

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 APRIL 10, 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, 10, 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 March 27 and April 3, 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
 1. Tribute; in recognition of National Crime Victim Rights Week
- 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

1. In consideration of An Ordinance of the City of Lansing, Michigan to amend Chapter 1026, Special Assessments, Section 1026.06, Assessment Procedure, to eliminate the requirement that notice be published in a daily newspaper of the City
2. In consideration of the Annual Consolidated Strategy and Plan Submission and Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for Fiscal Year 2018

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 National Crime Victim Rights Week
 - b. Tribute; in recognition of Kelli A. Ellsworth Etchison, Recipient of the Sojourner Truth Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony
 - c. Tribute; in recognition of Honorable Judge Donald L. Allen, Jr., Recipient of the Frederick Douglass Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony
 - d. Tribute; in recognition of Todd J. Duckett, Recipient of the Community Service Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony
 - e. Tribute; in recognition of A. Gregory Eaton/Gregory's Soul Food, Recipient of the Business Excellence Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony
 - f. Tribute; in recognition of Davona LaToya Ford, Recipient of the Youth on the Move Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony

- g. Tribute; in recognition of Harmonie Smith, Recipient of the Youth on the Move Award presented at the National Association of Negro Business and Professional Women's Annual Founders Day Awards Ceremony
- 2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Brownfield Plan #67; 2200 Block Redevelopment Project, 2216-2224 E. Michigan Avenue
 - b. Brownfield Plan #20a; LorAnn Oils, Inc., Amendment 1, 2017 Building Expansion, 4518 Aurelius Road
 - c. OPRA District; DED Development, LLC, 629 W. Hillsdale
 - d. OPRA Certificate; DED Development, LLC 629 W. Hillsdale
 - e. OPRA District; Best Case ScenaREO, LLC, 1101 & 1103 S. Washington Avenue
 - f. Act-11-2016, 637 E. Michigan Avenue, Vacate North East Street Easements
 - 3. BY THE COMMITTEE ON GENERAL SERVICES
 - a. Claim Denial; Claim #1342, Rivendell Corp., 731 W. Genesee Street
 - b. Claim Denial; Claim #1366, Ahmadpour Mansour, 1034 Greenwood Avenue
 - 4. BY THE COMMITTEE ON PUBLIC SERVICES
 - a. Decertification of Vacated Street Segments, Removal from Act 51 Street System
 - b. Setting a Public Hearing in consideration of Dedication of Multipurpose Athletic Complex to honor Willard Walker
 - c. Setting a Public Hearing in consideration of renaming Westside Park as "Rudolph and Dorothy Wilson Park" in Memoriam of Rudolph Valentino "Rudy" and Dorothy Jean "Dot" Wilson
 - 5. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Appointment of Beth Graham as the Second Ward Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2018
 - b. Confirmation of Reappointment of Sandra Zerkle as the Fourth Ward Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020

- c. Confirmation of Reappointment of Tracy Thomas as an At-Large Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020
 - 6. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Claim Settlement; Worker's Compensation Claim #WC20629040002009252001
 - b. Claim Settlement; Worker's Compensation Claim #WC20628760002019329
 - c. Claim Settlement; Worker's Compensation Claim #WC20629040002012718001
 - d. Claim Settlement; Worker's Compensation Claim #WC20629040002009067001
- C. RESOLUTIONS FOR ACTION
 - 1. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Grant Acceptance; Federal Help America Vote Act and State-appropriated funds for new Voting System
 - b. Lansing Board of Water & Light Grant for the LIFT-UP Program
 - 2. BY THE COMMITTEE OF THE WHOLE
 - a. Rejecting the Determination of the Elected Officers Compensation Commission
- D. REPORTS FROM COUNCIL COMMITTEES
- E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings
 - 1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Z-9-2016; Rezoning the properties 2122 N. MLK & Vacant properties to the North from "A" Residential, "DM-4" Residential, "CUP" Community Unit Plan, "E-1" Apartment Shop, "F" Commercial and "J" Parking Districts to "H" Light Industrial, "G-2" Wholesale and "F" Commercial Districts
 - b. Amendments to Section 1240.03 for the purpose of defining Garden, Garden Structure, Gardening, and to amend the definition of Open Space

2. BY THE COMMITTEE ON GENERAL SERVICES

- a. Noise Waiver Chapter 654, Noise Ordinance, Section 654.11, Special Permits, to modify the notice requirement to twelve days in advance of the public hearing

F. ORDINANCES FOR PASSAGE

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
2. Letter(s) from the Mayor re:
 - a. Grant Acceptance; Parks Millage Public Access Grant, Funding 12 Projects Within the Trail System
 - b. Public Improvement V; Assessment Roll B-095 for 2015 Sidewalk Repair
 - c. Renaming Westside Park as "Rudolph and Dorothy Wilson Park" in Memoriam of Rudolph Valentino "Rudy" and Dorothy Jean "Dot" Wilson
 - d. Reappointment of 20 individuals to various Boards and Commissions

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Claim Appeal; Mark Preston for property located at 527 Pacific Ave.
2. Claim Appeal; Tarik Abbawi for property located at 2413 S. Pennsylvania Ave.
3. Notice from the Michigan Liquor Control Commission regarding:
 - a. New SDM license, Sunday Sales Permit (AM), Gas Pumps for American Gas & Oil, Inc. at 4019 S. Martin L. King

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.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on **Monday, April 10, 2017**, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider An Ordinance of the City of Lansing, Michigan to amend Chapter 1026, Special Assessments, Section 1026.06, Assessment Procedure, to eliminate the requirement that notice be published in a daily newspaper of the City.

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

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

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND
CHAPTER 1026, SPECIAL ASSESSMENTS, SECTION 1026.06, ASSESSMENT
PROCEDURE, TO ELIMINATE THE REQUIREMENT THAT NOTICE BE PUBLISHED
IN A DAILY NEWSPAPER OF THE CITY.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Section 1026.06 of Chapter 1026 of the Lansing Codified
Ordinances ("Code") be amended to read as follows:

1026.06. - Assessment procedure.

The assessment procedure for public improvements assessed according to this
chapter shall be as follows:

(a) *Estimating and Apportioning Cost; Petition for Grading Street.* Whenever
Council determines that the whole or any part of the expense of public
improvements shall be defrayed by an assessment on the lands to be benefited
thereby, and to the owners of or the parties in interest thereof, it shall declare
the same by an entry in its minutes. After ascertaining, as it may think proper,
the estimated or final expense of such improvement, Council shall declare by
any entry in its minutes whether the whole, or what portion thereof, shall be
assessed to such owners or parties in interest, specifying the sum to be
assessed and the portion of the City which it deems to be benefited by such
improvements.

The cost and expenses of making estimates, plans and assessments incidental
thereto shall be included in the estimated expense of such improvement.

1 (b) *Assessing Costs; Assessment Roll.* Pursuant to the order of Council, the City
2 Assessor shall make an assessment roll for the lands within the portion of the
3 City so designated showing the amount of expense, in case of construction of
4 sewers and drains, of the opening of streets or alleys, or of any other
5 improvement, except as hereinafter provided in this subsection, in proportion as
6 nearly as possible to the benefits which each person is deemed to acquire by
7 the making of such improvement, and in case of grading, graveling, paving and
8 all other street improvements, according to foot frontage. The Assessor shall
9 make out an assessment roll which shall include the names of the owners or
10 parties in interest of such lands, as shown from the Assessor's records, the
11 description of the property assessed, and the amount assessed to each person
12 respectively.

13 In case any lot or parcel of real estate belongs to a nonresident owner or party
14 of interest, or the owner or party of interest is unknown, the same shall be
15 entered accordingly, with a description of such lot or premises, as is required by
16 law in assessment rolls made by the City Assessor, with the amount assessed
17 thereon. The assessment roll shall be subscribed by the City Assessor and
18 returned within two weeks to Council, unless such time is extended by
19 resolution of Council.

20 (c) *Hearings on Assessment Roll.*

21 (1) Upon the making and filing of the assessment roll, as required in subsection
22 (b) hereof, Council shall hold a public hearing before the roll is
23 confirmed. ~~The City Clerk shall cause notice of the public hearing to be~~

published, not more than twenty days and not less than ten days before such hearing, in a daily newspaper of the City. The notice shall contain the following:

A. ~~The time and place of the hearing;~~

B. ~~A description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll;~~

C. ~~Where the special assessment roll is on file and may be examined;~~

D. ~~That any person aggrieved by the assessment as contained in the special assessment roll, or the necessity of the improvement, 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;~~

E. ~~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; and~~

F. ~~That any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.~~

(2) ~~In addition, the~~ THE CITY 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

1 shown on the tax records, at least ~~ten~~ TWELVE days before the date of
2 such hearing. As used in this section, "last local tax assessment records"
3 means the last assessment roll for ad valorem tax purposes that has been
4 reviewed by the local board of review, as supplemented by any subsequent
5 changes in the names and addresses of owners or parties listed thereon.
6 Notice given under this subsection shall comply with any mandatory
7 statutory provision governing the same. THE NOTICE SHALL CONTAIN
8 THE FOLLOWING:

9 A. THE TIME AND PLACE OF THE HEARING;

10 B. A DESCRIPTION OF THE SECTION OR AREA OF THE CITY
11 DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT
12 DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL;

13 C. WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY
14 BE EXAMINED;

15 D. THAT ANY PERSON AGGRIEVED BY THE ASSESSMENT AS
16 CONTAINED IN THE SPECIAL ASSESSMENT ROLL, OR THE
17 NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN
18 OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY
19 CLERK PRIOR TO THE CLOSE OF THE HEARING, OR THE
20 PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC
21 HEARING IN PERSON OR BY HIS OR HER REPRESENTATIVE;

22 E. THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST
23 IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON

1 DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO
2 THE MICHIGAN TAX TRIBUNAL; AND

3 F. THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE
4 TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE
5 SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS
6 TIMELY MADE.

7 (3) Where any person claims an interest in real property whose name and
8 correct address do not appear upon the last local tax assessment records,
9 he or she shall be obligated to file immediately his or her name and address
10 with the City Assessor and to provide evidence acceptable to the City
11 Assessor that he or she is entitled to be the taxpayer of record. The
12 Assessor shall immediately enter on the local tax assessment records any
13 changes in the names and addresses of owners or parties in interest filed
14 with him or her and shall at all times keep such tax assessment records
15 current, complete and available for public inspection.

16 (4) On the day appointed for the hearing and on such other days as the hearing
17 may be adjourned to, Council shall receive all written protests and hear the
18 allegations and proofs of all persons who appear and protest the
19 assessment. Council may rectify and amend such assessment roll in whole
20 or in part, or may set such roll aside and direct a new assessment, either by
21 the same person or by such other person as Council appoints for that
22 purpose. In such case, the same proceedings as are herein provided for the
23 first order of assessment shall be conducted for the new assessment, or

Council may ratify and confirm such assessment roll without any corrections or with such corrections therein as it may deem proper.

(d) *Correction of Deficient or Excessive Assessment.* If the estimated expense of the improvement was used to establish the special assessment and the special assessment proves insufficient to pay for the improvement or work for which it was levied, and for the expenses incident thereto, Council may, within the limitations prescribed for such assessments, make an additional pro rata assessment to supply the deficiency. If a larger amount is collected than is necessary, the excess shall be refunded ratably to those by whom it was paid.

(e) *Liens on Property for Assessments.* When any special assessment for public, local or other improvements, or for any other purpose authorized by ordinance, has been made, as provided in this chapter, and the tax roll for such assessment is delivered to the City Treasurer for collection, the assessment shall be a lien upon the premises upon which it was assessed from and after the date of the warrant for the collection thereof. The Treasurer may levy on and collect such tax from any personal property in the possession of the person charged with such tax, or in any other manner permitted by law.

If the assessment is not paid, the Treasurer shall, within five days after the time prescribed by the warrant for the collection thereof has expired, make a report to the City Clerk of the sum and interest, as the case may be, due and so remaining unpaid, which has not been collected, together with a description of the premises assessed for such unpaid taxes. The Clerk, within five days thereafter, shall, in like manner, notify the City Assessor of the amount of such

1 taxes, and the description of the premises assessed and charged with such tax,
2 who shall assess such unpaid taxes on such premises, in the tax roll of the
3 proper ward next thereafter to be made.

4 Real property exempt from taxation by law shall nevertheless, with or without
5 valuation, be subject to taxation for special improvements, the same as other
6 property. Such tax or taxes shall then be levied, collected and returned, and the
7 premises may be sold or forfeited for nonpayment of the ordinary City taxes.

