

10 (2) *Employees' savings fund.*

11 A. The employees' savings fund shall be the fund in which shall be accumulated, at
12 regular interest the contributions deducted from the compensations of members,
13 and from which shall be made transfers and paid refunds of accumulated
14 contributions as provided in this section.

15 B. The contributions of a member shall be calculated as a percentage of the member's
16 compensation and paid into the system IN THE FOLLOWING PERCENTAGES
17 as provided in this subsection (r)(2)B: ~~for the Police Nonsupervisory division the~~
18 ~~member's contribution shall be 8.5 percent. For the Police Supervisory division the~~
19 ~~member's contribution shall be 9.52 percent.~~

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 POLICE NONSUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP
2 COMMENCED BEFORE AUGUST 1, 2014, SHALL EACH CONTRIBUTE
3 NINE PERCENT (9%) OF THE MEMBER'S COMPENSATION PAID BY THE
4 CITY.

5 POLICE NONSUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP
6 COMMENCED ON OR AFTER AUGUST 1, 2014, SHALL EACH
7 CONTRIBUTE SEVEN PERCENT (7%) OF THE MEMBER'S
8 COMPENSATION PAID BY THE CITY.

9 POLICE SUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP
10 COMMENCED BEFORE AUGUST 1, 2014, SHALL EACH CONTRIBUTE
11 NINE AND FIFTY-TWO HUNDREDS PERCENT (9.52%) OF THE MEMBER'S
12 COMPENSATION PAID BY THE CITY.

13 POLICE SUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP
14 COMMENCED ON OR AFTER AUGUST 1, 2014, SHALL EACH
15 CONTRIBUTE SEVEN PERCENT (7%) OF THE MEMBER'S
16 COMPENSATION PAID BY THE CITY.

17 ~~For f Firefighters who were members,~~ WHOSE MEMBERSHIP COMMENCED
18 before May 20, 2014, ~~the contribution shall be 10-~~ SHALL EACH CONTRIBUTE
19 TEN percent (10%) OF THE MEMBER'S COMPENSATION PAID BY THE
20 CITY.

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 ~~For~~ Firefighters ~~who become members~~, WHOSE MEMBERSHIP
2 COMMENCED on or after May 19, 2014, ~~the contribution shall~~ EACH
3 CONTRIBUTE SEVEN ~~be~~ 7 percent (7%) OF THE MEMBER'S
4 COMPENSATION PAID BY THE CITY.

5 The Director of Finance or other officer responsible for making up the payroll shall
6 cause the contributions to be deducted from the compensation of each member on
7 each and every payroll, for each and every payroll period, from the date of his or
8 her entrance in the system to the date his or her membership terminates.

9 C. The contributions provided in this subsection shall be made notwithstanding that
10 the minimum compensation provided by law for any member shall be changed
11 thereby. Every member shall be deemed to consent and agree to the deductions
12 made and provided for in this subsection, and payment of his or her compensations
13 less such deductions shall be a full and complete discharge and acquaintance of all
14 claims and demands whatsoever for the services rendered by such person, except as
15 to benefits provided under this chapter. When deducted, the contributions of each
16 member shall be paid into the retirement system and shall be credited to his or her
17 individual account in the employees' savings fund.

18 D. In addition to the contributions deducted from the compensations of a member, as
19 hereinbefore provided, he or she shall deposit in the fund, by a single payment or
20 by an increased rate of contribution as determined by the Board of Trustees, an

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 amount equal to the amount he or she might have withdrawn therefrom, together
2 with regular interest from the date of withdrawal to the date of repayment. In no
3 case shall any member be given credit for service rendered prior to the date he or
4 she withdrew his or her accumulated contributions until he or she repays to the
5 fund all amounts due such fund by him or her.

6 E. Upon the retirement of a member, his or her accumulated contributions shall be
7 transferred from the employees' savings fund to the retirement reserve fund. At the
8 expiration of a period of five years from and after the date an employee ceases to
9 be a member, any balance standing to his or her credit in the employees' savings
10 fund that is unclaimed by the member or his or her legal representative shall remain
11 a part of the moneys of the retirement system and shall be transferred to the pension
12 accumulation fund, if no retirement allowance will become payable by the
13 retirement system on account of his or her City employment.

14 F. The employer shall, for tax purposes, pick up the Fire members, Police Supervisory
15 and Police Nonsupervisory Department member contributions required by this
16 section for all compensation earned after the later of the execution or effective date
17 of this subsection (January 1, 1996). The contributions so picked up shall be treated
18 as employer contributions in determining tax treatment under the United States
19 Internal Revenue Code. The employer shall pick up the member contributions from
20 funds established and available in the salaries account, which funds would

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

otherwise have been designated as member contributions and paid to the retirement system. Member contributions picked up by the employer pursuant to this subsection shall be treated for all other purposes of this and other laws of the employer in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The member does not have the option of receiving the picked up member contributions in cash instead of having it paid into the retirement system.

(3) *Pension accumulation fund.* The pension accumulation fund shall be the fund in which shall be accumulated reserves resulting from contributions provided by the City. Upon the basis of mortality tables and other tables of experience, and regular interest, as the Board of Trustees shall from time to time adopt, the actuary shall annually compute the retirement allowance reserve liabilities for retirement allowances being paid retirements and beneficiaries and covering service rendered and to be rendered by members. The liabilities so computed shall be financed by appropriations, to be made by Council determined according to this section. The board shall annually report to council the amount of contributions to be paid by the City to the retirement system during the ensuing fiscal year. When paid, the City's contributions shall be credited to the pension accumulation fund.

A. The City's appropriations for members' current service shall be a percentage of their annual compensation which will produce an amount which if paid annually by the

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 City during the members' periods of future service would be sufficient, together
2 with the future service portions of their accumulated contributions, to provide the
3 retirement allowance reserves for the future service portions of the retirement
4 allowances to be paid them.

5 B. The City's appropriations for members' accrued service shall be a percentage of
6 their annual compensation which will produce an amount which if paid annually by
7 the City for a number of years, to be determined by the Board, would amortize, at
8 regular interest, the unfunded retirement allowance reserves, if any, for the accrued
9 service portions of the retirement allowances to be paid them.

10 C. The City's appropriations for retirement allowances being paid retiree and
11 beneficiaries shall be a percentage of the annual compensations of members which
12 will produce an amount which if paid annually by the City for a number of years, to
13 be determined by the Board, would amortize, at regular interest, the unfunded
14 retirement allowance reserves, if any, for the retirement allowances being paid
15 retirees and beneficiaries.

16 (4) *General fund.* The administrative expenses of the retirement system shall be paid by the
17 City from its General Fund.

18 (5) *Retirement reserve fund.* The retirement reserve fund shall be the fund from which shall
19 be paid all retirement allowances payable as provided in this chapter. Should a disability
20 retiree return to the employ of the City, his or her retirement allowance reserve,

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 computed as of the date of his or her return, shall be transferred from the retirement
 2 reserve fund to the employees' savings fund and the pension accumulation fund in the
 3 same proportions as the retirement allowance reserve was originally transferred. The
 4 portion transferred to the employees' savings fund shall be credited to the member's
 5 individual account therein. Each December 31, after receipt of the annual actuarial
 6 valuation, the balance in the retirement reserve fund shall be brought into balance with
 7 the actuarial present value of retirement allowances to be paid after December 31 to all
 8 retiree and beneficiaries in receipt of retirement allowances at December 31, by a
 9 transfer between the retirement reserve fund and the pension accumulation fund.

10 (6) *Health Insurance Fund.* The health insurance fund shall be the fund for receiving
 11 contributions for post-retirement health insurance benefits. The initial balance as of
 12 January 1, 1998, shall be \$3,584,840.14, which amount is equal to the December 31,
 13 1997, asset receivable allocated to health insurance advance funding from the City's
 14 general fund. City contributions, as specified in this paragraph, for post-retirement
 15 health insurance benefits, including dental insurance and Medicare reimbursement
 16 benefits, shall be credited to the health insurance fund. Notwithstanding the provisions
 17 of subsection 294.02(r)(8), the health insurance fund shall be credited investment
 18 income at a rate consistent with the method used to determine the actuarial value of
 19 assets in the annual actuarial report. Premiums or charges, as specified in this
 20 subsection, for post-retirement health insurance benefits, including dental insurance and
 21 Medicare reimbursement benefits, shall be paid from the health insurance fund.

[30745:2:20170209:112007]
 Approved as to form:

 City Attorney

Dated: _____

A. Beginning July, 1 1999, the City's annual contribution to the health insurance fund may equal the sum of the actuarially computed normal cost for the year plus an amortization of the cumulative net actuarial gains and losses arising from the experience of active members on or after January 1, 1998. Using an amortization period adopted by the board of trustees for this purpose. However, in no case shall the city's annual contribution to the health insurance fund be less than 2.48 percent of active member payroll, and in no case shall the City's annual contribution to the health insurance fund exceed the limitation imposed by Internal Revenue Code section 401(h) and the regulations thereunder. The amount, if any, by which the contribution must be reduced, in order to comply with the limitation imposed by section 401(h), shall instead be contributed to a voluntary employee's beneficiary association established by the City for this purpose.

B. Beginning July 1, 1999, and each year thereafter, a portion of the premiums or charges for post-retirement health insurance benefits, including dental insurance and Medicare reimbursement benefits, shall be paid from the health insurance fund on behalf of eligible retiree and beneficiaries of the retirement system in accordance with the applicable collective bargaining agreements and personnel rules of the City. The portion of the premiums or charges that will be paid from the health insurance fund is a percentage of such premiums or charges paid on behalf of persons with retirement effective dates on or after January 1, 1999. The percentage shall be four percent in the fiscal year beginning July 1, 1998,

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

increasing four percent each year thereafter until it reaches 100 percent. The amount of premiums or charges paid from the health insurance fund shall be reduced by the amount, if any, paid from a voluntary employee's beneficiary association established by the City for this purpose. Notwithstanding the method specified in this subparagraph to compute the portion of the premiums of charges that are paid from the health insurance fund, the fund balance of the health insurance fund at any point in time is reserved to support the post-retirement health insurance benefits, including dental insurance and Medicare reimbursement benefits, of all eligible retiree and beneficiaries of the retirement system regardless of retirement effective date.

C. Notwithstanding the creation or maintenance within the retirement system of the health insurance fund, this section is not to be construed or deemed to have established or removed any benefits, financial or otherwise, subject to Article IX, Section 24 of the 1963 Constitution of the State of Michigan. Nor shall the creation and maintenance of the health insurance fund preclude the City from giving consideration to and implementing cost containment measures as provided by law. Instead, the purpose of this section is to put in place a mechanism for the advance funding of post-retirement health insurance benefits for eligible retiree, and not, apart from the advance funding obligation, to grant additional rights or to take away any rights which eligible retiree may already have.

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 (7) *Investment of funds.*

2 A. The Board of Trustees shall be the trustees of the funds of the retirement system
3 and may invest and reinvest such funds as now or hereafter permitted by law. The
4 Board may hold, purchase, sell, assign, transfer and dispose of any securities and
5 investments in which any of the moneys of the retirement system have been
6 invested, as well as the proceeds of such investments.

7 B. Except as otherwise provided in this chapter, no trustee or officer or employees of
8 the retirement system shall have any direct or indirect interest in the gains or profits
9 of any investments made by the Board. No such person, directly or indirectly, for
10 himself or herself or as an agent or partner of others, shall borrow any of the
11 moneys or deposits of the system or in any manner use such moneys or deposits,
12 except to make such current and necessary payments as are authorized by the
13 Board. No such person shall become an endorser or surety or become in any
14 manner an obligor for any moneys loaned by or borrowed from the system.

15 (8) *Allowance of regular interest.* The Board annually shall allow and credit regular interest
16 on the mean balances in each of the funds of the retirement system for the preceding
17 year; provided, however, that interest to be credited members' individual balances in the
18 employees' savings fund shall be computed on the balances standing to their credit at
19 the beginning of the calendar year and shall be credited at the end of the calendar year,
20 the amounts so allowed and credited shall be paid from interest and other earnings on

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

1 investments of the system. Any additional amount necessary to allow regular interest, as
2 provided in this system, shall be paid from the pension accumulation fund. AU interest,
3 dividends and other income derived from the deposit and investment of moneys of the
4 system not required for the allowance of regular interest, shall be credited to the pension
5 accumulation fund.

6 (9) *Method of making payments.* All payments from the funds of the retirement system shall
7 be made according to provisions of the City Charter only upon regular City vouchers
8 signed by two persons designated by the Board of Trustees. A duly attested copy of a
9 resolution of the Board designating such persons, and bearing upon its face specimen
10 signatures of such persons, shall be filed with the City Treasurer as his or her authority
11 to make payments upon such vouchers. No voucher shall be drawn unless it has been
12 previously authorized by a specific or continuing resolution adopted by the Board.

13
14
15 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
16 inconsistent with the provisions hereof are hereby repealed.

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

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

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

(Attorney_Staff/ ORDINANCES/ Police & Fire/ Draft Police and Fire Ordinance Amendment 04.25.16)

[30745:2:20170209:112007]
Approved as to form:

City Attorney

Dated: _____

INTRODUCTION OF ORDINANCE

The Committee of the Whole introduced:

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 294, SECTIONS 294.02(a), 294.02(i), 294.02(k) AND 294.02(r) TO CONFORM TO THE POLICE OFFICERS' PENSION BENEFIT CHANGES CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY AND FOP LOCAL #141 SUPERVISORY AND NON-SUPERVISORY DIVISIONS, BOTH RATIFIED IN 2015, BY ADDING THE DEFINITION OF BASE WAGE; PROVIDING A MINIMUM RETIREMENT AGE OF 50 FOR NEW HIRED POLICE OFFICERS; LIMITING PENSIONS TO 115% AND 110% OF A BASE WAGE; AMENDING THE POLICE OFFICER EMPLOYEE PENSION CONTRIBUTION; AND REDUCING THE PENSION BENEFIT MULTIPLIER FOR NEW HIRED POLICE OFFICERS.

The Ordinance is referred to the Committee of the Whole

RESOLUTION SETTING PUBLIC HEARING By the Committee of the Whole

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, _____, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 294, SECTIONS 294.02(a), 294.02(i), 294.02(k) AND 294.02(r) TO CONFORM TO THE POLICE OFFICERS' PENSION BENEFIT CHANGES CONTAINED IN THE COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY AND FOP LOCAL #141 SUPERVISORY AND NON-SUPERVISORY DIVISIONS, BOTH RATIFIED IN 2015, BY ADDING THE DEFINITION OF BASE WAGE; PROVIDING A MINIMUM RETIREMENT AGE OF 50 FOR NEW HIRED POLICE OFFICERS; LIMITING PENSIONS TO 115% AND 110% OF A BASE WAGE; AMENDING THE POLICE OFFICER EMPLOYEE PENSION CONTRIBUTION; AND REDUCING THE PENSION BENEFIT MULTIPLIER FOR NEW HIRED POLICE OFFICERS.

Interested Persons are invited to attend this Public Hearing



OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 2-8-17
RE: Application for Local Bridge Program Funding

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Application for Local Bridge Program Funding

Date: February 7, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

RESOLUTION #2017-467
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING APPLICATION TO MICHIGAN DEPARTMENT OF
TRANSPORTATION FOR LOCAL BRIDGE PROGRAM FUNDING

WHEREAS the Michigan Department of Transportation (MDOT) is currently soliciting applications for candidate projects for the Local Bridge Program to be funded in the 2020 fiscal year; and

WHEREAS May 1, 2017 is the anticipated deadline for submitting the applications; and

WHEREAS up to five funding applications for bridge projects can be submitted in accordance with the MDOT Call for Projects; and

WHEREAS the City of Lansing, Public Service Department, intends to submit Local Bridge Program funding applications to MDOT for the following four projects listed in the order of priority and funding category:

<u>Priority</u>	<u>Project</u>	<u>Funding Category</u>
1.	Aurelius Road over Pawlowski Creek	Rehabilitation
2.	Aurelius Road over GTW RR	Replacement
3.	E Elm Street over Red Cedar River	Replacement
4.	S. Washington Avenue over Grand River	Preventative Maintenance
5.	N Grand River Avenue over Grand River	Rehabilitation

WHEREAS, if successful, the City would receive state or federal funding to finance 95% of construction cost, and the City would fund 5% of the construction and 100% of the engineering costs for any bridge project selected; and

WHEREAS the estimated construction cost of the above listed projects and City's share of construction and engineering costs are tabulated below; and

#	Project	Estimated Construction Cost	City's Share		
			Match 5%	Engineering 25%	TOTAL
1	Aurelius Rd over Pawlowski Crk	\$396,000.00	\$19,800.00	\$99,000.00	\$118,800.00
2	Aurelius Road over GTW RR	\$2,649,000.00	\$132,450.00	\$662,250.00	\$794,700.00
3	E Elm St over Red Cedar River	\$2,316,000.00	\$115,800.00	\$579,000.00	\$694,800.00
4	S Washington at Grand River	\$330,000.00	\$16,500.00	\$82,500.00	\$99,000.00
5	N Grand River Ave over Grand River	\$1,501,000.00	\$75,050.00	\$375,250.00	\$450,300.00

WHEREAS, any one or any combination of the above five projects could be approved for 2020 funding; and

[30707:2:20170207:094943]

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of the FY 2020 funding applications for the MDOT's Local Bridge Program as listed in the priority above.

BE IT FURTHER RESOLVED that upon grant award, the Mayor is authorized through the Public Service Director to appropriate administratively the necessary accounts for the Local Bridge Program funding and City costs associated with any bridge project selected will be budgeted in ACT 51 funds.

Approved for Placement on
the City Council Agenda:

James Smiertka
City Attorney

Date:



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 2-8-17
RE: Public Improvement I & II; Jolly Rd. Sidewalk Rehabilitation

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Public Improvement I & II; Jolly Rd. Sidewalk Rehabilitation

Date: February 7, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

RESOLUTION #2017-468
BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I/II

WHEREAS, the Public Service Department has established the need to repair and reconstruct the public sidewalk in the following location:

PROPERTIES BENEFITED: All lands fronting Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefited; and

WHEREAS, the Public Service Department will complete this work as part of the Jolly Road Rehabilitation project, and

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: Sidewalk repair on Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefited.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and the City's public share of the project shall be paid from the Sidewalk Repair Account 410.933690.974200.13026.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

Adopted by the Committee
on Public Services:

Approved for Placement on
the City Council Agenda:

Jim Smiertka
City Attorney

Date:



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 2-9-17
RE: Z-1-2017, Rezoning - 4215 N. Grand River Avenue

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM
Z-1-2017, Rezoning - 4215 N. Grand River Avenue

Date: February 8, 2017

The Lansing Planning Board, at its regular meeting held on February 7, 2017, voted (4-0) to recommend approval of the request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue. The purpose of the rezoning is to permit commercial use of the subject property.

The Planning Board found, based on testimony, evidence and the staff report, that the proposed rezoning will be consistent with the existing land use patterns in the area and with goals of the future land use pattern being advanced in the Design Lansing Comprehensive Plan.

No comments were received at the Planning Board public hearing held on February 7, 2017.

Please forward this resolution to City Council for placement on the agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

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, _____, 2017, 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:

Z-1-2017: 4215 N. Grand River Avenue, Rezoning from “D-1” Professional Office
to “F” Commercial District

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-1-2017: 4215 N. Grand River Avenue, Rezoning from “D-1” Professional Office
to “F” Commercial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2017

Parcel Number's: 33-01-01-06-252-231

Legal Descriptions: Lot 99, Northwestern Subdivision No 3, City of Lansing, Ingham County, MI, from "D-1" Professional Office to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-1-2017, 4215 N. Grand River Avenue

Rezoning from “D-1” Professional Office District to “F” Commercial District

The Lansing City Council will hold a public hearing on Monday, _____, 2017 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-1-2017. This is a request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue from “D-1” Professional Office District to “F” Commercial District. The purpose of the rezoning is to permit commercial use of the subject property.

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, _____, 2017 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

GENERAL INFORMATION

APPLICANT: First Class, Inc.
c/o Hakim, Toma & Yalddo, P.C.
3351 Claystone, SE Suite 101
Grand Rapids, MI 49546

OWNER: Oliver Building, LLC
P.O. Box 80701
Lansing, MI 48908

REQUESTED ACTIONS: Rezone 4215 N. Grand River Avenue from "D-1"
Professional Office to F" Commercial District

EXISTING LAND USE: Vacant Building

EXISTING ZONING: "D-1" Professional Office District

PROPOSED ZONING: "F" Commercial District

PROPERTY SIZE: 60' x 150' = 9,000 square feet - .2 acres

SURROUNDING LAND USE: N: Office/Industrial
S: Single Family Residential
E: Retail Convenience Store
W: Multiple Family Residential

SURROUNDING ZONING: N: "H" Light Industrial District
S: "A" Residential District
E: "F" Commercial & "J" Parking Districts
W: "D-1" Professional District

MASTER PLAN: The Design Lansing Comprehensive Plan designates the
subject property for "Suburban commercial" land use. N.
Grand River is designated as a principal arterial.