8 (f) *Interest-Bearing Notes for Street Paving Taxes.* Council may direct and
9 authorize the Mayor and the City Clerk to issue and negotiate for and on behalf
10 of the City, not exceeding five percent per annum, interest-bearing notes, with
11 interest at market rates and as shall be permitted by law, free of taxation, for the
12 aggregate amount of any paving taxes, the time for the payment of which has
13 been extended beyond the year of the date of the original warrant for their
14 collection. Such notes shall be made payable at the office of the City Treasurer
15 and fall due at such times as Council shall determine such taxes can be
16 collected, and the proceeds of such notes shall be deposited with the
17 Treasurer, and disbursed thereby on the order of Council, in payment of the
18 cost and expenses of any pavement on account of which such notes have been
19 issued, and for no other purpose whatsoever. The proceeds of such extended
20 taxes, when collected, shall be used for the payment of such notes and for no
21 other purpose whatsoever.

22 (g) *Invalid Assessments; Reassessments.* Whenever any special assessment to
23 defray the expense of any improvement is invalid, in the opinion of Council,

1 Council may vacate and set the same aside. When any such special
2 assessment is so vacated, or is held invalid by the judgment or decree of any
3 court of competent jurisdiction, Council may, from time to time until a valid
4 assessment is made, cause a new assessment to be made for the purpose for
5 which the original assessment was made and in the manner provided for
6 making the original assessment.

7 Whenever the tax or any part thereof assessed upon any lot or parcel of real
8 estate by the original assessment set aside or held invalid as aforesaid has
9 been paid, and is not refunded, the City Treasurer shall apply such payment
10 upon the reassessment on the lot or parcel of real estate and make a notation
11 thereof upon the new assessment roll. Such reassessment shall, to the extent
12 of such payment, be deemed paid and satisfied, after which no part of the
13 amount paid on the original assessment shall be refunded, unless the amount
14 paid as aforesaid exceeds the amount of the reassessment, in which case the
15 excess shall be refunded, and the person or his or her legal representative who
16 paid such amount shall be entitled to the amount to be refunded.

17 All the provisions of this chapter making special assessments a lien upon the
18 lots and parcels of real estate enforced therein, and also those relating to the
19 collection of special assessments, shall apply to such reassessments.

20 This section shall apply to assessments made before, as well as after, the
21 effective date of this section.

22 (h) *New Warrants of Collection.* Whenever any special assessment has not been
23 collected within the life of the Mayor's warrant affixed to the assessment roll,

1 and is not vacated or held invalid, the Mayor may affix a new warrant to such
2 assessment roll, extending the time for the collection of the assessment so long
3 as Council directs. The Mayor may continue to affix new warrants to any
4 assessment roll, from time to time, under the direction of Council, until the
5 assessment is collected or returned.

6 Whenever any special assessment roll is hereafter ratified and confirmed, the
7 time of payment of such special assessment is not extended over a term of
8 years, and such special assessment is not collected within the life of the
9 Mayor's first warrant affixed to such special assessment roll and is not vacated
10 or held invalid, there shall be added to, paid and collected with such tax or
11 assessment on each particular parcel or description of land, or any undivided
12 share thereof, a penalty of four percent at the time of the expiration of the
13 Mayor's first warrant affixed to such roll, together with interest at one-half
14 percent per month, computed from the date of confirmation thereof, until paid or
15 required by law to be returned as delinquent to the County Treasurer.

16 (i) *Assessment of Nonresidents' or Unoccupied Lands.* The lands of nonresidents
17 and unoccupied lands of the City may be assessed their just proportion of the
18 expenses of all improvements in the City, in the same manner and in the same
19 amounts as assessments for improvements of other lands.

20 (j) *Assessment of State Land.* The Board of State Auditors shall allow the City
21 moneys in proportion to the assessment upon adjoining property for any
22 improvements made under this chapter upon any street upon which any block
23 or parts of a block of land belonging to the State abut. The Auditor General, on

1 the presentation to him or her of any such account duly allowed, shall draw his
2 or her warrant on the State Treasurer therefor.

3 (k) *Application of Section.* The provisions of this section are applicable to all public
4 improvements permitted by law, including, but not limited to, streets, sidewalks,
5 drains, sewers, malls and promenades.

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

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

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

14

CITY OF LANSING
NOTICE OF PUBLIC HEARING
ANNUAL CONSOLIDATED STRATEGY AND PLAN
SUBMISSION AND ACTION PLAN
PROPOSED BUDGET FOR
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND RESOURCES
FOR FISCAL YEAR 2017

The City Council of the City of Lansing will conduct a public hearing on Monday, April 10 2017 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI on the City's proposed 2017-2022 Five-Year Consolidated Plan and proposed Annual Consolidated Strategy and Plan Submission which includes the budget for the use of Community Development Block Grant, HOME Program and Emergency Solutions Grant Program funds for the Fiscal Year starting July 1, 2017 and ending June 30, 2018.

Copies of the proposed 2017-2022 Five-Year Consolidated Plan and proposed Annual Consolidated Strategy and Plan Submission and Annual Budget for the use of funds are available for review in the City Clerk's Office and in the Development Office of the Department of Planning and Neighborhood Development and will also be available for review at the public hearing.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., April 10, 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, Lansing City Clerk
www.lansingmi.gov/Clerk www.facebook.com/LansingClerkSwope

Bob Johnson, Director
Planning & Neighborhood Development



Virg Bernero, Mayor

Development Office
316 N. Capitol Avenue, Suite D-2
Lansing, Michigan 48933
PH: 517.483.4040 – FAX: 517.483.6036
www.lansingmi.gov/development

February 22, 2017

Honorable Mayor Virg Bernero
Ninth Floor City Hall
Lansing, MI 48933-1694

Dear Mayor Bernero:

**RE: Proposed Program Objectives and Projected Use of Federal Funds
Annual Action Plan FY 2017 (July 1, 2017- June 30, 2018)**

The Lansing Planning Board, at their meeting on February 7, 2017 voted unanimously (4-0) to recommend approval of the Statement of Proposed Program Objectives and Projected Use of Community Development Fund Resources for the Annual Action Plan FY 2017 (July 1, 2017- June 30, 2018). A copy of the statement is attached for your review, which identifies the activities to be undertaken by the City using Community Development Block Grant (CDBG), HOME Program and ESG (Emergency Solutions Grant) Program Funds commencing July 1, 2017.

In accordance with the Citizen Participation Plan, several public hearings are conducted. The first public hearing was held on December 6, 2016 before the Planning Board to receive public comments about housing and community development needs. The minutes of the public hearing are attached to this letter for your information. Two participants expressed the need for CDBG resources to assist low to moderate income persons including youth, senior citizens, veterans and the disabled population with housing and supportive services.

The second of three public hearings regarding the federal funding allocations was held on February 7, 2017. There was one participant speaking on the need for additional funding to assist low to moderate income senior citizens with their housing needs.

The last hearing will be held before the City Council on April 10, 2017. In addition to the hearings, a public notice in the Lansing State Journal will be the final opportunity for public comments on the *draft* Annual Action Plan which will be solicited for a thirty (30) day period from March 14- April 12, 2016.

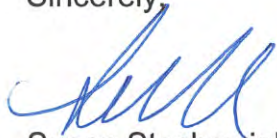
The Annual Action Plan, which is the City's planning document and application for these programs, must be submitted to the Department of Housing and Urban Development by May 14, 2017.

The proposed use of funds is based on goals and objectives established for each of the three (3) programs, and reflects needs identified and commitments made relative to housing, homeless services, economic development, weatherization, public improvements and other community development activities. The allocation for public services is limited to 15% of the estimated Community Development Block Grant. The allocations for administration, planning and urban design and project operations are staff and operating costs related to delivery of not only the CDBG, HOME and Emergency Solutions Grant Programs, but other State and Federal Programs as well. The federal resources for this year include Community Development Block Grant, NSP3 transfer of program income into CDBG, HOME grant (plus program income estimate), and Emergency Solutions Grant in the total amount of \$3,048,094, which will be budgeted as proposed in the attached Summary of Funding Allocation for the next fiscal year

The Planning Board recommends that the Mayor and City Council adopt the Proposed Program Objectives, Goals and Projected Use of Community Development Fund Resources as part of the budget for Fiscal Year 2017-2018 for the City of Lansing. The recommendation was made by unanimous vote at the February 7, 2016 Planning Board meeting with the understanding that pro-rata adjustments will be made to the budget amount proposed for each activity once the actual grant amounts from HUD have been awarded. Attached for your information are copies of the minutes of the public hearings on December 6, 2016 and February 7, 2017.

Please forward this information to the members of the City Council.

Sincerely,



Susan Stachowiak, Secretary
Lansing Planning Board



**Regular Meeting
LANSING PLANNING BOARD
December 6, 2016
6:30 p.m., Conference Room
Neighborhood Empowerment Center
600 W. Maple Street**

MINUTES

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:35 p.m.

- a. Present: Josh Hovey, Beth Graham, Lynne Martinez & Marta Cerna
- b. Absent: John Ruge, Alisande Henry, Tony Cox
- c. Staff: Bill Rieske, Susan Stachowiak & Doris Witherspoon

Ms. Graham made a motion, seconded by Ms. Martinez to grant excused absences for Ms. Henry and Mr. Cox. On a voice vote (4-0), the motion carried.

2. APPROVAL OF AGENDA

Ms. Martinez asked that the Board take up item 2 before item 1 under Old Business.

Mr. Hovey approved the agenda by unanimous consent with the change requested by Ms. Martinez.

3. COMMUNICATIONS - None

4. HEARINGS

- a. **Fiscal Year 2017-2018 Annual Action Plan –Housing & Community Needs Public Hearing**

Ms. Witherspoon said that the purpose of the hearing is to allow citizens an opportunity to provide input and indicate needs, views and proposals for:

- 1. Housing and non-housing community development needs within the City of Lansing relevant to preparation of the City's FY 2017 - 2018 Annual Action to the Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG), HOME Investment Partnership Program formula programs and ESG (Emergency Solutions Grant)
- 2. The use of CDBG, HOME and ESG Program funds for fiscal year commencing July 1, 2017.

Ms. Witherspoon said that this is an opportunity for concerned citizens and neighborhood organizations to participate in the planning process and influence future programming and use of Federal program funds in Lansing. She said that the City of Lansing federal funds have historically been used for such activities as: housing rehabilitation, weatherization, public services, economic development, public improvements, new construction, down payment assistance and programs/services to

assist the homeless. Ms. Witherspoon said that this is the action plan for the second year of the five year plan. She stated that the City does not know how much it will be receiving but it is anticipated that there will be a slight decrease in CDBG funds and a slight increase in Home funds.

Mr. Hovey opened the public hearing.

Julie Powers, Executive Director, Greater Lansing Housing Coalition, stated that the CDBG funds that they receive are used to leverage other funding sources. She said that some of the money is used for the "Tuesday Tool Men" program which is a group of about 25 volunteers that do a lot of very important work in the community. This is the largest tool man group in the country and they have built 30 handicap ramps in the City as well as several other projects to benefit persons of low to moderate income. She said that the Tool Men are able to build a ramp for about \$1,500 whereas, it would cost about \$6,000 if it were being done by a contractor. Building handicap ramps allows seniors to age-in-place which is something that GLHC strongly supports. Ms. Powers said that the funds also go to support the GLHC's Homeowner Education Resource Organization which provides free courses covering a variety of topics to help homeowners repair, maintain and improve their homes. She said that GLHC receives less than \$100,000 of CDBG funds from the City on annual basis but it goes a long way.

Angela Pruitt, 809 Center Street, Board Chairwoman of Closing the Digital Gap (CTDG), said that this is the first time in several years that CTDG is not included in the proposed funding plan. She said that CTDG still needs the funds to continue their program and hopes that removing them from the plan was just an oversight. Ms. Pruitt stated that they provide computer training to seniors, youth, veterans, disabled individuals, etc. and are partnering with the YMCA and others in this endeavor.

Seeing no one else wishing to speak, Mr. Hovey closed the public hearing.

5. COMMENTS FROM THE AUDIENCE – None

Kathy Miles, 1128 Woodbine Avenue, Representing Rejuvenating South Lansing, asked if the Board considered her concerns about form-based codes and read them into the record. She said that what Ms. Stachowiak said at the last meeting about cats being kept indoors is not true. Ms. Miles stated that there are a lot of feral cats in her neighborhood and they do cause problems. She asked why the medical marijuana facility at 3001 S. Washington Avenue is still open while the rezoning is pending as it is not legal under the current zoning.

Elaine Womboldt, 4815 Tressa Drive, Representing Rejuvenating South Lansing, stated that the draft of the medical marijuana ordinance that the Board will be changing and therefore, it should not be considered at this time. She said that Mr. Smiertka did not know how the Planning Board received a copy of the letter that he wrote to the President of the City Council and the Mayor on October 4, 2016 requesting 60 days to revisit the proposed ordinance. Ms. Womboldt asked that the ordinance be sent back to the Public Safety Committee.