DESCRIPTION:

Z-1-2017. This is a request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue from "D-1" Professional Office District to "F" Commercial District. The purpose of the rezoning is to permit commercial use of the subject property.

AGENCY RESPONSES

BWL:

Building Safety: The Building Safety Office has no objections. Permit(s) may be required for alterations and/or change of use.

Development Office: Development has no comment.

Fire Marshal:

Parks & Recreation: No comments.

Public Service: Any changes in use that has a significant increase in water and sewer use should notify public service to ensure there is sewer capacity available. Any redevelopment of the site with significant site changes will require a site plan review.

Traffic Engineer: The Transportation and Non-Motorized Section has no comments regarding the rezoning. The Applicant should be aware that any changes proposed to the driveway will require MDOT approval

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property contains a 1,800 square foot office building and is located in an area that is characterized by commercial, quasi-industrial, office and multiple family residential land uses. The adjacent property to the east is already zoned "F" Commercial and therefore, the proposed rezoning will not result in a "spot zone". Furthermore, while the subject property adjoins a residential neighborhood to the south, given the layout of the site, all of the activity will be confined to the area north of the building. Thus, the residences to the south will be shielded by the building from any negative impacts (noise, light glare, etc.) that could be generated by a commercial use.

Most of the properties on the south side of N. Grand River between Andrea and Grandell Avenue are currently zoned "D-1" Professional Office. N. Grand River, however, is classified as a "principal arterial" and is one of only seven in the entire City. From a planning perspective, commercial uses should primarily be concentrated along principal arterials as they are designed to carry the highest volumes of traffic. Office uses, by contrast, which typically do not generate nearly as much traffic as commercial uses, should primarily be concentrated along minor arterials. The proposed rezoning from "D-1" Professional Office to "F" Commercial is therefore, consistent with proper land use planning principles.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Comprehensive Plan designates the subject property for “Suburban Commercial” land use. The Plan specifies the following for this land use classification:

“To allow for general retail and commercial use, including large footprint and automobile-oriented uses, in a suburban development format that also encourages a mix of uses and accommodates pedestrians, cyclists and transit users.”

The Design Lansing Comprehensive Plan establishes the following placemaking characteristics for the “Suburban Commercial” land use category:

“Buildings located close to the street (with parking located to the side and rear) should be encouraged at major intersections; otherwise, parking should be permitted between buildings and the street. Buildings should be oriented toward the street with a clearly-defined primary entry. Landscaped setbacks should be required to screen parking from the street. Interior parking lot landscaping should be required to provide pedestrian access routes, define vehicular circulation patterns and provide for tree planting and stormwater management. Shared driveways and connections between parking lots on adjacent parcels should be encouraged to limit driveway curb cuts. Sidewalks should be required.”

The “F” Commercial district is the most appropriate zoning designation to facilitate the “Suburban Commercial” land use development strategy being advanced in Design Lansing Master. It allows for restaurants, retail stores, gasoline stations, car washes and other general commercial uses as well as automobile-oriented site design regulations. In addition, the current layout of the site is consistent with the placemaking characteristics described above.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no impact on vehicular or pedestrian traffic. The only access to the site is via N. Grand River Avenue which is a principal arterial designed to carry a high volume of traffic.

IMPACT ON PUBLIC FACILITIES:

The site is already served by all necessary public facilities. No changes are proposed for the site that would have an impact on public facilities.

ENVIRONMENTAL IMPACT:

The proposed rezoning will have no environmental impacts as the site is already developed and no changes are proposed at this time. New construction would require administrative site plan review at which time the site would have to be brought into compliance with all City codes and ordinance including those regulating storm water management.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

As depicted on the attached zoning map, the site directly east of the subject property is currently zoned "F" Commercial and therefore, the request will not result in a "spot zone". There is also "F" Commercial zoning to the northwest. The property directly north of the subject property is zoned "H" Light Industrial which district permit all commercial land uses. Given the surrounding zoning pattern, if the rezoning were to be denied, it would deprive the property owner of land use rights that are already afforded to many other property owners in the vicinity of the subject property.

SUMMARY

This is a request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue from "D-1" Professional Office District to "F" Commercial District. The purpose of the rezoning is to permit commercial use of the subject property.

The findings of fact as outlined in this staff report support a positive recommendation for the requested rezoning. The proposed rezoning will be consistent with the existing zoning and land use patterns in the area and with the future land use pattern being advanced in the Design Lansing Comprehensive Plan. Additionally, the proposed rezoning will have no negative impacts on traffic patterns, the environment or future patterns of development in the area.

RECOMMENDATIONS

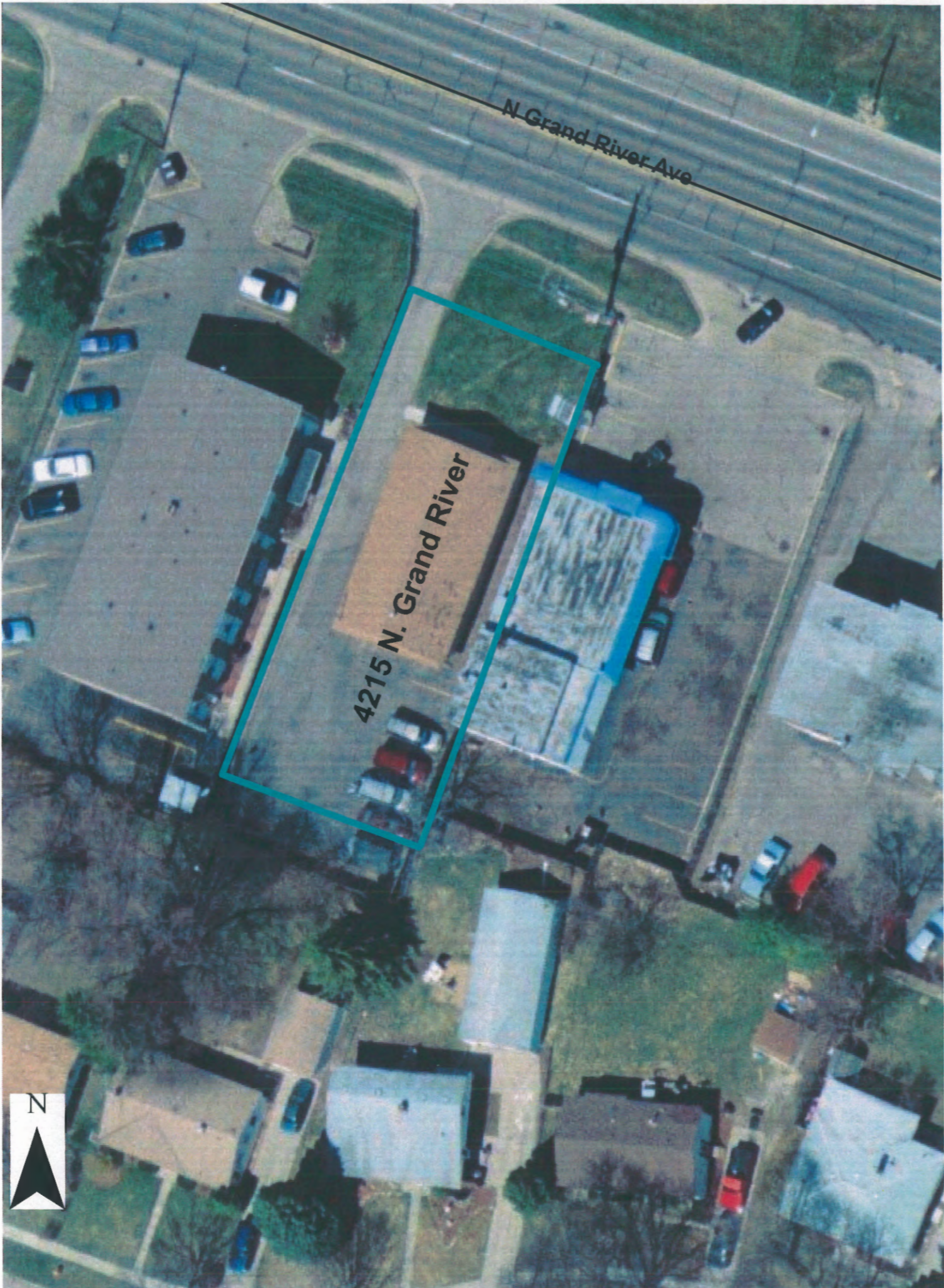
Pursuant to the findings described above, the following recommendation is offered for the Planning Board's consideration:

Z-1-2017 be approved to rezone the property at 4215 N. Grand River Avenue from "D-1" Professional Office District to "F" Commercial District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**





N Grand River Ave

4215 N. Grand River



Legend

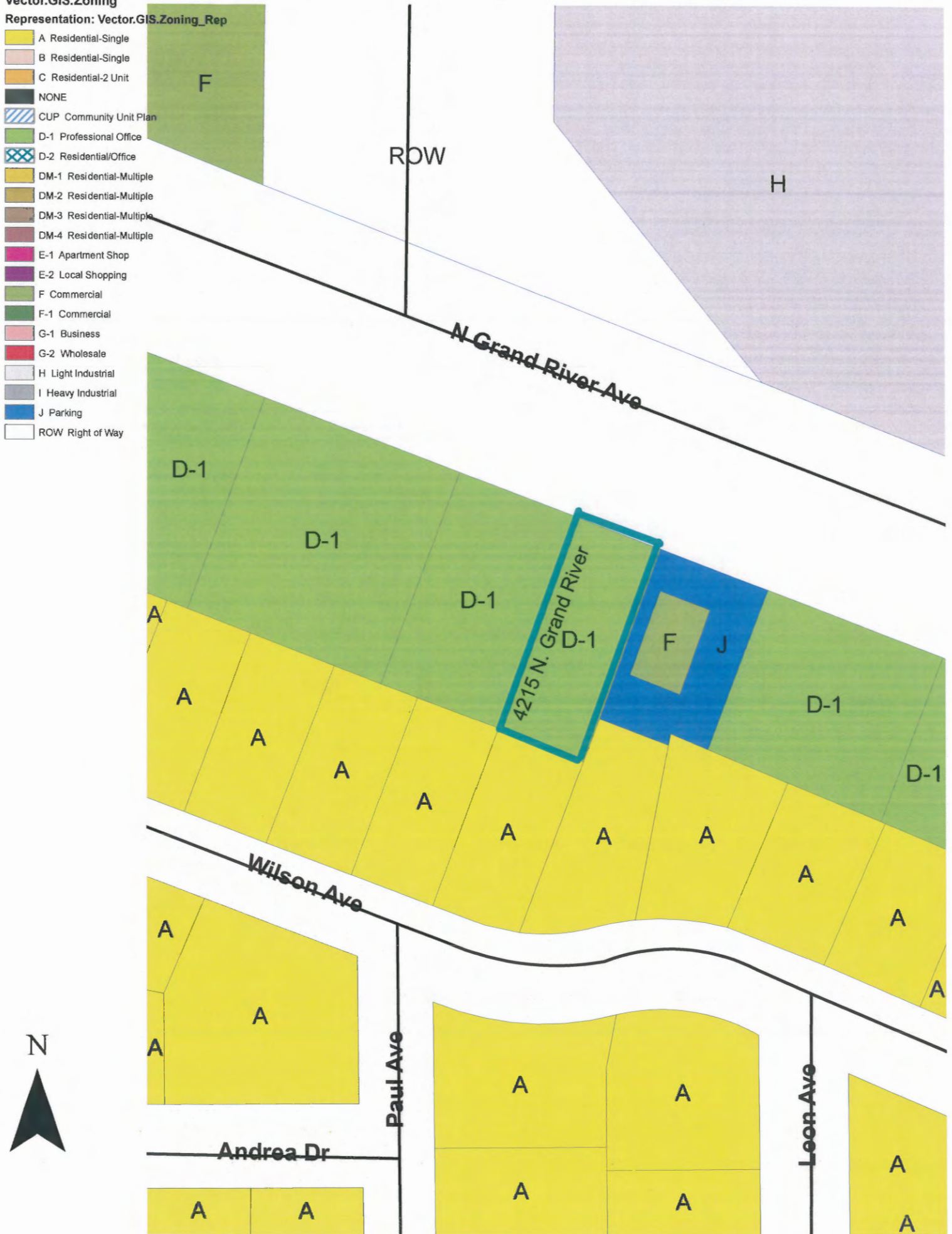
roads_final

Vector.GIS.Zoning

Representation: Vector.GIS.Zoning_Rep

- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

City of Lansing Zoning Map





Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers

FROM: Mayor Virg Bernero

DATE: 2-9-17

RE: Greater Lansing Regional Committee on Stormwater; MOA & Participation

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Greater Lansing Regional Committee on Stormwater; MOA & Participation

Date: February 8, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

RESOLUTION #2017-472
BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

A RESOLUTION TO CONTINUE MEMBERSHIP IN THE GREATER LANSING
REGIONAL COMMITTEE FOR STORMWATER MANAGEMENT AND TO
AGREE TO THE TERMS OF THE MEMORANDUM OF AGREEMENT

WHEREAS the United States Environmental Protection Agency (USEPA) and the Michigan Department of Environmental Quality (MDEQ) have required municipalities in the Greater Lansing Tri-County Region to apply for and maintain compliance with a National Pollutant Discharge Elimination System Permit for their municipal stormwater discharges; and

WHEREAS, the Greater Lansing Area Communities prepared, reviewed, and proposed a Memorandum of Agreement for adoption by all the municipalities and agencies to formalize and establish the Greater Lansing Regional Committee for Stormwater Management (GLRC); and

WHEREAS, participation in the GLRC advances local efforts for responsible stewardship of our natural resources, allows for the cooperative management of the watersheds in our community and this region, and assists the participating municipalities and their departments in complying with the regulatory requirements promulgated by the MDEQ and the USEPA Municipal Separate Storm Sewer System (MS4) stormwater discharge permits; and

WHEREAS, the Memorandum of Agreement which was adopted by these municipalities and agencies originally in 2008, was revised and updated and re-adopted in 2012, and has now been prepared reflecting changes in the participating municipalities and activities to meet permit requirements and extending the period of the agreement to April 30, 2022; and

WHEREAS, the City of Lansing has been a member of the GLRC, since its inception in 2003.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the Greater Lansing Regional Committee for Stormwater Management Memorandum of Agreement revised by the GLRC on December 8, 2016, and authorizes payment of the appropriate annual assessment for support of the GLRC; and

BE IT FURTHER RESOLVED, that the City of Lansing's representative to the GLRC is the City Engineer.

**GREATER LANSING REGIONAL COMMITTEE
for Stormwater Management**

MEMORANDUM OF AGREEMENT - DECEMBER 8, 2016

**Original Agreement- MAY 21, 2004
Revised and Adopted-DECEMBER 13, 2012**

I. PURPOSE

It is the purpose of this Memorandum of Agreement (hereinafter the Agreement) to set forth the composition, duties, and responsibilities of the Greater Lansing Regional Committee for Stormwater Management (hereinafter the "GLRC") to be formed as more particularly described below. Local public agencies, institutions, and communities believe there are substantial benefits that can be derived under this Agreement through cooperative management of the Grand River, Red Cedar River and Looking Glass River watersheds to protect the Waters of the State; to meet local initiatives for protecting the environment; and in providing mutual assistance in meeting the requirements under the Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer Systems, (hereinafter the "MS4 Permit") or similar stormwater discharge permits issued to public entities within the Grand River, Red Cedar River, and Looking Glass River watersheds.

The Agreement will also provide a framework for consideration of new, permanent watershed organizations with potentially broader responsibilities that could provide a more cost effective and efficient means to meet state and federal requirements, and public expectations for restoration and maintenance of the beneficial uses of the watersheds.

II. HISTORY OF GLRC

On November 15, 1999, Delta Township and the City of Lansing hosted a meeting for several local communities. The meeting notice stated that this was to be "an informal meeting to discuss the Stormwater Phase II program (now referred to as the MS4 program) and how, or if, there may be a way to pool resources on a regional basis".

Representatives from various communities, counties and MDEQ discussed the Federal Regulations for Stormwater Phase II and the MDEQ's program allowing a "Voluntary Permit Program." Originally nine communities and three counties were listed as designated communities by MDEQ.

Subsequent meetings were held to continue exploring the feasibility and cost of a cooperative effort. On June 8, 2000, a draft Resolution was prepared for the establishment of the "Greater Lansing Area Regional NPDES Phase II Stormwater Regulations Committee" and for each community to name a representative to serve on the committee.

Throughout the remainder of 2000, the committee obtained Resolutions from each community; elected officers; received proposals and interviewed four consulting firms. Tetra Tech MPS was selected to assist the Committee in determining how to best comply with the Phase II Stormwater Rules. Tri-County Regional Planning Commission (TCRPC) also assisted the Committee in providing contractual, fiduciary, and administrative support.

In May 2001, Tetra Tech MPS completed the “Step 1 – Permit Strategy Development” study which incorporated the Committee’s decision (April 20, 2001) to proceed as a group using the State’s Voluntary General Permit approach. The Committee then agreed to retain Tetra Tech MPS to prepare the Voluntary General Permit Application for each of the nine communities. The cost for each community was based on a formula that included weighted factors for population and land area. Eight of the nine communities then passed a second resolution agreeing to continue as a group with voluntary general permits using the distribution of costs as presented. Williamstown Township elected to proceed with a jurisdictionally based permit.

The eight communities proceeding under the voluntary general permit, also formally agreed to have the watershed management plans developed under the individual drain commissioners.

On January 25, 2002, the Committee agreed to retain Tetra Tech MPS to prepare a watershed management plan for the Grand River, Looking Glass River, and the Red Cedar River. Again, the allocation of cost agreed to by everyone was based on weighted factors involving the percent of population and land in each watershed. Each community adopted a third resolution committing their appropriate funds for the watershed management plans.

A Public Education Advisory Committee was organized to assist in the educational portion of Voluntary General Permit Applications.

Throughout 2002 and 2003 fourteen additional communities within the three watersheds were invited to join the committee. Ten communities were required to meet the MS4 Permit requirements based on the 2000 census.

Eight communities ultimately joined and participated in the regional approach and completed the Voluntary General Permit Application utilizing Tetra Tech MPS.

In March 2003, all sixteen communities and the three counties submitted their Voluntary General Permit Applications to MDEQ. In November 2003, certificates of coverage were issued to each of the sixteen communities and to each of the three counties.

In 2006 Lansing Public Schools and DeWitt Public Schools joined the GLRC.

In 2007, a lawsuit filed by a Township in Kalamazoo County, established that some townships no longer required an MS4 Permit from MDEQ. As this case relates to the GLRC, MDEQ determined that Alaledon, Bath, Oneida, Watertown, and Windsor Townships would no longer need an MS4 Permit.

At the December 14, 2007 GLRC meeting, the GLRC membership took formal action to establish an Associate Membership category to encourage any public agency, institution, or community who did not have an MS4 Permit to join the GLRC.

In 2012, the City of DeWitt entered into an agreement nesting DeWitt Public Schools.

In 2012, the MDEQ changed the process for permit renewal, instead of issuing a general watershed based permit; individual MS4 permits will be issued. The application process will detail all activities of the GLRC and members through two separate applications. Then, the MDEQ will review and negotiate, with the end result being MDEQ issuing a permit specific for each member.

In 2016, Waverly Community Schools joined the GLRC.

III. GREATER LANSING REGIONAL COMMITTEE (GLRC)

A. Term

While the ultimate organization of the GLRC and its responsibilities has evolved over time and after thoughtful review of alternatives, the signatories to this Agreement want to continue to work together under the following terms to assure the continuation of responsibility for essential services. These stormwater management services provide for the legal and financial responsibility to meet state and federal stormwater discharge permit requirements as well as local initiatives to protect the Waters of the State.

The current GLRC agreement expires on April 30, 2017. This agreement replaces the current GLRC agreement in its entirety for the period expiring **April 30, 2022**. As confirmed by MDEQ, expiration of the current permit is September 30, 2017; an application will be due to MDEQ by April 17, 2017. The members may mutually agree to renew and/or extend the term of the GLRC under the provisions contained in this Agreement.