Jeff Donahue, 617 E. Hazel Street, stated that his facility conducts testing on medical marijuana and he is concerned about the separation distance requirements in the proposed ordinance and how it will affect his ability to continue operating at 617 Hazel Street. He questioned why pharmacies and liquor stores are not bound by these same separation requirements. Mr. Donahue said that grow, testing, and processing facilities should be concentrated in industrial districts. He said that he has invested a lot of money into his facility and the location seems very appropriate for the use.

6. RECESS – None.

7. BUSINESS

A. Consent Items

- 1. Minutes for approval: November 1, 2016 – Approved as written**
- 2. 2017 Planning Board Meeting Schedule: Approved as written**

B. New Business

1. Act-11-2016– 637 E. Michigan Ave. (Clara's restaurant), Vacate Easements

Mr. Rieske said that this is a request by 637 E. Michigan Avenue, LLC for the City to vacate utility easements remaining in the vacated N. East Street right-of-way at the site of the former Clara's restaurant. The street was vacated in 1990 with a reservation of utility easements that are no longer necessary. Mr. Rieske said that neither the railroad nor any of the utilities that responded to his notification of this request expressed any need for reserving this easement. To that end, staff is recommending approval of the request.

Ms. Martinez made a motion, seconded by Ms. Graham to recommend approval of Act-11-2016 to vacate the easements reserved in the 1978 and 1990 resolutions located within the N. East Street ROW and now attached to the former Clara's property at 637 E. Michigan Avenue. On a voice vote (4-0), the motion carried.

C. Old Business

1. Zoning Ordinance Amendment - Medical Marijuana Facilities

Ms. Stachowiak stated that the proposed ordinance that is included in the Board packet is the same as the one that was reviewed by the Board at its October meeting. She said that the Board members expressed the following concerns at the October meeting relative to the proposed ordinance:

- Requiring separation distances between grow/testing/processing facilities when it would seem appropriate to have such facilities concentrated in industrial area.
- Excessive separation distance requirements between medical marijuana dispensaries and churches, playgrounds, schools, parks, etc., thus significantly limiting the locations where MM facilities could be located.

- Placing requirements on a medical marijuana business with respect to security, financial assurances, hours of operation, licensing, etc., not required of drug stores or businesses that sell alcohol.

She said the Board also felt that it may be premature to enact an ordinance until such time and the State has had a chance to promulgate the rules pertaining to medical marijuana.

Ms. Martinez said that the State Commission that will be charged with promulgating the rules has not even been appointed yet. She also said that it is her understanding that the City has to have an ordinance in place to allow medical marijuana facilities before the State will issue licenses for such facilities within the City.

Mark Dotson, Deputy City Attorney, said that the Commission will likely not be appointed until December of 2017. He said that the only reference in the ordinance to zoning is a requirement that grow facilities must be located in industrial districts. Other than that, there is no reference to zoning in the State regulations. Mr. Dotson said that it is completely up to the City to determine how or if it wants to regulate and license these types of facilities.

Ms. Stachowiak said that the purpose of having the ordinance on the agenda for this meeting is to provide the City Attorney's Office with a complete list of concerns that the Board has with regard to the proposed ordinance. Ms. Stachowiak said that the Mayor's Office authorized the distribution of Mr. Smierkas' October 4th letter to the Planning Board

Mr. Hovey asked what the problem is with regard to medical marijuana that the ordinance is trying to solve. He said that it is a legal, medicinal product and it is being very regulated and restricted, especially in comparison to how other controlled substances are regulated.

Ms. Martinez said that it appears that medical marijuana is being regulated far more restrictively than other schedule 1 narcotics. She said that what the Board is hearing is that there are a lot of people that need this medicine and want to be able to have access to it.

Mr. Hovey said that the ordinance appears to be designed to exclude rather than regulate medical marijuana facilities. He said that if the issue is that they look "seedy" than maybe we could require building façade improvements as part of the licensing process.

Ms. Stachowiak said that we do not require façade improvements for any other uses.

Mr. Dotson said that is a policy matter and if the City wanted to make façade improvements a requirement, it does not seem like that would be a problem.

Ms. Stachowiak said that she will see if the 3 members that are not here have any other comments relative to the proposed ordinance before she sends these comments to the City Attorney's Office.

2. Form-Based Code

Ms. Stachowiak stated that she made the following changes to the "General Provisions" chapter of the proposed Code that were discussed at the last meeting:

1. Added a clause stating that any animal, including ferrets, are permitted as long as they are kept in a cage, bowl or terrarium.
2. Included peacocks in the list of prohibited animals as requested by Ms. Henry.
3. Removed the language requiring that satellite dishes be black and made of mesh material.
4. Requiring that curbside trash containers may not be placed near the curb or in the public right-of-way before 5:00 p.m. the day before they are to be collected and must be removed from the curb not later than 10:00 p.m. the day of collection as requested by Mr. Cox.

Ms. Stachowiak said that the ordinance still does not have a limit on the number of cats as there is simply no way to enforce it. She said that she also did not change the ordinance to allow for intermittent parking of buses or other commercial vehicles in residential neighborhoods. Ms. Stachowiak said that this is something that the City would only respond to if it became a problem and if it does, we need to have an ordinance in place to deal with the complaints.

Ms. Stachowiak said that at the last meeting she asked the Board to consider whether it wanted to prohibit chain-link fences in all front yards except for industrially zoned properties.

The Planning Board decided to delay making its decision on the front yard chain-link fence issue until the next meeting.

Ms. Martinez asked that the time frame for curb side containers be changed to 4:00 the day prior to pick-up.

Ms. Stachowiak said that she would make that change.

Ms. Stachowiak stated that the sections regulating parking and non-conformities are still a work in progress and are currently being reviewed by the consultants. She said that the primary changes to the parking section involve allowing porous pavement, subject to approval by the City engineers, and reducing the amount of parking that is required for most uses.

Ms. Stachowiak said that these sections of the ordinance will be on the next Planning Board agenda for more discussion.

8. **REPORT FROM PLANNING MANAGER** – None
9. **COMMENTS FROM THE CHAIRPERSON** – None
10. **COMMENTS FROM BOARD MEMBERS**
11. **ADJOURNMENT** – Ms. Martinez adjourned the meeting at 7:50 p.m.



**Regular Meeting
LANSING PLANNING BOARD
February 7, 2017
6:30 p.m., Conference Room
Neighborhood Empowerment Center
600 W. Maple Street**

MINUTES

1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:42 p.m.

- a. Present: John Ruge, Josh Hovey, Lynne Martinez, Alisande Henry and Councilmember Judi Brown-Clarke
- b. Absent: Tony Cox, Beth Graham & Marta Cerna
- c. Staff: Susan Stachowiak, Doris Witherspoon & Don Kulhanek

Ms. Martinez made a motion, seconded by Ms. Henry to grant excused absences for Ms. Graham and Mr. Cox. On a voice vote (4-0), the motion carried.

2. APPROVAL OF AGENDA - Mr. Ruge approved the agenda by unanimous consent with the removal of the public hearing on the Form-Based Code.

3. COMMUNICATIONS - None

4. HEARINGS

a. CDBG Resources - FY 2017 (7/1/17-6/30/18) Proposed Funding Allocations

Ms. Witherspoon said that the intent of this public hearing is to provide citizens the opportunity to examine and comment on proposed objectives, goals and projected use of community development fund resources, including the Community Development Block Grant, HOME and Emergency Solutions grant programs, to be included in the City's Annual Action Plan submission for Fiscal Year 2017 (7/1/2017 – 6/30/2018). Ms. Witherspoon said that entitlement grant awards for FY 2017 have not been announced by HUD as of the date of this publication. Amounts proposed herein for FY 2017 CDBG, HOME and ESG activities are based on prior entitlement awards (approximately 2.6 million dollars). If the grant amounts HUD actually awards to the City of Lansing for CDBG, HOME and ESG are different from the amounts shown above, pro-rata adjustments will be made to the budget amounts proposed for each activity.

Ms. Witherspoon said that the primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods. She asked that anyone wishing to speak, state their name and address for the record and the organization, if any, that they are representing.

Tammy Lemmer, Tri-County Office on Aging, 5303 S. Cedar Street, stated that she supports the goals and objectives as written. She expressed concerns about the small amount of funds being designated for homeless assistance and prevention. Ms. Lemmer said that there are a lot of people having to reside in nursing homes because they have nowhere else to go. She said that they are not considered homeless unless designated as such within 90 days prior to entering the nursing home. Ms. Lemmer said that there needs to be additional funding to provide housing for low-moderate income individuals.

Seeing no one else wishing to speak, Mr. Ruge closed the public hearing.

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

Ms. Stachowiak said that 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. She said that staff is recommending approval of the request. Ms. Stachowiak said that the adjacent property to the east is already zoned “F” Commercial and therefore, the proposed rezoning will not result in a “spot zone”. She stated that 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. In addition, Ms. Stachowiak said that 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 Plan.

Mr. Ruge opened the public hearing. Seeing no one wishing to speak, Mr. Ruge closed the public hearing.

Mr. Ruge asked if the rezoning would trigger any landscape requirements. He said that there are residential land uses to the west and south of the subject property. He also asked about storm-water requirements if additional impervious surface is added to the site.

Ms. Stachowiak said that the rezoning, by itself, will not trigger any additional landscaping. She said that if the applicant does anything to the property that requires administrative site plan review, the site must be completely brought into compliance with all landscape, screening, buffering and storm water requirements. Ms. Stachowiak started that since there is no room for landscaping along the west property line, a screen fence would be required.

5. COMMENTS FROM THE AUDIENCE

Yvonne LeFave, 537 Beech Street, stated that she owns Go Green Trikes and she is beginning to outgrow her existing space. She said that there is a small parcel of land on East Street that is available and would be ideal for her operations, except that it is zoned residential. Ms. LeFave said that she would like to get this property rezoned so that she could build a garage on it for her business.

Ms. Martinez said that Ms. LeFave is a friend of hers but she does have some concerns about putting a business in the middle of a residential block.

Mr. Ruge asked Ms. Stachowiak to check this out, speak with Ms. LeFave, and report back to the Board.

Brand Johnson, 2875 N Glenn, stated that the State of Michigan allows for 5 different medical marijuana enterprises (dispensaries, cultivation, processing, testing and transport). He asked that the distance requirements that are intended to prevent concentrations of dispensaries not be imposed on the other 4 enterprises.

6. **RECESS** – None.

7. **BUSINESS**

A. Consent Items

1. **Minutes for approval: January 3, 2017** – Approved with the following correction to item 11 on page 6:

Change “Ms. Martinez” to “Mr. Ruge”

2. **Z-1-2017, 4215 N. Grand River Avenue, Rezoning from “D-1” Professional Office to “F” Commercial District** - Approved as requested
3. **CDBG Resources - FY 2017 (7/1/17-6/30/18) Proposed Funding Allocations** – Approved as recommended with the understanding that pro-rata adjustments will be made to the budget amount proposed for each activity once the actual grant amounts from HUD have been awarded.

B. Old Business

1. **Medical Marijuana Ordinance**

City Attorney, Jim Smiertka, stated that the City Council’s Committee on Public Safety has been working on an ordinance to regulate medical marijuana facilities for a few years now. They have listened to many hours of public comment, held many meetings and came up with the current draft 6.a. Once approved, this ordinance would replace Chapter 20 in the Zoning Ordinance that currently regulates medical marijuana facilities in the City. Mr. Smiertka said that at the beginning of October, he issued a letter requesting an additional 60 days to ensure that the ordinance would be consistent with the State law. In the meantime, Ms. Stachowiak provided him with a list of the Planning Board’s concerns about the ordinance and the 3 pages contained in the Board’s packet are intended to address those concerns. Mr. Smiertka said that they have looked at how other cities are handling medical marijuana and have come up with a new draft. The Planning Board is being provided with that section of the new draft that deals with the zoning aspects as that is the aspect of the ordinance that the Planning Board is charged with reviewing. The Planning Board’s recommendation will be forwarded to the Public Safety Committee and

eventually, the Council will hold a public hearing before taking action on the final draft

Mr. Smiertka said that the State Act itself allow dispensing medical marijuana via caregiver operations. These are allowed in the City as a home occupation. He said that there are 5 types of medical marijuana establishments. These include dispensaries, cultivation, testing, processing and transport. Mr. Smiertka said that the State law has been in effect since December 20, 2016 but no licenses will be issued by the State until December of this year. This will give the Committee that has been appointed at the State level a chance to promulgate the rules governing the licensing of these facilities. Mr. Smiertka said that a license cannot be issued by the City without the State issuing a license. He stated excise taxes will come back to the City as well as other taxing entities from these facilities.