Any member community may withdraw from this Agreement and the GLRC by delivering to the Executive Committee a resolution of withdrawal adopted by its governing body. Any such withdrawal adopted shall be effective 30 days following delivery of withdrawal, provided however, that any withdrawing community shall remain liable for payment of its annual assessment through the end of the current fiscal year.

B. Composition

Membership in the GLRC shall consist of “full members”, “associate members”, and “ex-officio members”.

The full members of the GLRC shall consist of a representative, or designated alternate, appointed by the appropriate governing body in each township, city, village, school district, institution, and county within the Grand River, Red Cedar River and Looking Glass River watersheds that has an MDEQ NPDES MS4 Permit and that are signatory to this Agreement.

The associate members of the GLRC shall consist of a representative, or designated alternate, appointed by the governing body in each township, city, village, school district,

institution, and county within the Grand River, Red Cedar River and Looking Glass River watersheds that does not have an MDEQ NPDES MS4 permit and that are signatory to this Agreement. However, once an associate member obtains an MDEQ NPDES MS4 Permit, they must become a full member of the GLRC.

Members, and designated alternates, shall serve until replaced in writing by the appointing authority.

The GLRC may also include ex-officio representatives from such agencies as Tri-County Regional Planning Commission (TCRPC), MDEQ and others as determined by the GLRC.

C. Public Participation

All meetings of the GLRC shall be noticed and conducted in accordance with the Michigan Open Meetings Act, MCL 15.261, et seq. The GLRC and/or its Executive Committee shall:

- Determine the rules for public participation
- Schedule meetings at facilities that are fully accessible to the interested public, and
- Routinely provide notice of meeting times and places at publicly accessible locations

D. Voting

The GLRC shall take all formal actions by a simple majority vote of a quorum. A quorum shall consist of one more than fifty (50%) of the GLRC members, or their designated alternates, eligible to vote. Members eligible to vote are those full members and associate members authorized in writing by an appropriate governing authority that has adopted this Agreement and that has paid its assessment. Ex-officio members shall be non-voting members of the GLRC.

E. Election of Officers and Appointment of Executive Committee

The GLRC shall annually elect, from among its members, a Chair, a Vice-Chair, a Secretary and a Treasurer. The Chair and the Vice-Chair shall be elected or appointed officials, or employees of a voting full member of the GLRC. The Secretary and Treasurer may be representatives of any full, associate, or ex-officio member of the GLRC. Officers elected by the GLRC may serve up to three consecutive terms. All terms shall be for one calendar year. The Vice Chair, or the Treasurer in the event the Vice-Chair is unavailable, may assume the duties of the Chair if the Chair is unavailable.

The Executive Committee shall have a maximum of eight voting members consisting of:

- (2) the Chair and Vice Chair of the GLRC
- (3) one representative or alternate from each member county
- (3) the Chairs of the Illicit Discharge Elimination Plan (IDEP), Public Education Plan (PEP), and Total Maximum Daily Load (TMDL) Committees

The Chair of the GLRC shall chair the Executive Committee, with the responsibility succeeding to the Vice Chair, then the Chair of the PEP Committee if the Chair of the GLRC is absent. If neither the Vice Chair of the GLRC nor the Chair of the PEP

Committee is present at an Executive Committee meeting, the Chair of the IDEP Committee shall serve as Chair for the meeting. The Chair of the GLRC shall not have an alternate serve on his behalf on the Executive Committee.

The Executive Committee will seek consensus on all issues brought before it. In the absence of consensus, the Executive Committee will adopt motions only when a majority of its members vote in favor of a motion. Each full and associate member will have one vote. A County or Committee may designate an alternate to serve and vote on behalf of their appointed representative to the Executive Committee.

F. Meetings

The GLRC shall meet at least twice each year at a designated time and location established by the Executive Committee. Agendas for GLRC meetings will be distributed and circulated to all members at least two weeks in advance of all meetings. The Executive Committee will meet at least five times each year at the call of the Chair. All meetings of the GLRC, Executive Committee, standing committees or special committees established under the GLRC shall operate under the Robert's Rules of Order unless modified by a majority vote of the GLRC members. The meetings of the GLRC may be rotated to locations throughout the three watersheds allowing any member or community agency to host a meeting.

G. GLRC Duties

The GLRC shall have the following duties:

1. Budget and Assessments

The fiscal year for the GLRC shall coincide with the calendar year.

Upon execution of this Agreement, review and approve the annual budget for the GLRC and establish the allocation of annual assessments for each member category. The GLRC shall adopt a budget before each December 31 for the calendar year that follows.

2. Standing Committees

Establish and outline a charge for up to three standing committees. The IDEP, PEP, and TMDL Committees will continue to function. Any member or designated alternate may serve on any standing committee. See Appendix A for a chart of the GLRC structure.

3. Watershed Management

The GLRC is committed to working with watershed partners in the region. This includes but is not limited to: Middle Grand River Watershed Planning Project (319), Red Cedar River Watershed Planning Project (319), Friends of the Looking Glass River Watershed, Middle Grand River Organization of Watersheds (MGROW), Mid-Michigan Environmental Action Council (Mid-MEAC), student groups, etc. The GLRC values the watershed efforts being conducted and will work with these groups to improve water resources in the Tri-County region.

4. Other Duties

- Maintain official written record of meetings that includes attendance, issues discussed and votes taken.
- Recommend to member communities, institutions, school districts, and counties any subsequent changes needed to this Agreement.
- Take other actions required, including delegation of responsibilities to the Chair or Executive Committee to carry out the purposes and conduct the business of the GLRC including, but not limited to, directing the activities of any committees established under this Agreement or subsequently authorized by the GLRC.
- Encourage and promote public input into decisions and recommendations of the GLRC, and of all committees established by the GLRC.

H. Executive Committee Duties

The Executive Committee shall have the following duties:

1. Budget

With the advice of the standing committees, supervise the expenditure of GLRC monies consistent with the approved annual budget.

2. Supervise Staff and Arrange Support Services

Arrange for the services of staff responsible for facilitating meetings, preparing agendas, and negotiating and advocating on behalf of the GLRC. Supervise and provide direction to staff of the GLRC, make provisions for necessary management support services for operation of the GLRC.

All staff or employees employed by the GLRC shall be and remain at all times solely the agents, servants, or employees of the GLRC and shall not be construed for any purposes to be an agent, servant, or employee of any constituent member of the GLRC.

3. Provide Forum for Discussion

Provide a forum for discussion, and, if appropriate, resolution of issues related to the implementation of this Agreement brought to its attention by any member of the GLRC.

4. Other Duties

- Assist the standing committees and special committees of the GLRC in meeting their respective responsibilities.
- Maintain a brief written record of each Executive Committee meeting including, at a minimum, attendance, list of issues, and a record of decisions.
- Take other actions that are consistent with the provisions of this Agreement and direction provided by the GLRC.

IV. RESOLUTION

The communities, institutions, school districts, and counties entering into this Agreement shall do so by the passage of a formal resolution, or exercising authority that includes the ability to commit to the payment of their appropriate assessments based on their membership category for support of the GLRC. In subsequent years, communities, institutions, school districts, and counties shall indicate their acceptance to continue this Agreement, should it remain unchanged, through the

payment of their appropriate annual assessment in support of annual budgets approved by the GLRC.

Modifications to this Agreement as may be recommended by formal action of the GLRC shall be subject to acceptance of the appropriate authority of each community, institution, school district, or county.

Services provided through the GLRC and grant funds if obtained for stormwater management shall be, to the extent practical, limited to members that have signed and met their respective financial obligations under this Agreement.

V. FIDUCIARY SERVICES

The TCRPC has agreed to provide fiduciary services for the collection and expenditure of assessments paid under the terms of this Agreement. It is understood that the assessments paid under the terms of this Agreement will be used only for the services identified in the GLRC Annual Budget as adopted by the GLRC members. It is further understood that the assessments paid may be used to provide the required local match for federal grant dollars used to support the annual GLRC budget.

TCRPC has agreed to provide the Executive Committee full and complete access to records concerning the use of the funds collected from the members so that all expenditures of monies collected through assessments to members can be audited through a process determined to be appropriate by the Executive Committee. TCRPC has further agreed to provide a financial accounting of all funds collected and expended to the GLRC within 45 days following the end of each calendar year. Copies of the annual accounting and audit reports shall be made available to all GLRC member communities upon request. TCRPC shall obtain Executive Committee consensus before expenditure of any of the assessments collected.

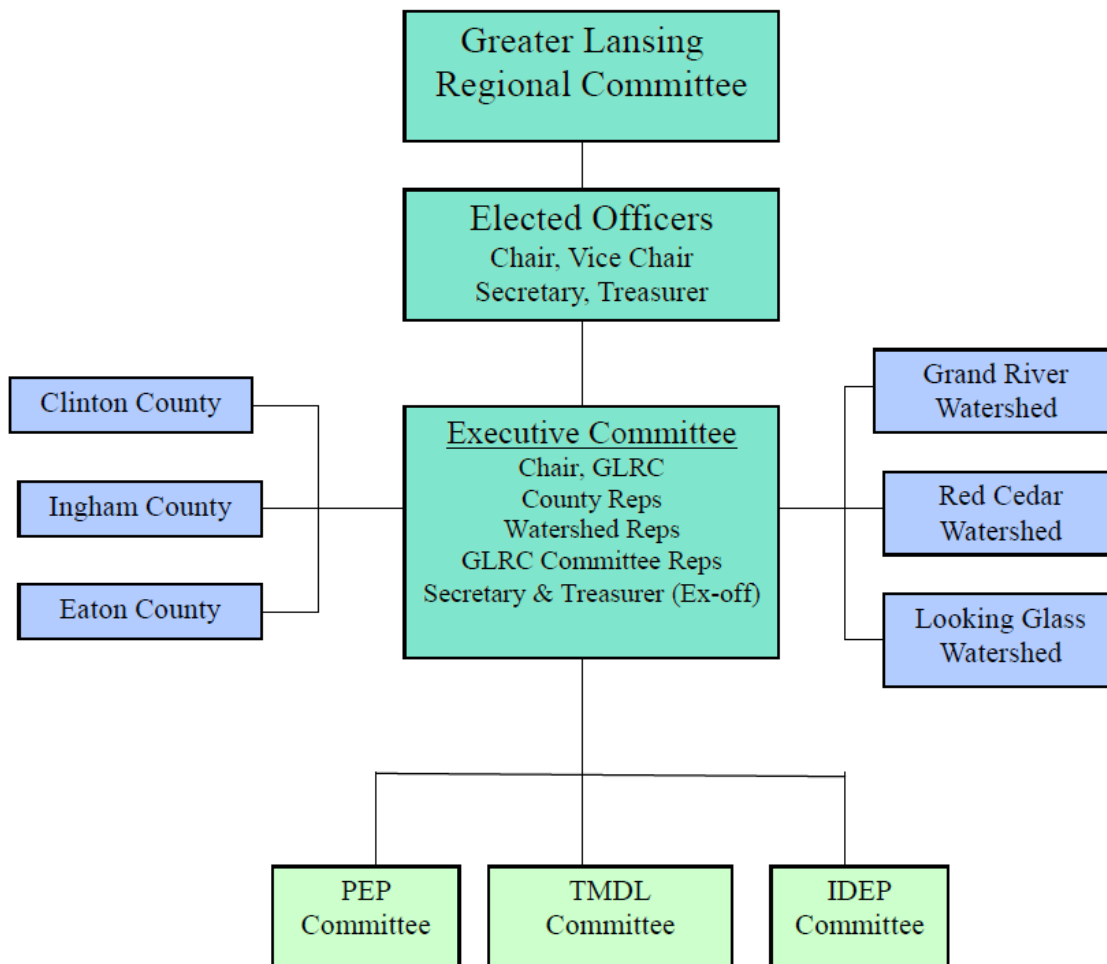
VI. INDEMNIFICATION, INSURANCE AND LEGAL FEES

Each signatory to this agreement, as part of its general liability coverage, shall maintain coverage for any damages, claims, causes of action, or actions of any nature whatsoever arising from this agreement, and does hereby agree to indemnify and save and hold harmless each other signatory, respectively, its officers, employees, and agents from and against any and all such damages, claims, actions and causes of action, including legal fees, based on this agreement, as may arise from any action taken or permitted by each signatory, respectively.

This agreement is not intended to create a legal entity subject to suit. Nothing in this section shall be construed to give any third party any claim to which said third party would not otherwise be entitled, nor shall it abrogate or diminish the defense of governmental immunity, or any other defense, for any claim against any party.

APPENDIX A

STRUCTURE OF THE GREATER LANSING REGIONAL COMMITTEE FOR STORMWATER MANAGEMENT





Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 2-9-17
RE: Sidewalk Snow Removal Assessment Notice of Hearing

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - Sidewalk Snow Removal Assessment Notice of Hearing

Date: February 9, 2016

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

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

SNOW AND ICE REMOVAL ASSESSMENT ROLL WINTER 2016-17

WHEREAS, pursuant to Chapter 1020.06, Snow and Ice, adopted by this Council, the City Assessor has completed the assessment roll for removal of snow and/or ice adjacent to certain properties within the City.

WHEREAS, the owners of these properties were given proper notice in accordance with Chapter 1020.06(c)(1) to remove the snow and/or ice from the public sidewalk adjacent to their property.

WHEREAS, the City incurred costs for the removal of snow and/or ice, which it is required to recover in accordance with Chapter 1020.06(c)(2).

WHEREAS, pursuant to Chapter 1020.06, the fees for those costs were adopted by Council.

WHEREAS, those costs incurred between November 1, 2016 and February 6, 2017, by the City total \$13,869.00.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, March 13, 2017 at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby requested to give due notice of this public hearing as provided by Chapter 1026, Section 1026.06(b) and (c), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. In addition, the Clerk shall give notice of hearings in special assessment proceedings to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by first class mail addressed to such owner or party at the address shown on the tax records, at least ten days before the date of such hearing. Said notices shall include the time and place of the hearing; a description of the properties determined by the Director of Public Service to have violated Chapter 1020.06 which are contained in the special assessment roll; where the special assessment roll is on file with the City Clerk and may be examined at the City Clerk's office;

BE IT FURTHER RESOLVED, that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the removal of snow and ice, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal;

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, a written appeal of the Special Assessment may be made to the Michigan Tax Tribunal, 611 West Ottawa St., P.O. Box 30232, Lansing, MI 48909; if filed within thirty days after confirmation of the special assessment roll and if the Special Assessment was protested at this hearing.

Adopted by the Committee
on Public Services
on

Approved for Placement on
the City Council Agenda:

James D. Smiertka
City Attorney

Date:

SPECIAL ASSESSMENT ROLL 2016-2017 SNOW REMOVAL

The City Council will hold a Public Hearing in the Council Chambers on the 10th Floor of City Hall, Lansing, Michigan on Monday, March 13, 2017 at 7:00 P.M. to review, prior to confirmation, said assessment roll, and consider any complaints or objections that there may be with respect to this improvement or the assessment.

<u>Parcel Number</u>	<u>Street Address</u>	<u>Total Cost</u>
33010102377091	2707 MONTEGO DR	\$149
33010102452161	2115 VASSAR DR	\$149
33010103353001	2128 N EAST ST	\$219
33010106252001	4415 N GRAND RIVER AVE	\$219
33010108226141	ROSENEATH AVE	\$219
33010108226151	1615 ROSENEATH AVE	\$149
33010108228051	1600 LANSING AVE	\$149
33010108426002	1230 N M L KING JR BLVD	\$219
33010109207021	1616 JAMES ST	\$149
33010109231024	N LARCH ST	\$219
33010109408041	914 N WASHINGTON AVE	\$149
33010110181261	1223 E GRAND RIVER AVE	\$219
33010114105081	610 N HAYFORD AVE	\$149
33010114105091	606 N HAYFORD AVE	\$149
33010114106061	419 N CLEMENS AVE	\$149
33010114301081	120 S CLEMENS AVE	\$149
33010114301121	134 S CLEMENS AVE	\$149
33010114301131	138 S CLEMENS AVE	\$149
33010114301251	238 S CLEMENS AVE	\$219
33010114302151	227 S CLEMENS AVE	\$149
33010114307071	325 S CLEMENS AVE	\$149
33010115126101	1025 ORCHARD ST	\$149
33010115126101	1025 ORCHARD ST	\$149
33010115126101	1025 ORCHARD ST	\$219
33010115253051	1409 VINE ST	\$149
33010115302202	220 S HOSMER ST	\$219
33010115356201	917 LARNED ST	\$219
33010115380011	605 S PENNSYLVANIA AVE	\$149
33010115380131	1111 LARNED ST	\$149
33010116157081	513 W IONIA ST	\$149
33010117205001	1127 W SAGINAW ST	\$219
33010121203003	E MALCOLM X ST	\$219
33010121430075	1523 S CEDAR ST	\$289
33010122202111	942 BENSCH ST	\$219
33010122204131	936 MCCULLOUGH ST	\$149
33010122206001	1001 BENSCH ST	\$359

33010122208001	1001 MCCULLOUGH ST	\$219
33010122208011	1005 MCCULLOUGH ST	\$149
33010122226331	943 MCCULLOUGH ST	\$219
33010122252122	DAKIN ST	\$149
33010122253171	1124 MCCULLOUGH ST	\$149
33010122253211	1416 WALSH ST	\$219
33010122279141	1033 REGENT ST	\$149
33010128106011	2109 S RUNDLE AVE	\$149
33010128106031	2119 S RUNDLE AVE	\$289
33010128334091	116 ASTOR AVE	\$149
33010128334101	3022 STABLER ST	\$219
33010128336241	215 ASTOR AVE	\$149
33010128336261	223 ASTOR AVE	\$149
33010128406401	220 PARIS AVE	\$149
33010128426003	2701 S CEDAR ST	\$219
33010128433101	551 PARIS AVE	\$149
33010128435151	572 PARIS AVE	\$149
33010129206111	1116 POXSON AVE	\$149
33010129207171	1319 POXSON AVE	\$149
33010129231162	2104 S RUNDLE AVE	\$359
33010129451022	3330 S M L KING JR BLVD	\$289
33010129477083	3232 S WASHINGTON AVE	\$359
33010130301051	3600 SANDHURST DR	\$219
33010130328131	2926 DEERFIELD AVE	\$219
33010130402011	2923 DEERFIELD AVE	\$219
33010132201223	3512 S M L KING JR BLVD	\$219
33010132201256	1211 W HOLMES RD	\$219
33010132201264	1301 W HOLMES RD	\$149
33010132201273	1315 W HOLMES RD	\$219
33010133203275	3630 S CEDAR ST	\$359
33010133203275	3630 S CEDAR ST	\$219
33010133230132	3601 S CEDAR ST	\$289
33010133351121	4921 BURCHFIELD AVE	\$149
33010133476121	561 KENDON DR	\$219
33010508426022	6726 S WASHINGTON AVE	<u>\$219</u>
	TOTAL	<u>\$13,869</u>



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

February 8, 2017

City of Lansing
Clerk
city.clerk@lansingmi.gov

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 863130

New SDM

Name of applicant(s): Speedway LLC

Business address and phone: 3201 E Saginaw St, Lansing 48912

**Home address and phone number of partner(s)/subordinates:
MPC Investment LLC, 539 S Main St, Findlay, OH 45840, B (419) 422-2121**

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. The Michigan Liquor Control Code does not require the approval of this request by the local unit of government.

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



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

February 8, 2017

City of Lansing
Clerk
city.clerk@lansingmi.gov

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 863129

New SDM

Name of applicant(s): Speedway LLC

Business address and phone: 5600 S Cedar St, Lansing 48911

**Home address and phone number of partner(s)/subordinates:
MPC Investment LLC, 539 S Main St, Findlay, OH 45840, B (419) 422-2121**

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. The Michigan Liquor Control Code does not require the approval of this request by the local unit of government.

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

JAN 27 2017



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 1 / 9 / 17

I Andrew S. Watkeys make the following disclosure under oath:
 (Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

Yes No

1. ☒ ☐ I am an ☐ elected or ☒ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of Police Officer in the Lansing Police Department
- ☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department
- ☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.
2. ☐ ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)
- ☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(l) of the Code of Ordinances]
- ☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(l) of the Code of Ordinances]
- ☒ ☐ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

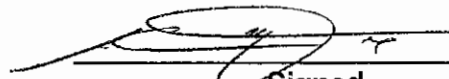
3. My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I submit this disclosure to request approval of a supplemental employment position as a Legionnaire with the Fitness company "1st Phorm". This position is a independent sales position for the company. This position has no minimum hours of work required. This position will not conflict or interfere with my position as a police officer. As a Legionnaire, I am encouraged to, when outside of work, sell product, educate people on fitness and health, and help people obtain their fitness goals, as well as my own fitness goals. I attest that this position will only benefit my personal life because I enjoy spending my free time working on my physical fitness and health and others also.