Mr. Smiertka said that several changes have been based on the Planning Boards' concerns about the exclusionary aspect of the ordinance. The new draft does not include an distance or separation requirements for any medical marijuana establishment, except dispensaries. The State law requires that grow facilities are limited to properties that are zoned industrial or agricultural. These types of facilities will be permitted in the City in the "H" & "I" Industrial and "G-2" Wholesale districts. Mr. Smiertka said that in addition, the distance requirements for dispensaries have been reduced from 1,000 to 500 feet for church, child care centers, schools, etc. and to 300 feet from City parks. These distance requirements will be measured in the same manner as liquor licenses rather than "as the crow flies" which reduces the separation areas.

Sam Quon, City of Lansing Information Technology Department, said that dispensaries are permitted in all commercial districts, except the "G-1" district. Mr. Quon presented 3 maps. The first map depicts the restricted areas under the original draft 6.a. The draft allowed for 619 parcels completely outside of the restricted areas and 346 parcels that were partially outside of the restricted areas. The second map shows the restricted areas under the new draft. This allows for 1,288 parcels completely outside and 645 parcels partially outside the restricted areas. The changes, thus, have significantly increased the number of parcels that would allow a dispensary. The third map shows the differences between the 2 maps.

Ms. Martinez asked Ms. Stachowiak to email the Board members the new maps that Mr. Quon just presented.

Ms. Henry asked if the different enterprises cannot co-locate on the same parcel of land.,

Mark Dotson, Deputy City Attorney, stated that they may be able to operate in the same facility as long as both enterprises comply with all aspects of the ordinance.

Ms. Brown-Clarke asked if a medical marijuana facility will become nonconforming if a church moves in after it is already established.

Mr. Smiertka said that if the facility is there first, the church has no effect on it.

Ms. Henry asked if there is a list of existing facilities.

Mr. Quon replied no.

Mr. Hovey thanked the City Attorney' Office for listening to the Planning Board's concerns and making the changes to address those concerns. He asked if the 3 pages that the Board is reviewing will just be a part of draft 6.a.

Mr. Smiertka said that there will be an entirely new draft that contains the 3 pages the Board is currently reviewing. He said that this is the only part of the ordinance that the Planning Board is being asked to review and make a recommendation on. Mr. Smiertka said that the remaining changes will involve enhancing the definitions and making sure that the ordinance is consistent with the State law.

Mr. Ruge asked about the purpose of buffering medical marijuana facilities from churches, school, parks, etc. when we have no such requirements for pharmacies and liquor establishments.

Mr. Smiertka said that it is a matter of public policy. He said that it is similar to the State of Michigan determining that it is good public policy to require that liquor establishments are located at least 500 feet from churches. Mr. Smiertka said that the Public Safety Committee has determined that it is good public policy to require a separate between medical marijuana facilities and certain uses, including churches. He said that there are drug free zones and other state and federal laws dealing with marijuana. Mr. Smierka stated that the City will make it clear to all licensees that by issuing a license, the City is only saying that the facilities complies with City ordinances. The license will include a statement that, by signing the license/application, the licensee acknowledges that the facility/activity may not comply with all federal and state laws and by issuing the license, the City is not sanctioning or protecting them from prosecution for a violation of state or federal law. It is the risk that the licensee will have to accept.

Ms. Martinez said that the ordinance addresses licensing but the licensing will be through the State.

Mr. Smiertka said that the State will license the operator, whereas, the City will license the premises.

Ms. Martinez said that the ordinance deals with security, sanitation, financial requirements, including cash in the bank, etc. She said that she would like to see the entire ordinance.

Ms. Stachowiak said that the only part of the ordinance that is within the Planning Board's purview is the zoning and that is why only that portion of the ordinance has been provided to the Board. She said that the Planning Board is being asked to act on this ordinance at this meeting so that the City can move forward with finalizing the ordinance.

Ms. Henry said that she is concerned about the "first come, first serve" method of issuing licenses with respect to the separation requirements from one facility to another

Mr. Dotson said that the separation requirement between facilities only applies to dispensaries.

Mr. Hovey said that if the product is medicinal, then why is it being regulated as though it were recreational. He said that what is being presented is much better than the previous draft of the ordinance.

Ms. Martinez said that if the entire ordinance is not going to be provided to the Board, she will abstain from voting.

Mr. Ruge said that a Board member can only abstain if there is a conflict of interest. He also said that the remainder of the ordinance deals with regulation on the operations of medical marijuana facilities rather than the land use aspect which is what the Planning Board is charged with reviewing.

Mr. Hovey made a motion, seconded by Ms. Henry to delete "...another medical marijuana provisioning center;..." from the first paragraph on page 26 and to delete the entire second paragraph on page 26. On a voice vote (4-0), the motion carried unanimously.

Mr. Ruge said that the City does not require a separation between pharmacies or liquor license establishments. He questioned why medical marijuana facilities have to be separated from each other.

Ms. Henry agreed with Mr. Ruge. She said that medical marijuana has been legalized in Michigan and the facilities that dispense it need to be considered legitimate, allowable uses. Ms. Henry said that there should be no shame in operating or patronizing these facilities. She stated that they should not be looked upon as a seedy type of business and we should not just assume that they are going to be a problem when there is no evidence that they are a problem.

Mr. Dotson suggested that some of the Planning Board members come to the Council committee meetings at which the ordinance is being discussed to express their concerns.

Ms. Martinez asked Ms. Stachowiak to forward the committee agendas.

Mr. Hovey said that there are hundreds of medical marijuana dispensaries in Denver Colorado and they are not even noticeable as being different from any other business.

Ms. Martinez asked that the Council consider a sign ordinance amendment to address signs associated with medical marijuana facilities. She said that some of the signs in the City give a negative impression of these businesses.

Ms. Brown-Clarke said that the signs referred to on page 25 relate only to processing and transporting facilities.

Mr. Hovey made a motion, seconded by Ms. Henry to recommend approval of pages 25, 26 and 27 of the proposed medical marijuana ordinance dated January 31, 2017 with the deletion of "...another medical marijuana provisioning center;..." from the first paragraph on page 26 and the deletion of the entire second paragraph on page 26. On a voice vote (4-0), the motion carried unanimously.

C. New Business

1. Design Lansing Plan – 5-year Review

Ms. Stachowiak said that the Design Lansing Comprehensive Plan, adopted in April, 2012, will soon reach the 5-year mark. She said that Section 45(2) of the Michigan Planning Enabling Act (P.A. 33 of 2008) states that: "At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission."

Ms. Stachowiak said that The Design Lansing Comprehensive Plan has functioned well, and implementation is now in process. She said that Mr. Rieske is recommending that the City begin the Comprehensive Plan update after the completion and enactment of the Form-Based Code and "Shaping the Avenue" provisions and a suitable "breaking in" period (e.g. six months). The update should address the City of Lansing's P.A. 425 areas in Alaiedon, Delta, DeWitt, and Meridian Townships, any recommendations to fine-tune the Form-Based Code, and other issues as identified during the course of the update.

Ms. Stachowiak said that it could take till the end of the year to finalize the Form-Based Code because we are going to have to go over it in detail with the City Council. She said that then we will need a chance to work with it for a while so that we know what is working and what needs to be adjusted. Ms. Stachowiak suggested extending the Plan for 2 years.

Ms. Martinez made a motion, seconded by Ms. Henry to extend the Design Lansing Comprehensive Plan and to begin the process of updating the Plan in January of 2019. On a voice vote (4-0), the motion carried unanimously.

8. REPORT FROM PLANNING MANAGER – None

9. COMMENTS FROM THE CHAIRPERSON

Mr. Ruge said that he attended a forum on placemaking summit in October and one thing that was very evident is that a community has to do it with something that it already has. He said that there was an article in the City Pulse about mid-century modern buildings, which the City has many of, and there is a large exhibit right now at the Michigan History Museum.

10. COMMENTS FROM BOARD MEMBERS

Mr. Hovey thanked Ms. Brown-Clarke for attending the Planning Board meetings. He said that in the entire time that he has been on the Board, she is the first Councilmember that has come to the meetings.

Ms. Brown-Clarke said that the Planning & Neighborhood Development Committee, which she is now the chair of, really takes into account the Planning Board recommendations. -8

Mr. Hovey asked Ms. Stachowiak to look into a possible violation at the Verlinden & N. Genesee intersection.

11. ADJOURNMENT – Mr. Ruge adjourned the meeting at 8:33 p.m.

**PROPOSED FUNDING ALLOCATIONS
PROGRAM ACTIVITIES AND USE OF FUNDS
ANNUAL ACTION PLAN 2017 (7/1/17 – 6/30/18)
CITY OF LANSING COMMUNITY DEVELOPMENT OBJECTIVES**

The primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods.

- a. Provide standard housing in a suitable living environment through rehabilitation, new construction and improvement of the housing stock primarily in CDBG eligible neighborhoods and in specifically designated housing target areas.
- b. Provide housing counseling and assistance that will benefit low and moderate-income households.
- c. Promote home ownership for low and moderate-income households and promote deconcentration of poverty.
- d. Maintain at current levels the number of public and assisted housing units available to low and moderate-income households.
- e. Provide homeless prevention assistance, emergency shelter, street outreach and supportive human services for people with special needs, people who are homeless and those at risk of becoming homeless.
- f. Provide assistance for permanent supportive housing and human services for low and moderate income households with a history of chronic homelessness, including those with special needs.
- g. Promote economic opportunity for low and moderate-income individuals by facilitating economic development, providing employment opportunity, sponsoring job training, supporting business development, micro-enterprise lending and business or financial educational programs and initiatives.
- h. Promote economic development to provide jobs, business services and shopping opportunities for residents located in CDBG eligible areas.
- i. Provide community and neighborhood services, recreational opportunities and public facilities and promote neighborhood social cohesion to improve the quality of life in CDBG eligible neighborhoods.
- j. Increase security and safety in neighborhoods by supporting public safety and crime prevention initiatives, public educational programs and citizens' awareness in CDBG eligible areas.
- k. Improve the city's transportation, public facilities and infrastructure systems in CDBG eligible areas.
- l. Protect and improve the city's physical environment, including preventing or eliminating blight, removing lead or other safety hazards, preserving historic

resources, mitigating flood hazards, promoting healthy housing and improving energy fitness in housing occupied by low and moderate-income households.

- m. Promote fair housing objectives.
- n. Provide affordable housing and economic development that benefits low and moderate income people in the context of mixed use development along transit corridors.

COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG Single-family, Owner-Occupied Rehab Program/Public Improvements

Includes loans and grants for rehabilitation of owner-occupied housing units through city sponsored programs, and in conjunction with affordable housing efforts sponsored by nonprofit housing corporations and other state and federal agencies. Includes funds to meet lead hazard reduction regulations in rehabilitated structures, funds to assist in emergency housing rehabilitation, market analysis activities and technical assistance to nonprofit housing corporations, contractors, and low- and moderate-income households. Includes loans and grants for owner-occupied single-family units through city sponsored programs, loans to rehabilitate historic homes in conjunction with rehabilitation of the unit, and loans or grants for ramps, hazard remediation or weatherization. Includes staff, office space, technical assistance, training and other direct project costs associated with delivery of Community Development Block Grant, HOME, Emergency Solutions Grant and other State and Federal Programs

General street, sidewalk, water/sewer improvements, including assistance to income eligible owner-occupants or those in CDBG-eligible areas for special assessments related to new improvements. Includes improvements to neighborhood parks, recreational facilities; public neighborhood, medical and community facilities in CDBG priority areas.

Proposed funding amount: \$1,373,715

CDBG Rental Rehab Program/Weatherization

Includes loans and grants for rehabilitation of rental housing units through city sponsored programs. Includes funds to meet healthy housing standards and/or lead hazard reduction regulations in rehabilitated structures.

Proposed funding amount: \$ 50,000

Acquisition

Includes acquisition, maintenance and security of properties acquired through programs, and activities related to acquisition, disposition, relocation and clearance of dilapidated structures. Funds may also be used to acquire properties in the flood plain. Includes staff time associated with this activity.

Proposed funding amount: \$1,000

Public Services (limited to 15%)

Includes services for low- and moderate-income individuals such as: homeownership counseling, education, neighborhood counseling, youth and senior programs, neighborhood clean-ups, community gardens, home repair classes. Services are for low- and moderate-income individuals and/or those in CDBG-eligible areas located within the Lansing city limits.

Proposed funding amount: \$ 258,510

Economic Development

Loans, technical assistance and training to low- and moderate-income owners of and persons developing micro-enterprises within or planning to locate within the Lansing city limits. Technical assistance to individuals and for-profit businesses including workshops, technology assistance, and façade improvement loans/grants. Creation of jobs to benefit low and moderate-income city of Lansing residents.