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

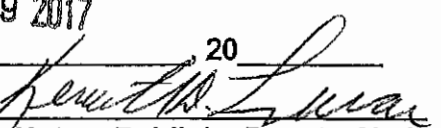
The foregoing Affidavit of Disclosure was executed on this 9 day of January, 2017.


Signed

State of Michigan, County of _____

Subscribed and sworn to before me this _____ day of _____ 2017

JAN 09 2017


Notary Public/or Deputy Clerk

_____, County, Michigan

My Commission Expires:

NOTARY PUBLIC-STATE OF MICHIGAN

COUNTY OF SHIAWASSEE

My Commission Expires April 1, 2018

Acting in the County of Ingham

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? _____

_____ ;
_____ %

- Are you self-employed? No.

- Who is your employer, if applicable? 1st Phorm

- What are the things you actually do in the business? Help individuals and clients improve their physical fitness and overall health by providing education and the proper advice as to what fitness supplements to use.

- Who are your clients and who receives your goods or services? Friends, family and people who reach out to me for advice.

- How and where are your services performed? In person or communication through internet and phone.

- How often do you do outside work? As much or as little as desired.

- Does your business or employer contract with the City? No.

- In performing your business or outside employment, do you use any City facilities or equipment?
No. If so, describe: N/A.

- Is any of your business or employment conducted in the City? No. If so, describe:
N/A.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No.

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? No. If so, please describe: _____

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

LANSING CITY CHARTER

(excerpt)

5-505 CONFLICT OF INTEREST

.1 At least ten (10) days prior to the first of any of the events set forth in (A), (B), (C), (D), and (E) below, a City officer or employee who may derive any income or benefit, directly or indirectly, from a contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- (A) The bidding of the contract;
- (B) The negotiation of the contract;
- (C) The solicitation of the contract;
- (D) The entry into the contract;

(E) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing. In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

.2 An officer or employee who has any other conflict between a personal interest and the public interest as defined by State law, this Charter, or ordinance shall fully disclose to the City Attorney the nature of the conflict.

.3 Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.

FEB 02 2017



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 1/18/2017

I BRENT M. SORG make the following disclosure under oath:
 (Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

- | | <u>Yes</u> | <u>No</u> | |
|----|-------------------------------------|-------------------------------------|--|
| 1. | ☒ | ☐ | I am an ☐ elected or ☐ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of <u>SERGEANT</u> in the <u>POLICE</u> Department |
| | ☐ | ☒ | I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department |
| | ☐ | ☒ | I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department. |
| 2. | ☐ | ☒ | I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1) |
| | ☐ | ☒ | I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances] |
| | ☐ | ☒ | I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances] |
| | ☐ | ☒ | I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter. |

3. My City of Lansing position is:

☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I DO NOT BELIEVE A CONFLICT EXIST WITH THE POSITION
OF MEN'S ASSISTANT SOCCER COACH AT ALMA COLLEGE.

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

The foregoing Affidavit of Disclosure was executed on this 18th day of JANUARY, 2017.

Signed

State of Michigan, County of Ingham

Subscribed and sworn to before me this 23rd day of January, 2017

Notary Public/or Deputy Clerk

Ingham County, Michigan

My Commission Expires: 10-03-2019

MICHELLE R. REDDISH
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires October 3, 2019
Acting In the County of _____

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? N/A

_____%
- Are you self-employed? N/A
- Who is your employer, if applicable? ALMA COLLEGE

- What are the things you actually do in the business? COACH

- Who are your clients and who receives your goods or services? COLLEGE SOCCER
PLAYERS

- How and where are your services performed? ALMA COLLEGE

- How often do you do outside work? 5-6 DAYS/WEEK FROM AUGUST -
NOVEMBER

- Does your business or employer contract with the City? NO

- In performing your business or outside employment, do you use any City facilities or equipment?
NO If so, describe: _____

- Is any of your business or employment conducted in the City? NO If so, describe:

- Does your business advertisement or circulars, if any, contain any reference to the City or your
City employment? NO

- Is there any additional information that you believe would assist the Board of Ethics in its review
of your business or personal activities for potential conflicts of interest? NO If so, please
describe: _____

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

LANSING CITY CHARTER

(excerpt)

5-505 CONFLICT OF INTEREST

.1 At least ten (10) days prior to the first of any of the events set forth in (A), (B), (C), (D), and (E) below, a City officer or employee who may derive any income or benefit, directly or indirectly, from a contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- (A) The bidding of the contract;
- (B) The negotiation of the contract;
- (C) The solicitation of the contract;
- (D) The entry into the contract;
- (E) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing. In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

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.3 Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.

FEB 01 2017

Lansing City Council
Randy Walling
PO Box 107
Okemos, MI 48805
Re: Appeal of Trash Assessment
for 33-01-01-22-351-011
1515 Bailey St.
Lansing, Mi 48910

2/1/2017

Lansing City Council Members,

We are very concerned and ask the Lansing City Council Members review the facts of specific policies and procedures of Code Compliance in general and specific to the date of the correction letter for 1515 Bailey dated 7/28/2016 resulting in a fine of \$ 974.50.

Please see the specific concerns on the attached pages.

Thanks for reviewing the facts.

Randy Walling

517-507-6080

City of Lansing--Claim form
Randy Walling
PO Box 107
Okemos, MI 48805
Re: Appeal of Trash Assessment
for 33-01-01-22-351-011
1515 Bailey St.
Lansing, Mi 48910

Details: A "Trash & Debris" correction notice was mailed for items on the curb at 1515 Bailey St. in Lansing from code compliance officer "Dave Klein". The curb area has "always been where trash & other items are placed before being taken away by trash collection companies" so the residents believed it was still ok to place trash & other items there to be taken away". This makes sense to me because where else does a resident put trash & other items to be hauled away ??

After receiving the correction notice, the items were all removed & disposed of before the due date of 8/4/16 & verified gone by the owner of the property (Randy Walling) on 8/3/16. The residents of the house went to the City of Lansing appeal and confirmed to the appeal board the items in the correction notice had been removed by the required date and are willing to testify under oath also if need be.

Even though the items listed on the correction notice were removed and disposed of before the required date, a contractor was sent to the address. I called and spoke with the code officer (Dave Klein) and he confirmed that the items were gone before the compliance date "but he decided to send the contractor anyway". We have never seen this done before and don't believe this practice matches past code compliance actions or to be customary or reasonable in any way.

We are very concerned about several things with this incident:

1. The items listed on the correction notice were removed by the residents by 8/3/16 (before the required compliance date). The fact that in the past when someone received a correction notice and "corrected the stated violation before the due date", that was the end of the correction notice and a contractor was not sent to the address. The tenants (as I) believed that since the items communicated in the letter had been removed by the residents, that they were in "compliance". The correction letter states

"Failure to correct this violation by the compliance due date shall cause this office to immediately hire a contractor to complete the clean up". And "If any other additional trash and/or debris is found on the premises by the contractor it will be removed without additional notice" but this is understood to be in the context of "ONLY if the items stated in the original correction notice have not been removed & the resident is not in compliance & a contractor will be sent and will take the items listed in the original letter & can take other items that are considered to be not in compliance". Also some the items were "taken by the contractor" were in appropriate areas in a shed & behind the shed under a tarp and were definitely NOT "trash or debris".

2. We are very concerned about Correction Notices issued for trash items placed in the designated area for trash companies to pick up and dispose of. The curb area has always been treated as the area to put trash & other debris that is waiting to be taken away by city trash collection or other companies paid to haul away trash. If the residents are not allowed to place items on the curb, then Code Compliance should clearly define an area on the residence property that is "ok to place trash & other outgoing items". Sending a correction notice for items on the curb just creates confusion for residents & they end up placing trash in the home causing safety & sanitation concerns or placing trash somewhere around the outside of the home besides the curb until trash day. We don't believe issuing correction notices for items on the curb should not be a "standing practice".

3. We are also very concerned that "Letting a contractor "search through a shed & under a tarp behind the shed is not right or legal. How in any world is it ok for the contractor to pick which items can be taken (from any area on the property) to support the invoice to Code Compliance & ultimately the resident. Letting any contractor do this is a "slippery slope" because the contractor has incentive to grab everything (including items that are not in violation areas & are not trash) to increase and support the invoice for picking up the items & will prove in time to be a legal liability for the contractor & ultimately Code Compliance for sending the contractor without "Due Cause".

Again a slippery slope that could lead to a contractor going into a garage or house to remove items that are not items of violation and have not been communicated as such. Some of the items taken by the contractor from under a tarp were not "trash or debris" but a usable stored items out of sight behind the shed. How in the world does that make sense ?

The same particular code office recently issued a correction notice to the same property on 1/9/2017 for 6 different items. Receiving the notice, the owner of the property went to the property to see for himself what items needed to be corrected. I inspected the property & the only items found were the same plastic outdoor furniture chairs that have been on the porch for 3 or 4 years. Asking the tenants what was corrected, they said they had placed a broken fish tank on the curb with outgoing trash that was taken care of but no other items. The tenants also said they called Dave Klein but was not given specific clarification of the 6 line items listed in the correction notice.

I left Dave Klein a voicemail but never received a call back. I also emailed Dave Klein about our concern of getting a correction notice of items on the curb and 2. Getting a correction notice with 6 different line items but nothing at the property to take care of beside the fish tank. The code officer Dave Klein either is confusing this property with another or has "integrity issues". We are in good faith working with the tenants to not put items on the curb before trash day but that doesn't seem very reasonable to ask them to do. Trash companies pick up items that don't fit into trash bags or trash containers weekly throughout the city of Lansing so why would we require residents to do this now?

Also what has changed and why would a code officer be listing several items on a correction letter that are not even there with no pictures to back up the correction letter? If the code officers were required to take pictures of the required correction, all this would resolve itself & would clearly show where the problem is.

Finally, we have worked with the good folks of code compliance for approximately 15 years and understand & respect that they have a job to do each day. We will continue to educate residents renting from us to help maintain our city. We do however believe the correction letter (dated 7/28/2016) & recent correction notice (dated 1/9/2017) are quite different & hope after reviewing the details of the 7/28/2016 "correction notice" were just not correct & the recent trend of issuing correction notices for items that just aren't there is a definite growing concern.