Technical assistance to individuals and for-profit businesses including workshops, technology assistance, façade improvement loans/grants, market analysis, business promotion, referrals for the attraction of new business and expansion of existing business within CDBG-eligible areas of Lansing.

Proposed funding amount: \$129,060

CDBG General Administration (limited to 20%)

Includes staff and other costs associated with preparation of required Consolidated Planning documents, environmental clearances, fair housing activities and citizen participation activities associated with the delivery of CDBG, HOME and other state and federal programs.

Includes planning and general administration costs associated with delivery of CDBG and other state and federal programs. Includes indirect administrative costs and building rent paid to the city.

Proposed funding amount: \$ 453,071

TOTAL CDBG AND NSP3 TRANSFER (\$1,852,395 + \$412,961=) \$2,265,356

HOME

Down Payment Assistance

Funds provided to homebuyers for down payment and closing costs for purchase of a single-family home located within the Lansing city limits. Up to \$15,000 will be available as a 0% interest second mortgage for homebuyers with income at or below 80% of median income. Assistance not limited to first-time homebuyers. May include staff time and/or homeownership counseling fees associated with this activity.

Proposed funding amount:\$ 101,616

New Construction/HOME Rehab/Development Program

Includes funds for loans and grants for housing construction and rehabilitation with non-profit and for-profit developers, including CHDOs.

HOME funds allocated for housing developed in partnership with the city, including Supportive Housing Program (SHP) and Acquisition, Development and Resale (ADR) activities. Projects may include new construction and rehabilitation activities with non-profit and for-profit developers, including CHDOs. Funds may be used for staff time associated with these activities

Proposed funding amount: \$ 336,812

CHDO Set-aside (15% minimum required)

Reserved for housing developed, sponsored or owned by CHDOs in partnership with the City.

Proposed funding amount: \$ 86,234

Community Housing Development Organization (CHDO) Operating (limited to 5%)

Funds reserved at option of the City to provide operating funds to CHDO's utilizing the City's HOME funds to produce affordable housing in the community.

Proposed funding amount: \$28,745

HOME General Administration (limited to 10%)

Includes staff and general administration costs to deliver the HOME program.

Proposed funding amount: \$ 61,490

TOTAL HOME \$ 614,897

EMERGENCY SOLUTIONS GRANT (ESG)

Street Outreach

Street Outreach activities.

Proposed funding amount: \$ 10,000

Homeless Prevention

Homeless Prevention activities.

Proposed funding amount: \$50,000

Administrative Activities (limited to 7.5%)

Funds provided to offset the cost of administering emergency solutions program.

Proposed funding amount: \$ 12,588

Shelter Operation

Funds provided to shelter providers to cover cost of maintenance, operations, insurance, utilities and furnishings in shelter facilities.

Proposed funding amount: \$ 95,253

TOTAL ESG: \$167,841

SUMMARY
Forty -Third Year Community Development Resources

Program	Annual Action Plan
CDBG Entitlement Grant:	\$1,852,395
CDBG NSP3 Transfer	\$412,961
HOME Program Funds	\$ 574,897
HOME Program Income (est.)	\$40,000
ESG Program Funds:	\$167,841
TOTAL	\$3,048,094

Administrative, management and operation costs for the above programs include the administration, management and operations of the eligible activities, **as well as other federal and state community development programs in which the city is now or may be participating.**

Entitlement Grant Awards for FY 2017 (July 1, 2017-June 30, 2018) have not been announced by HUD as of the date of this publication. Amounts proposed herein for FY 2017 CDBG, HOME and ESG activities are based on prior entitlement awards. If the grant amounts HUD actually awards to the City of Lansing for CDBG, HOME and ESG are different from the amounts shown above, pro-rata adjustments will be made to the budget amounts proposed for each activity.

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

WHEREAS, every April, the Office of Victims of Crime (OVC) helps lead communities throughout the country in their annual observances of National Crime Victims' Rights Week (NCVRW) by promoting victims' rights and remembering crime victims and those who advocate on their behalf. This year's NCVRW will be held April 2nd-8th. This year's theme -Strength. Resilience. Justice. Reflects a vision for the future in which all victims are strengthened by the response they receive, organizations are resilient in response to challenges, and communities are able to seek collective justice and healing.

WHEREAS, Americans are the victims of more than 20 million crimes each year, affecting individuals, families, and communities; and

WHEREAS, the importance to provide victims with knowledge of their rights and available services further strengthens their ability to recover by restoring a sense of self-empowerment; and

WHEREAS, victims who feel understood and supported are more likely to disclose their victimization, seek services and participate in the justice process. A multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professional, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations; and

WHEREAS, strengthening the multidisciplinary response—bring diverse skills, perspectives, and understandings together in the service of victims—also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution; and

WHEREAS, National Crime Victims' Rights Week honors and celebrates the achievements of the past thirty years in securing rights, protections, and services for victims. The bipartisan Victims of Crime Act (VOCA), passed by Congress in 1984, created a national fund to ease victims' suffering; and

WHEREAS, the Victims of Crime Act has supported efforts for victims of once-hidden crimes such as domestic and sexual violence. Outreach is increasingly focused on previously underserved victim populations, including victims of color, religious and ethnic minorities, LGBTQ victims, and immigrant populations to name a few. Efforts are being made to ensure that all victims, regardless of their background or the crime committed against them, receive the support they deserve.

NOW, THEREFORE, BE IT RESOLVED THAT, the Lansing City Council appreciates the unwavering commitment and tireless dedication to victims of crime throughout the Nation and especially in the Lansing community. If victims are to trust that the system

will work for them, we must meet them where they are—physically, culturally, and emotionally. By serving victims, building trust, and restoring hope, the field can more effectively help victims as they rebuild their lives. While crime victims have legally protected rights, many different groups face significant barriers not only in accessing the resources they need and deserve, but also in reaching out and we must help bridge that gap. We must engage the entire community, and maximize and leverage existing resources to better serve all victims of crime and provide the necessary support through their journey of today and tomorrow.

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

WHEREAS, Kelli A. Ellsworth Etchison, a resident of Lansing, received her Associate Degree from Lansing Community College and her Bachelor of Business Administration Degree from Northwood University. Kelli married Robin Etchison and they have three children and four grandchildren who are the love and joy of her life; and

WHEREAS, in her professional life, Kelli is a thirty year veteran of the credit union industry and an award winning marketer. Ms. Ellsworth Etchison is the Senior Vice President of marketing at LAFCU Credit Union, where she manages all marketing efforts, public relations, internship program and member education initiatives particularly focusing on youth financial education; and

WHEREAS, Kelli is active in her community where she volunteers as a board member for the YMCA of Metropolitan Lansing, works on the Lansing Community College Foundation Board of Directors, Greater Lansing Area Dr. Martin Luther King Jr. Holiday Commission, the Mayor's Drug Free Youth Committee, the Rotary Club, and staffing the LAFCU booth at community events; and

WHEREAS, Kelli A. Ellsworth Etchison has won numerous awards including the C. Colton Carr Exemplary Volunteer of the Year Service Award by the YMCA of Metropolitan Lansing and the Dora Maxwell Social Responsibility Award. The Michigan Credit Union League named her Credit Union Youth Advocate of the Year, and she is a recipient of the NAACP Community Service Award, the International Athena Award and the LAFCU Community Service Award.

BE IT RESOLVED that the Lansing City Council, hereby expresses its appreciation to Kelli A. Ellsworth Etchison for her contributions to Lansing communities through her hard work and dedication. Congratulations on being chosen as the recipient of the "Sojourner Truth" Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

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

WHEREAS, Judge Donald L. Allen, Jr., as a 1983 graduate of Wayne State University Law School, has spent most of his professional career as an Assistant Attorney General in the Michigan Department of Attorney General. Judge Allen Jr. served at the Department of Attorney General from February 1988 through September 2005. In September 2005 he was appointed Deputy Legal Counsel to Governor Jennifer Granholm. On June 5, 2006 Judge Allen was appointed by Governor Jennifer Granholm to serve as Director of the Office of Drug Control Policy. Judge Allen served in that position until his appointment to the 55th District Court Bench; and

WHEREAS, Judge Donald L. Allen Jr. was appointed Judge of the 55th District Court by Governor Jennifer Granholm on December 22, 2008. In 2010 Judge Allen Jr. was elected to the bench and re-elected in 2016, with a term that will expire December 31, 2022. Judge Allen was appointed Chief Judge of the court by the Michigan Supreme Court on January 1, 2016; and

WHEREAS, Judge Donald L. Allen Jr. has been recognized by the Lansing Black Lawyer's Association, Central Michigan Heritage Enterprise, Turning Point, Community Mental Health Authority, and Michigan Public Health. In addition Judge Allen Jr. has received numerous awards including Outstanding Barrister Award, Citizen of the Year Award, Kevin D. Bibbs Citizenship Award, Distinguished Service Award, and the Jean Chabut Health Policy Champion; and

WHEREAS, Judge Donald L. Allen Jr. has provided community service to many businesses and organizations. Judge Allen Jr. has worked with the Okemos Ingham County Families Against Narcotics to combat opiate epidemic through family support services. With the Mason Prescription Drug Task Force he worked to promote public awareness regarding the problem of prescription drug abuse. He a worked with the Mason Promise Scholarship where he worked to develop plans to provide scholarship opportunities for fifth graders in Mason Public Schools to attend college.

BE IT RESOLVED that the Lansing City Council hereby wishes to express its appreciation to the Honorable Judge Donald L. Allen Jr. for his many contributions to Lansing communities through his dedication and initiative. Congratulations on being chosen as the recipient of the "Frederick Douglass" Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

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

WHEREAS, Todd Jeffrey (“T.J.”) Duckett attended Michigan State University studying in communications and played college football during that time. Mr. Duckett was drafted by the Atlanta Falcons in the 2002 NFL Draft 18th overall , and then went on to play for the Washington Redskins, Detroit Lions, and Seattle Seahawks. Mr. Duckett is currently the CEO of Duckett Enterprises, Founder of New World Flood and Co-Founder of The Black Success Network.; and

WHEREAS, Todd Duckett began Duckett Enterprises in 2011 with the mission to build businesses that would have a true and positive impact on the community, focusing on “giving back”. In addition to establishing The Black Success Network in 2011 and New World Flood in 2012, Mr. Duckett went on to establish other organizations such as The Printing King and District Eleven Collection; and

WHEREAS, Todd Duckett is known as a dynamic speaker when he presents to thousands of kids and adults annually through the New World Flood organization. New World Flood sponsors events that provide food and resources to families in Lansing, Kalamazoo, and Flint. The organization also sponsors fundraising events to support domestic and global community efforts, breast cancer research, the Battle Field Brawl, The Jacquelyn Barham Challenge, and the Make A Difference Foundation-Tanzania; and

WHEREAS, Todd Jeffrey (T.J.) Duckett is a dedicated father, entrepreneur, philanthropist, and motivational speaker. Todd is building a living legacy that will continue to provide opportunities for education and volunteerism for children and adults.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby wishes to express its appreciation to Todd Jeffrey Duckett for his many contributions to Lansing communities. Congratulations on being chosen as the recipient of the “Community Service” Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

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

WHEREAS, A.Gregory Eaton is a lifelong resident of Lansing and attributes all aspects of his success to his parents, Abbey and Lela Eaton. Gregory is known for his integrity and sincerity, and has an amazing way of working with people and earning their trust; and

WHEREAS, for over fifty (50) years A. Gregory Eaton has successfully represented various interests before the Michigan Legislature. Mr. Eaton was the State's first black lobbyist, the first black owner and partner of a lobbying firm and was instrumental in creating the influential Black Legislative Caucus; and

WHEREAS, A. Gregory Eaton felt Lansing's black community longed for a place to gather and call their own, so he opened The Mustang Bar, founded Gregory's Restaurant and Bar in 1972 and most recently Gregory's Ice and Smoke. Adding to his many roles in the community, Gregory is Co-Founder and President of Metro Cars, Inc and Metro Cab of Grand Rapids, along with being counsel to Karoub Associates; and

WHEREAS, A. Gregory Eaton is a lifetime member of the NAACP, Michigan Black Caucus, M.S.U. President's Club, Country Club of Lansing, Masons, Shriners, Ele's Place, Lansing Black Lawyers Association, United Negro College Fund, M.S.U.B. A. Commemorates, and Special Olympics just to name a few.

BE IT RESOLVED that the Lansing City Council, hereby, wishes to express its appreciation to A. Gregory Eaton for his many contributions to the Lansing community through his persistent strive for the greater good. Congratulations on being chosen as the recipient of the "Business Excellence" Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

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

WHEREAS, Davona LaToya Ford, currently a DeWitt High School Junior is a member of the DeWitt High School track team, where she is a five (5)-time 1st place winner in the 100 yard dash. When not in class, Davona excels in ballet, modern jazz, jazz, hip hop, contemporary, and liturgical dance in which she has won four (4) 1st place trophy's in solo dance; and

WHEREAS, Davona LaToya Ford is an active member of Friendship House of Prayer Baptist Church, where she participates in the Youth Praise Team, Usher Board, Liturgical Praise/Worship Dance, Crisis Counselor for Teens, and Youth Christian Leadership Certification; and

WHEREAS, Davona LaToya Ford is active within the community through her service in the ministry, breast cancer awareness walks, and tutoring in math. Davona has taken on the role of Vice President of the Youth National Association of Negro Business and Professional Women's Club of Greater Lansing. Her capacity in the Vice President role allows her to lead the efforts in building her community through leadership, entrepreneurship, technology and service; and

WHEREAS, Davona LaToya Ford shows tremendous character and strength by balancing ministry service, academics, sports, community service, family commitments, teen life, building friendships, and a job at Michigan State University.

BE IT RESOLVED that the Lansing City Council, hereby wishes to express its appreciation to Davona LaToya Ford for many contributions to Lansing communities through her inspirational efforts. Congratulations on being the chosen as the recipient of the "Youth on the Move" Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

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

WHEREAS, Harmonie Smith is a Holt High School senior where she has set and maintained her goal to graduate with her fellow classmates of 2017 holding a 3.0 GPA. Harmonie Smith is active in her school activities serving as a Peer Assistance Leaders, involved in the Links Program and the Rotary Club. Harmonie Smith received her varsity letter for Track and Field during her sophomore year of high school, and upon graduating from Holt High School Harmonie hopes to attend a historically black college or university to study biology; and

WHEREAS, Harmonie Smith is a member of Agape Christian Church which she has attended most of her life. At the Agape Christian Church Harmonie is part of the Praise and Worship Team, along with the Usher Board. While in 7th grade at Holt Schools, Harmonie committed to Les Meres et Debutantes and will debut in 2017; and

WHEREAS, Harmonie Smith has participated in numerous volunteer activities including Mayor's Holiday Christmas Party, Annual Crop Walk, Martin Luther King Luncheon hostess, Big Brother's Big Sister's Holiday Party hostess, MSU football concessions, and Flint Water Crisis responder. She has also volunteered with the March of Dimes, Peace and Prosperity Youth Action Movement, Girls on the Move, and the Greater Lansing Area Youth Club.

BE IT RESOLVED that the Lansing City Council, hereby, wishes to express its appreciation to Harmonie Smith for many contributions to Lansing communities through her inspirational efforts. Congratulations on being chosen as the recipient of the "Youth on the Move" Award from the Greater Lansing Area Club of the National Association of Business and Professional Women's Clubs, Inc. We wish you continued success!

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #67
2200 BLOCK REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #67 2200 Block Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on March 27, 2017 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on March 27, 2017 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$7,000,000,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on January 13, 2017, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in

Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #67 2200 Block Redevelopment Project'.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #20a-rev1
LORANN OILS, INC. REDEVELOPMENT PROJECT – AMENDMENT #1

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #20a-rev1 – LorAnn Oils, Inc. Redevelopment Project – Amendment #1 (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on March 27, 2017 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on the March 27, 2017, reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$1,542,200,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on February 3, 2017, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in

Section 13 of the Act;

- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #20a-rev1 – LorAnn Oils, Inc. Redevelopment Project – Amendment #1'.

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

Resolution to Establish an Obsolete Property Rehabilitation Act District
At 629 West Hillsdale Street

WHEREAS, the owner of property located at 629 West Hillsdale 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, DED Development, LLC, 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 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County,
Michigan -- Parcel Number: 33-01-01-16-360-002

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 March 27, 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 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County,
Michigan -- Parcel Number: 33-01-01-16-360-002, 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 [31166:2:20170320:144108]

Exemption Certificate for the Developer or any other applicant.

[31166:2:20170320:144108]

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
At 629 West Hillsdale Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), DED Development, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 629 West Hillsdale Street, Lansing, Michigan (Obsolete Property); and

WHEREAS, DED Development, LLC (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 April 10, 2017, after a public hearing was held on March 27, 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 March 27, 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, DED Development, LLC 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 7 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 DED Development, LLC 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 629 West Hillsdale Street legally described as LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan -- Parcel Number: 33-01-01-16-360-002.

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

Resolution to Establish an Obsolete Property Rehabilitation Act District
1101 and 1103 South Washington Street

WHEREAS, the owner of property located at 1101 and 1103 South Washington 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, Best Case SenaREO, LLC, 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:

W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan --
Parcel Number: 33-01-01-21-257-002

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 March 27, 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:

W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan --
Parcel Number: 33-01-01-21-257-002, 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.

[31034:4:20170315:104918]

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

Act-11-2016, 637 E. Michigan Ave. (former Clara's restaurant), PPN 33-01-01-16-277-403

Vacate N. East Street Easements

WHEREAS, Jason Kildea, of 637 E. Michigan, LLC, 330 Marshall St., Ste. 100, Lansing, MI, requests that the City vacate utility easements remaining in the vacated N. East Street right-of-way (ROW) at the site of the former Clara's restaurant; and

WHEREAS, on September 11, 1978 the Lansing City Council vacated the west 22.65 feet of the N. East Street ROW bordering the east side of the former Clara's property, reserving easements for utilities; and

WHEREAS, on October 8, 1990, the east 18.6 feet of the N. East Street ROW adjacent to Clara's were vacated, along with and the entire 41.25 foot width north to Shiawassee Street (approx. 1200 feet), reserving easements; and

WHEREAS, according to the applicants, they have reviewed the title insurance information with the Office of the City Attorney and Transportation Engineer Andy Kilpatrick, and they agree the easements are no longer needed nor will they be needed in the future; and

WHEREAS, at its meeting on December 6, 2016, the Planning Board reviewed the location, character, and extent of the proposal in accordance with is Act 33 Review procedures, and found that the reservation of easements is unnecessary; and

WHEREAS, on December 6, 2016, the Planning Board voted unanimously (4-0), to recommend the vacation of the easements reserved in the 1978 and 1990 resolutions located within the N. East Street ROW and now attached to the former Clara's property at 637 E. Michigan Avenue; and

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

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-11-2016, and vacates the easements reserved in 1978 and 1990 over and under the property described as:

A parcel of land in the Northeast $\frac{1}{4}$ of Section 16, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, being described as:

Commencing at the East $\frac{1}{4}$ of said Section 16; thence North 00 degrees 02 minutes 00 seconds East along the East line of said Section 16, a distance of

107.75 to the Point of Beginning of this description; thence North 89 degrees 55 minutes 05 seconds West a distance of 18.95 feet; thence North 00 degrees 32 minutes 08 seconds East 542.59 feet; thence South 89 degrees 58 minutes 00 seconds East perpendicular to the East line of said Section 16, a distance of 14.20 feet to a point on the East line of said Section 16; thence South 00 degrees 02 minutes 00 seconds West along the East line of said Section 16, a distance of 542.58 feet to the Point of Beginning.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this transaction, subject to prior approval as to content and form by the City Attorney.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rivendell Corporation sought to eliminate a special assessment of \$4,200.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 731 W. Genesee Street (Tax ID #33-01-01-17-232-201); and WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$4,200.00 was denied on March 29, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Rivendell Corporation in the amount of \$4,200.00 for trash and debris removal fees and all associated penalties and interest on the property tax bill for 731 W. Genesee Street (Tax ID #33-01-01-17-232-201).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mansour Ahmadpour sought to eliminate a special assessment of \$743.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 1034 Greenwood Avenue (Tax ID #33-01-01-08-226-111); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$743.00 was denied on March 29, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Mansour Ahmadpour in the amount of \$743.00 for trash and debris removal fees and all associated penalties and interest on the property tax bill for 1034 Greenwood Avenue (Tax ID #33-01-01-08-226-111).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

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

STREET DECERTIFICATION

WHEREAS, the Public Service Department updates the Public Street System in accordance with Public Act 51 of 1951, which requires that streets that are no longer public streets be decertified and removed from the Act 51 Street System; and

WHEREAS, the Public Service Department has identified street segments that were previously vacated in accordance with City Council approval; and

WHEREAS, these vacated street segments are no longer public streets, so they must be decertified and removed from the Act 51 Street System; and

WHEREAS, the street segments to be decertified are:

Parker Street from Park View Street to the south dead end for a total decertification length of 111 feet;

Hapeman Street from Hyland Street to the south dead end for a total decertification length of 37 feet;

Creston Street from Thomas Street to the south dead end for a total decertification length of 148 feet;

East Howe Avenue from 7th Avenue to the east dead end for a total decertification length of 185 feet; and

Theodore Street from Jenison Avenue to the east dead end for a total decertification length of 116 feet.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the decertification of a total of 597 feet from the Act 51 Street System.

BE IT FURTHER RESOLVED that the Act 51 Street System be updated to reflect these changes.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



BY THE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Beth Graham of 5808 Annapolis Drive in Lansing, MI, 48911, as a Second Ward Member of the Board of Water & Light Board of Commissioners for a term to expire June 30, 2018.

WHEREAS, The nominee has been vetted and meets the qualifications as required by the City Charter;

WHEREAS, the _____ Committee met on _____ and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Beth Graham of 5808 Annapolis Drive in Lansing, MI, 48911, as a Second Ward Member of the Board of Water & Light Board of Commissioners for a term to expire June 30, 2018.



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

WHEREAS, the Mayor made the reappointment of Sandra Zerkle of 1216 Goodrich in Lansing, MI, 48910, as a Fourth Ward Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020; and

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

WHEREAS, the Committee of the Whole has reviewed the appointment and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Sandra Zerkle of 1216 Goodrich in Lansing, MI, 48910, as a Fourth Ward Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020.

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

WHEREAS, the Mayor made the reappointment of Tracy Thomas of 2727 Norwich in Lansing, MI, 48911, as an At-Large Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020.

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

WHEREAS, the Committee of the Whole has reviewed the appointment and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Tracy Thomas of 2727 Norwich in Lansing, MI, 48911, as an At-Large Member of the Board of Water & Light Board of Directors for a term to expire June 30, 2020.

XIII B 6 a
XIII B 6 b
XIII B 6 c
XIII B 6 d

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, Absent Voter Counting Board (AVCB) tabulators, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software; and

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State-appropriated funds; and

WHEREAS, the City of Lansing plans to begin implementation of the new voting system in 2017; and

WHEREAS, funds to cover the local portion of the costs have already been appropriated;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Clerk is authorized to sign this Grant Agreement on behalf of the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council approves acceptance of the grant of a new voting system, which includes precinct tabulators, Absent Voter Counting Board (AVCB) tabulators, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software from the Secretary of State, and that the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing will receive a contribution from the Lansing Board of Water & Light (BWL) for “LIFT-UP” (Local Interventions for Financial Empowerment Through Utility Payments); and

WHEREAS, the City of Lansing Office of Financial Empowerment submitted a proposal in November 2016 to offer financial counseling on-site at the Haco St location of BWL in exchange for a \$20,000 corporate contribution;

WHEREAS, the BWL Contribution supports providing financial counseling and recommendations for payment plans for Lansing Board of Water & Light customers who have at least \$300 in utility arrears; and tracking the payment performance of these customers as compared to a control group; and

WHEREAS, BWL has awarded \$20,000.00 to the City of Lansing’s Office of Financial Empowerment; and

WHEREAS, the award for \$20,000.00 does not require a local match;

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the BWL contribution in the amount of \$20,000.00 for the period beginning April 15, 2017 and ending April 14, 2018 for the City of Lansing.

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

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

INTRODUCTION OF ORDINANCE

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-9-2016: Parcel 33-01-01-05-476-062 - Rezoning from "DM-4" & "A" Residential, "CUP" Community Unit Plan, "F" Commercial & "J" Parking Districts to "F" Commercial, "G-2"Wholesale & "H" Light Industrial Districts

Parcel 33-01-01-05-476-071 - Rezoning from "E-1" Apartment Shop & "A" Residential Districts to "F" Commercial District

Parcel 33-01-01-05-476-122 - Rezoning from "DM-4" & "A" Residential District to "F" Commercial & "G-2"Wholesale District

with the condition that a 30 wide foot strip of land along the east property lines of parcels 33-01-01-05-476-062 & 33-01-01-05-476-122 will remain in a natural state (no structures, pavement or other improvements).