Thanks for reviewing the facts.

Randy Walling



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

**WALLING RANDY or Current Occupant
PO BOX 107
OKEMOS, MI 48805-0107**

**Violation Date: 01/09/2017
Violation Location: 1515 BAILEY ST
Parcel No: 33-01-01-22-351-011
Compliance Due Date: January 16, 2017**

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

- ?

Violation: Trash found in bags/boxes/barrels

- ?

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

- ?

Violation: Broken Glass debris

- ?

Violation: Indoor type furniture in the outdoors

- ?

Violation: Deteriorated furniture

- ?

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. 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 you an extra \$75.00 fee 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.

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: Dave Klein (517) 483 4377 Dave.Klein@lansingmi.gov

- NO ITEMS FOUND
- PICTURES TAKEN
- ATTORNEY ADVISED



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

Please provide the following information so we can contact you regarding your claim.

NAME: RANDY WALTON DATE: 9/15/16
 MAILING ADDRESS: PO BOX 107
 CITY: OKemos STATE: MI ZIP CODE: 48805
 TELEPHONE: Home (517) 507-6080 Work () NA

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 1515 BAILEY ST PARCEL NO. 33-01-01-22-351-11
 DATE OF INCIDENT: 8/24/16 AMOUNT YOU WERE BILLED: 974.50
 TOTAL AMOUNT YOU ARE CONTESTING: 974.50
 TYPE OF ASSESMENT: TRASH & DEBRIS REMOVAL

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.

SEE ATTACHED

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

DUE DATE 09/23/2016

Bill To:

WALLING RANDY

PO BOX 107

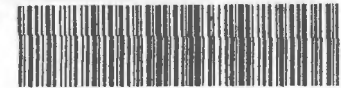
OKEMOS, MI 48805-0107

INVOICE

08/29/2016

TOTAL AMOUNT DUE

\$ 974.50



Invoice Number	Record No.	Address	Amount Due
00079688	E16-11651	1515 BAILEY ST	\$974.50
08/24/2016			
Trash - Admin Fee			
Trash - Contractor Charge			

TOTAL DUE:

\$974.50

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

DATE: 10/27/2016

1358

PPN: 33-01-01-22-351-011
DATE SUBMITTED: 10/21/2016
ADDRESS OF VIOLATION: 1515 Bailey Street
LISTED TAXPAYER OF RECORD: Walling, Randy
OTHER TAXPAYER OF RECORD:
CLAIMANT: Walling, Randy
CLAIMANT'S ADDRESS: P.O. Box 107
Okemos, MI 48805

TYPE OF ACTIONS CONTESTED:

Trash Removal
VIOLATION DATE: 7/28/2016
NOTIFICATION DATE: 7/28/2016
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$974.50
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 16-T035 8/17/216
AMOUNT OF CLAIM: \$974.50

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
7/28/2016

CITATIONS IN PREVIOUS YEARS:	Trash Violation 3/21/2012 Safety 7/10/2014	Trash Violation 12/10/2013 Trash Violation 7/11/2014	Trash Violation 3/11/2014 Trash Violation 4/14/2015	Trash Violation 4/10/2014
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CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 7/28/2016 with a compliance due date of 8/04/2016. The Premise Officer rechecked the property on 8/05/2016 the violations were still present (see pictures) and the officer submitted the violations to the contractor for removal. When the contractor arrived they found several violations still present and a cleanup was performed. The notice does not indicate violations between sidewalk and curb it stated mattress box springs and deteriorated metal products. The contractor photos clearly show multiple violations present when the property was cleaned including garbage bags piled up against the home. The Premise Officer indicated that he never spoke with the claimant directly and that he never stated that the violations were gone and he just decided to send the contractor anyways. Officer Klein stated that the claimant called another code officer regarding the bill who came to talk to him about the bill and he stated that yes the mattress and box spring were removed but the deteriorated metal products and other violations were still present and that is why the property was submitted to the contractor. The claimant states that the area between the curb and sidewalk is for trash awaiting removal however large bulk items such as a mattress and box spring are not to be left between the sidewalk and curb unless they have bulk stickers that indicate they are there for removal. Pictures reflect that proper actions were taken by both the contractor and officer. This office recommends denial of the claim.



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

DUE DATE 09/23/2016

INVOICE

08/29/2016

TOTAL AMOUNT DUE

\$ 974.50

Bill To:

WALLING RANDY

PO BOX 107

OKEMOS, MI 48805-0107



	Invoice Number	Record No.	Address	Amount Due
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	08/24/2016			
	Trash - Admin Fee			
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Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

**WALLING RANDY or Current Occupant
PO BOX 107
OKEMOS, MI 48805-0107**

Violation Date: 07/28/2016
Violation Location: 1515 BAILEY ST
Parcel No: 33-01-01-22-351-011
Compliance Due Date: August 04, 2016

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: Deteriorated box spring

Violation: Deteriorated metal product

Violation: Mattresses

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **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 you an extra \$75.00 fee 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.

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: Dave Klein (517) 483 4377

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant or Current Occupant
1515 BAILEY ST
LANSING, MI 48910

Violation Date: 07/28/2016
Violation Location: 1515 BAILEY ST
Parcel No: 33-01-01-22-351-011
Compliance Due Date: August 04, 2016

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.

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Mayor Virg Bernero

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Fire Marshal's Office
Code Enforcement Section**

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(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form

Submitted to: Eric Crutcher on 08/09/2016

TAXPAYER: WALLING RANDY, PO BOX 107 OKEMOS, MI 48805-0107

Location of Work:

Enf Num: E16-11651

Address: 1515 BAILEY ST

Lot No:

Description:

Parcel No: 33-01-01-22-351-011

Remove Trash and Debris

Work Authorized:

Violation: Deteriorated box spring

Violation: Deteriorated metal product

Violation: Mattresses

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2

Authorized Cubic Yards: 10

Warning Comment:

none

Submitted By: Dave Klein (517) 483 4377

This action is authorized by the Manager of Code Compliance



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: 08/24/2016
 Due Date: 09/23/2016
 Pay Invoice In Full



WALLING RANDY
 PO BOX 107
 OKEMOS MI 48805-0107

Inv Number: 00079688
 Parcel: 33-01-01-22-351-011
 Address: 1515 BAILEY ST



Parcel: 33-01-01-22-351-011

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00079688		E16-11651	1515 BAILEY ST	\$974.50
Fee Details: Quantity Description				Balance
1.000 Trash - Admin Fee				\$,265.00
709.500 Trash - Contractor Charge				\$ 709.50
Total Amount Due				\$ 974.50

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
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 City of Lansing Treasurers Office
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Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
8/22/2016	5455

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
1515 Bailey St 33-01-01-22-351-011

Terms

work complete
8/22/2016

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
2	add hr	additional hour after 1	150.00	300.00
2	add cy	addition yards after 3	22.00	44.00
5	class 2	construction material after 3	26.00	130.00
11	tire	tire removal	5.50	60.50
		work complete 8/17/16		
		total yards 10		
		submitted by Dave Klein		
All work is completed			Total	\$709.50

Application Views

- Property
- Projects
- Permits
- P2E Processes
- Enforcements
 - E13-5194 Trash Complied
 - E13-7265 Trash Send Letter
 - E13-7674 Safety Complied
 - Owner of Record: SINGH MANDEEP
 - Transactions: \$3,150.00 Due: \$0.00
 - User Fields
 - Safety, Violation(s)
 - Re-Inspection, Complied
 - Safety, Complied
 - 350 Inspection, Complied
- E13-8685 Trash Complied
- E13-10907 Trash Complied
- E14-10251 Grass/Weed Complied
- Certificates
- Certificates of Occupancy
- Inspection Groups
- Tables
- Program Setup

No name variations found

Amount Due: \$0.00

Address: 1717 MASSACHUSETTS AVE. Permit Number: 32-01-01-10-131-301
 Owner: SINGH MANDEEP Other owner properties:

☒ Group by Invoice Number (sorted by invoice number, then transaction)

Inv/Tx No.	Date Created	Action	Qty	Description	Billed	Paid	By To / Paid By	Journal Status
Inv-00035713	12/03/2013	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
Go Inv-00035760	01/05/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F (void) \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00043021	06/02/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	07/07/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00044509	07/01/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	08/07/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00045970	08/01/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	09/08/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00047192	09/02/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	10/14/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00048487	10/01/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	11/13/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00050351	12/08/2014	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
	11/03/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
Go Inv-00051371	12/02/2014	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	01/05/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00052599	02/06/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
	01/05/2015	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
Go Inv-00053476	02/03/2015	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Done
	04/06/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Done
Go Inv-00054433	04/06/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Not Required
	03/02/2015	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Not Required
Go Inv-00055779	05/11/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Not Required
	04/06/2015	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Not Required
Go Inv-00057030	06/08/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Not Required
	06/01/2015	Invoice Item	1.000	Code Compliance Monitoring: Tag Avoid \$150.00			SHATTUCK JUSTIN D	Tx Not Required
Go Inv-00058234	07/06/2015	Invoice Item	1.000	Code Compliance Penalty: Penalty F \$7.50			SHATTUCK JUSTIN D	Tx Not Required
Totals								
					Invoice: \$3,150.00	Transactions: \$3,150.00	Balance Due: \$0.00	



Submitted
Photo



































Jackson, Brian

Subject: FW: Public Comment For City Council Meeting: I Support the Sanctuary City Proposal

From: K.A. Holther

Sent: Thursday, February 09, 2017 4:25 PM

To: Clerk, City

Subject: Fwd: Public Comment For City Council Meeting: I Support the Sanctuary City Proposal

I wish to submit a public comment for the February 13, 2017 city council meeting.

I am a Lansing resident, a voter, a homeowner, and a taxpayer. I support the Sanctuary City proposal. It is important that we extend our support to immigrants and refugees regardless of race, country, or religion. Not only must we support them, we should make our support visible to the rest of the country by declaring ourselves a Sanctuary City. We should stand up for what we believe is right, and not back down for fear of repercussions. We should stand up for ourselves, and not back down for fear of losing state or federal funding.

I would like to thank the Lansing City Council for all you have done to make Lansing a "Welcoming City" to immigrants, and I encourage you to take the next step forward to make us a "Sanctuary City" as well.

Sincerely,

Karen Holther

1131 Bensch St.

Lansing, MI 48912