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

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, May 8, 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-9-2016: Parcel 33-01-01-05-476-062 - Rezoning from "DM-4" & "A" Residential, "CUP" Community Unit Plan, "F" Commercial & "J" Parking Districts to "F" Commercial, "G-2"Wholesale & "H" Light Industrial Districts

Parcel 33-01-01-05-476-071 - Rezoning from "E-1" Apartment Shop & "A" Residential Districts to "F" Commercial District

Parcel 33-01-01-05-476-122 - Rezoning from "DM-4" & "A" Residential District to "F" Commercial & "G-2"Wholesale District

with the condition that a 30 wide foot strip of land along the east property lines of parcels 33-01-01-05-476-062 & 33-01-01-05-476-122 will remain in a natural state (no structures, pavement or other improvements).

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-9-2016

Parcel Numbers: 33-01-01-05-476-062/-071/-122

Legal Descriptions: 33-01-01-05-476-062: Commencing on the East line of Lot 24, 322 Feet South of the South line of N. Grand River Ave, Thence South 62degrees, 20 minutes, West 126 Feet, Southwesterly on a 260 Feet radius curve to the left 127 Feet +/- to a point 120 Feet East of the West line of Lot 24, South 765 Feet +/- to a line 30 Feet Northeasterly & Parallel to the Southerly line of Lot 24, Southeasterly 240 Feet to the East line of Lot 24, S 30 Feet +/- to the bank of the Grand River, Southeasterly along the bank of the River to the East line of Lot 21, North 846 Feet, West 82.5 Feet, North 341 Feet, North 06 degrees, 30 minutes, East 11.7 Feet, North 61 degrees, 30 minutes, West 148.5 Feet, Southwesterly 150.95 Feet +/- to a point 30 Feet South of beginning, North 30 Feet to Beginning; Townsends Subdivision on Sections 4, 5, 8 & 9, from "DM-4" & "A" Residential, "CUP" Community Unit Plan, "F" Commercial & "J" Parking Districts to "F" Commercial, "G-2" Wholesale & "H" Light Industrial Districts

33-01-01-05-476-071: Commencing at the Northwest Corner of Lot 21, Thence South 179.5 Feet, Southerly Parallel with Grand River Avenue, 46.1 Feet, Northerly 143 Feet to the Southerly line of N. Grand River Ave, 157.5 Feet Southerly from beginning, Northwesterly to beginning; Townsends Subdivision on Sections 4, 5, 8 & 9, from "E-1" Apartment Shop & "A" Residential Districts to "F" Commercial District

33-01-01-05-476-122: Commencing at the Northeast Corner of Lot 21, Thence South 441 Feet, West 82.5 Feet, North 341 Feet, North 06 degrees, 30 minutes, East 11.7 Feet, North 61 degrees, 30

minutes, West 148.5 Feet, North 19 degrees, 45 minutes, East 58.45 Feet, North 38 degrees, 03 minutes, East 87.15 Feet to the South line of N. Grand River Ave, Southeasterly 176.02 Feet to beginning; Townsends Subdivision on Sections 4, 5, 8 & 9, “DM-4” & “A” Residential District to “F” Commercial & “G-2”Wholesale District;

With the restrictive condition that a 30 wide foot strip of land along the east property lines of parcels 33-01-01-05-476-062 & 33-01-01-05-476-122 will remain in a natural state (no structures, pavement or other improvements), which condition shall run with the land and be binding upon the successor owner of the land.

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.

INTRODUCTION OF ORDINANCE

Council Member Houghton introduced:

An Ordinance of the City of Lansing, Michigan to amend Chapter 1240, Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a “Garden”, “Garden Structure”, “Gardening” and to amend the definition of “Open Space”.

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

RESOLUTION SETTING PUBLIC HEARING BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for MAY 84, 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 Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a “Garden”, “Garden Structure”, “Gardening” and to amend the definition of “Open Space”

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND TITLE 6 OF THE PLANNING AND ZONING CODE, PART 12 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, CHAPTER 1240, SECTION 1240.03 FOR THE PURPOSE OF DEFINING A "GARDEN", "GARDEN STRUCTURE", "GARDENING" AND TO AMEND THE DEFINITIONS OF "BUILDING CODE" AND "OPEN SPACE".

THE CITY OF LANSING ORDAINS:

Section 1. That Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Michigan, be and are hereby amended as follows:

CHAPTER 1240. - GENERAL PROVISIONS AND DEFINITIONS

1240.03. - Definitions.

As used in this Zoning Code, unless otherwise provided:

Abutting. "Abutting" means having a lot line which, at not less than one point, touches another property line.

Accessory structure. "Accessory structure" means a structure which is used exclusively for an accessory use.

Accessory use. "Accessory use" means a use which meets all of the following criteria:

A. It is clearly incidental to the principal use.

B. It is customarily found in connection with the principal use.

C. It is subordinate to the principal use.

D. It is located on the same lot as the principal use, except as otherwise permitted in this Zoning Code.

Adjacent. "Adjacent" means the status of being contiguous to or abutting. In the case of two lots, "adjacent" means both of the following:

A. The first lot is directly across a public right-of-way from the second lot.

B. Such public right-of-way is less than 100 feet in width.

1 *Alley.* "Alley" means any dedicated public right-of-way affording a secondary means of access to
2 abutting property and not intended for general traffic circulation.

3 *Ambulatory health care facility.* See "Clinic."

4 *Animal hospital.* "Animal hospital" means a structure or lot where animals are given medical or
5 surgical care or treatment.

6 *Applicant.* "Applicant" means a person having a legal, equitable or leasehold interest in a lot, or a
7 representative of such person, who is making a request pursuant to this Zoning Code.

8 *Architectural features.* "Architectural features" means cornices, eaves, gutters, belt courses, sills,
9 lintels, bay windows, chimneys and decorative ornaments.

10 *Arterial, minor.* "Minor arterial" means a minor arterial as defined in the Comprehensive Plan, as
11 amended.

12 *Arterial, principal.* "Principal arterial" means a principal arterial as defined in the Comprehensive
13 Plan, as amended.

14 *Auditorium.* "Auditorium" means a structure intended to present any entertainment, including, but
15 not limited to, a play, musical entertainment or lecture.

16 *Auditorium, school.* "School auditorium" means an enclosure within a school intended to present any
17 entertainment, including, but not limited to, a play, theater, musical entertainment or lecture.

18 *Automobile service station.* See "Motor vehicle service station."

19 *Basement or cellar.* "Basement" or "cellar" means that portion of a structure between floor and
20 ceiling which is partly below and partly above grade. A basement is so located that the vertical distance
21 from grade to the floor below is less than the vertical distance from grade to ceiling. A cellar is that
22 portion of a structure between floor and ceiling which is wholly or partly below grade and so located that
23 the vertical distance from grade to the floor below is equal to or greater than the vertical distance from
24 grade to ceiling.

25 *Bedroom.* "Bedroom" means a room within a dwelling unit which meets the following criteria:

26 A. It is intended to be used, or is used, for sleeping purposes.

27 B. It contains a floor area of not less than 70 square feet.

28 C. It is not the only room in the dwelling unit (i.e. an efficiency dwelling unit).

1 Space and occupancy standards for a bedroom shall be as mandated by the Housing Code of the City,
2 being Chapter 1460 of these Codified Ordinances.

3 *Beneficial user.* "Beneficial user" means a person actually using a lot or structure with the
4 permission of the person having a legal, equitable or leasehold interest in the lot.

5 *Berm.* "Berm" means an earthen mound designed to separate one area from another.

6 *Block face.* "Block face" means the cumulative property on one side of a street exhibiting one of the
7 following characteristics:

8 A. The property lying between two intersecting streets or public rights-of-way;

9 B. The property lying between an intersecting street and railroad right-of-way, river or stream; or

10 C. The property lying between a public right-of-way, railroad right-of-way, river or stream and the
11 corporate boundaries of the City.

12 *Boarding or lodging house.* "Boarding or lodging house" means a structure, other than a hotel,
13 where, for compensation, and by prearrangement for definite periods, lodging or meals, or both, are
14 provided for at least three but not more than 20 persons.

15 *Buffer.* "Buffer" means a land area that separates one land use from another. Such area may be
16 landscaped and may also contain a berm, fence or other screening material.

17 *Building.* "Building" means an independent structure having a roof supported by columns or walls,
18 intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is
19 completely separated from every other part by division walls from the ground up, and without openings,
20 each portion of such structure shall be deemed a separate structure. This refers to both temporary and
21 permanent structures, and includes tents, sheds, garages, stables, greenhouses or other accessory
22 structures. A building does not include such structures with interior areas not normally accessible for
23 human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or
24 similar structures.

25 *Building Code.* "Building Code" means ~~Titles Two and Four of Part Fourteen the Building and~~
26 ~~Housing Code~~ THE STILLE-DEROSSETT-HALE- SINGLE STATE CONSTRUCTION CODE ACT,
27 ACT 230 OF 1972, KNOWN AS THE MICHIGAN BUILDING CODE, WITH AMENDMENTS,
28 ADOPTED BY REFERENCED AS PART of these Codified Ordinances.

29 *Building height.* "Building height" means the vertical distance from the grade at the front of a
30 structure to the highest point of the coping of a flat roof; the average height between the eaves and a ridge

or to the deckline of a mansard roof; or the average height between the plate and ridge of a gable, hip or gambrel roof.

Business. "Business" means an office, commercial or industrial use entered into for the purpose of financial gain, earning a livelihood or improving a person's economic conditions and desires.

Canopy. "Canopy" means an ornamental or roof-like structure which is fastened to a structure and used for protection.

Carport. "Carport" means an accessory structure used primarily to shelter private motor vehicles. A carport is attached to the principal structure and is completely open on not less than two sides.

CAS number . "CAS number" or "chemical abstract service number" means a unique number for every chemical established by a Columbus, Ohio organization which indexes information published in "chemical abstracts" by the American Chemical Society. It is used (among other purposes) in maintaining chemical inventories used by DEQ for regulatory purposes, by firefighters for firefighter right to know purposes and by public service departments responsible for discharges into stormwater or municipal sewer systems.

Child care facility. "Child care facility" means a facility receiving more than 12 preschool or school-aged children and providing care where parents or guardians are not immediately available to the children for:

A. Periods of less than 24 hours a day; or

B. Not less than two consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group or drop-in center. "Child care facility" does not include preschool or school-age children in classes at a church for a temporary period of time of not more than three hours per day for an indefinite number of days, or over three hours but not more than eight hours per day for a number of days not to exceed four weeks, during a calendar year or in a facility operated by a religious organization where they are cared for, for not more than three hours while persons responsible for them are attending religious services.

Church. "Church" means a structure used to conduct a religious service, including, but not limited to, the usual accessory structures and uses, such as convents, rectories, parsonages, monasteries, gymnasiums and church halls.

1 *Clinic.* "Clinic" means a structure where medical or dental care is furnished to persons on an out-
2 patient basis by more than three doctors or dentists.

3 *Common way.* "Common way" means a commonly shared or used pedestrian or vehicular way that
4 connects or serves two or more properties.

5 *Comparison retail store.* "Comparison retail store" means a retail store which is not a convenience
6 retail store.

7 *Comprehensive Plan.* "Comprehensive Plan" means a master plan described by Section 6 of Public
8 Act 285 of 1931, as amended, being M.C.L.A. 125.36.

9 *Conformed copy.* "Conformed copy" means an exact duplicate of an original.

10 *Construction.* "Construction" means the putting together of materials to build a new structure or to
11 restore, reconstruct, extend, enlarge or repair an existing structure. This definition does not apply to
12 Chapter 1288.

13 *Construction, start of.* "Start of construction" means the first placement of permanent construction of
14 a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work
15 beyond the stage of excavation. "Permanent construction" does not include land preparation, such as
16 clearing, grading and filling; the installation of streets and/or walkways; excavation for a basement, cellar,
17 footings, piers or foundations or for the erection of temporary forms; or the installation on the property of
18 accessory structures, such as garages or sheds, not occupied as dwelling units or part of the main
19 structure.

20 For a structure, other than a mobile home, without a basement, cellar or poured footings, "start of
21 construction" includes the first permanent framing or assembly of the structure or any part thereof on its
22 piling or foundation.

23 For premanufactured homes, "start of construction" means the affixing of the premanufactured home to
24 its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of
25 construction" is the date on which the construction of facilities for servicing the site on which the mobile
26 home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the
27 pouring of concrete pads and the installation of utilities is completed.

28 *Contiguous.* "Contiguous" means abutting.

29 *Convalescent care home.* "Convalescent care home" means a nursing care facility, other than a
30 hospital, that provides organized nursing care and medical treatment to seven or more unrelated

1 individuals suffering or recovering from illness, injury or infirmity. County medical facilities shall be
2 deemed convalescent care homes for the purpose of this Zoning Code.

3 *Convenience retail store.* "Convenience retail store" means an establishment which primarily serves
4 the surrounding neighborhood and includes, but is not limited to, the following:

5 A. Limited service food store;

6 B. Drug store;

7 C. Hardware store;

8 D. Barber and/or beauty shops;

9 E. Laundry or cleaners pickup;

10 F. Watch and shoe repair;

11 G. Jewelry store;

12 H. Florist;

13 I. Gift shop;

14 J. Book store;

15 K. Clothing store;

16 L. Photographer;

17 M. Tailor; and

18 N. Bakery whose products are sold only on the premises.

19 *Core area.* "Core area" means that portion of a structure with one or more rooms directly accessible
20 to one another, including a bathroom and complete kitchen facilities, which rooms are arranged, designed
21 or used as living quarters for one family. A core area shall be measured from the interior faces of the
22 exterior walls.

23 *Cumulative.* "Cumulative" means increasing or enlarging by successive addition through all points in
24 time.

25 *Damaged.* "Damaged" means an item that still functions as it was intended, but is missing parts or
26 has parts that have suffered some degree of destruction.

27 *Days.* "Days" means calendar days, unless otherwise stated.

1 *Density, gross.* "Gross density" means a figure which equals the total number of dwelling units on a
2 lot divided by the total number of acres included in the lot.

3 *Density, net.* "Net density" means a figure which equals the total number of dwelling units on a lot
4 divided by the total number of acres included in the lot, excluding any lot area owned by a governmental
5 entity, used as a private street or occupied by a nonresidential use.

6 *Deteriorated.* "Deteriorated" means an item which still functions as it was intended, but is missing
7 parts or requires substantial maintenance.

8 *Dimensional provision.* "Dimensional provision" means one or more of the following:

- 9 A. Lot area requirements;
- 10 B. Front yard requirements;
- 11 C. Side yard requirements;
- 12 D. Rear yard requirements;
- 13 E. Parking requirements; or
- 14 F. Height restrictions.

15 *District zoning.* "District zoning" means an area within which certain uses of land and structures are
16 permitted and certain others are prohibited, yards and other open spaces are required and lot areas,
17 structure height limits and other requirements are established, all of the foregoing being identical for the
18 zone in which they apply.

19 *Duplex.* See "Dwelling, two-family."

20 *Dwelling, multiple.* "Multiple dwelling" means a structure or portion of a structure which contains
21 three or more dwelling units.

22 *Dwelling, one-family.* "One-family dwelling" means a structure designed and/or used exclusively for
23 residential purposes for one family only and containing one dwelling unit.

24 *Dwelling, two-family.* "Two-family dwelling" means an attached or semidetached structure used for
25 residential occupancy by two families living independently of each other. Such dwelling is also known as
26 a "duplex dwelling."

27 *Dwelling unit.* "Dwelling unit" means a structure or a portion of a structure on a permanent
28 foundation with one or more rooms, including a bathroom and complete kitchen facilities, which rooms
29 are arranged, designed or used as living quarters for one family. "Dwelling unit" includes a structure

constructed on-site, a mobile home not located in a mobile home park, a premanufactured unit, a precut structure or a panelized structure, whether erected above and/or below ground, which complies with the following standards:

- A. It shall conform with the minimum residential lot dimensional requirements for the district in which it is located.
- B. On lots 40 feet or greater in width, it shall contain a core area of living space of at least 24 feet by 24 feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width in A, A-1, B and C Residential Districts, it shall contain a core area of living space of at least 20 feet by 20 feet in size and shall have a minimum internal height of seven and one-half feet.
- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Building Code of the City and has a wall of the same perimeter dimensions as the structure which is constructed of such materials and type as required in the Building Code. If the structure is a mobile home not located in a mobile home park, it shall be installed pursuant to the manufacturer's set-up instructions, shall be secured to the premises by an anchoring system or device complying with all State and Federal rules and regulations governing the same and shall have a perimeter wall as required in this paragraph which is aesthetically compatible in design and appearance with conventionally on-site constructed homes.
- D. If it is not a structure constructed on site, it shall be aesthetically compatible in design and appearance with conventionally on-site constructed homes. For purposes of compatibility, all structures shall:
 - 1. Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
 - 2. Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by a difference in elevation;
 - 3. Have siding firmly affixed to the exterior walls of the structure constructed of conventional materials such as wood, vinyl, aluminum or brick;
 - 4. Have a shingled roof constructed of conventional material, which roof is permanently attached to the structure and has a minimum 3:12 pitch and an overhang of at least one foot; and

1 5. Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the
2 outside of the structure.

3 This paragraph shall not be construed to prohibit innovative design concepts involving such
4 matters as solar energy, view, unique land contour or architectural design.

5 *Dwelling unit, efficiency.* "Efficiency dwelling unit" means a dwelling unit of not more than one
6 room in addition to a kitchen and bathroom.

7 *Educational facility.* "Educational facility" means a public or private institution or a separate school
8 or department of a school, and includes an academy, college, elementary or secondary school, extension
9 course, kindergarten, local school system, university or a business, nursing, professional, secretarial,
10 technical or vocational school, and includes an agent of an educational institution.

11 *Emergency services facility.* "Emergency services facility" includes, but is not limited to, public or
12 private civil defense, ambulance or fire service.

13 *Excavation.* "Excavation" means any breaking of ground, except for agricultural purposes, ground
14 care and landscaping.

15 *Extension.* "Extension" means an addition to the floor area of an existing structure, an increase in the
16 intensity of a use, an enlargement of land area utilized by a specific use or an increase in the activity of a
17 use.

18 *Fair market value.* "Fair market value" means an estimate of the actual worth of a lot, structure or
19 combination thereof, which estimate is made by a licensed real estate broker experienced and qualified in
20 the appraisal of real estate using appropriate appraisal techniques.

21 *Family.* "Family" means any one of the following (see also "family, functional" hereof):

22 A. An individual;

23 B. An individual or two or more persons related by blood, marriage or adoption, together with not
24 more than two other persons as roomers; or

25 C. Two or more persons related by blood, marriage or adoption, with not more than two other
26 unrelated persons as roomers.

27 *Family day care home.* "Family day care home" means a facility receiving six or less preschool or
28 school-aged children for care for less than 24 hours a day, where the parents or guardians are not
29 immediately available to the children. "Family day care home" includes a facility receiving six or less

1 preschool or school-aged children and which provides care for not less than two consecutive weeks,
2 regardless of the number of hours of care per day.

3 *Family, functional.* "Functional family" means a group of persons, which group does not meet the
4 definition of "family" in paragraph (56) hereof, living in a dwelling unit as a single housekeeping unit and
5 intending to live together as a group for the indefinite future. "Functional family" does not include a
6 fraternity, sorority, club, hotel or other group of persons whose association is temporary or commercial in
7 nature.

8 *Fence.* "Fence" means a fence as defined by Section 1290.01(e).

9 *Filling.* "Filling" means the permanent depositing or dumping of any matter onto or into the ground,
10 except for agricultural purposes, ground care or landscaping.

11 *Floor area.* "Floor area" means the sum of the horizontal areas of each story of a structure measured
12 from the exterior faces of the exterior walls.

13 *Floor area, usable.* "Usable floor area" means, for the purpose of computing parking, that area used
14 for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or
15 customers. Such floor area which is used or intended to be used for hallways, stairways, elevator shafts,
16 utility or sanitary facilities or the storage or processing of merchandise shall be excluded from this
17 computation of "usable floor area." Measurement of usable floor area shall be the sum of the horizontal
18 areas of each story of a structure measured from the interior faces of the exterior walls. Usable floor area
19 is illustrated in Appendix I following the text of this Zoning Code.

20 *Funeral home.* "Funeral home" means a structure used and occupied by a professional licensed
21 mortician for burial preparation and funeral services.

22 *Garage.* "Garage" means an accessory structure for the storage of motor vehicles.

23 *Garage, private.* "Private garage" means an accessory structure which is used primarily for the
24 parking of private motor vehicles operated as accessory uses. A private garage has access through an
25 overhead door and has a hard-surfaced driveway leading to the structure from a property line.

26 *Garage, public.* "Public garage" means any garage other than a private garage.

27 GARDEN MEANS THE GROWING OF PLANTS FOR HUMAN CONSUMPTION, INCLUDING
28 BERRIES, HERBS, VEGETABLES, SEEDS, OR OTHER SIMILAR PRODUCTS INCORPORATED
29 INTO, AND USED AS FOOD AND FLOWERS, BUT NOT INCLUDING PLANTS GROWN FOR
30 COMMERCIAL SALE OR PURPOSES. GARDENS THAT ARE ACCESSORY TO A PRIMARY
31 PERMITTED USE ARE ALLOWED BY RIGHT IN ALL RESIDENTIAL DISTRICTS. GARDENS

1 THAT ARE THE PRIMARY USE OF A LOT ARE PERMITTED IN ALL RESIDENTIAL
2 DISTRICTS, SUBJECT TO COMPLIANCE WITH ALL APPLICABLE STANDARDS OF THE
3 LANSING ZONING ORDINANCES AND SIGN ORDINANCE, INCLUDING, BUT NOT LIMITED
4 TO SETBACK, BUILDING HEIGHT, PLACEMENT AND LOT COVERAGE, LANDSCAPE,
5 SCREENING AND BUFFERING AND SIGN RESTRICTIONS; AND ALSO SUBJECT TO ALL
6 OTHER APPLICABLE STATE LAWS AND CITY ORDINANCES, INCLUDING, BUT NOT
7 LIMITED TO NOISE AND OTHER NUISANCES AS DEFINED BY CITY ORDINANCE, EXCEPT
8 THAT VEGETATION AS DESCRIBED IN A DEFINED GARDEN MAY EXCEED 8" IN HEIGHT.

9 GARDEN STRUCTURE MEANS A STRUCTURE USED FOR THE PURPOSE OF ENCLOSING
10 A GARDEN, INCLUDING THE INCIDENTAL USE AND STORAGE OF GARDENING
11 IMPLEMENTS, MACHINERY, EQUIPMENT AND APPURTENANCES USED IN THE ONSITE
12 GARDENING ACTIVITIES. GARDEN STRUCTURES ARE PERMITTED IN ALL RESIDENTIAL
13 DISTRICTS, SUBJECT TO COMPLIANCE WITH SETBACK, LOT COVERAGE, BUILDING
14 HEIGHT AND ALL OTHER APPLICABLE REQUIREMENTS OF THE ZONING ORDINANCE
15 AND BUILDING CODES.

16 GARDENING MEANS THE GROWING OF A GARDEN OR THE ACT OF WORKING IN A
17 GARDEN.

18 *Golf course.* "Golf course" means a comparatively large, unobstructed acreage involving enough
19 room over which to walk or ride, point to point, over a generally prescribed course, and to strive to send a
20 ball long distances with variable accuracy, all without unreasonably endangering other players or
21 intruding upon them.

22 *Governmental entity.* "Governmental entity" means the Federal Government, this State or any of its
23 instrumentalities; a County, City, Township, Village, school district, community college district or
24 community hospital district; any agency authorized to exercise a governmental function in a limited
25 geographical area or other political subdivision; any instrumentality of one or more of such units; or any
26 of such units and one or more other States or political subdivision of such States.

27 *Grade.* "Grade" means the lowest point of elevation within the area between the exterior surface of
28 the structure and the property line. If the property line is more than five feet from the exterior surface of
29 the structure, "grade" means the lowest point of elevation between the exterior surface of the structure and
30 a line five feet from the exterior surface of the structure.

31 *Greenhouse, commercial.* "Commercial greenhouse" means a glass or less than opaque enclosure
32 which exceeds 150 square feet in floor area and is designed or used for the cultivation or protection of

plants; or a glassed enclosure, regardless of size, designed or used for the cultivation or protection of plants for commercial purposes.

Group day care home. "Group day care home" means a private home receiving more than six and not more than 12 preschool or school age children for care for:

A. Periods less than 24 hours a day where parents or guardians are not immediately available to the children; or

B. Not less than two consecutive weeks, regardless of the number of hours of care per day.

Haul road. "Haul road" means a private road utilized by trucks, tractors or other similar vehicles to haul materials to and/or from a construction site, borrow pit or landfill.

Health maintenance organization (HMO). "Health maintenance organization" means a health facility or agency that:

A. Delivers health maintenance services to enrollees, under the terms of a health maintenance contract, directly or through arrangements with affiliated providers; and

B. Is responsible for the availability, accessibility and quality of the health maintenance services provided.

Home occupation. "Home occupation" means a business conducted in a dwelling unit by a person of legal or equitable interest in the dwelling unit.

Hospital. "Hospital" means a health facility offering in-patient, overnight care and services for observation, diagnosis and active treatment of human patients with a medical, surgical, obstetric, chronic or rehabilitative condition requiring the daily direction or supervision of a physician.

Hotel. "Hotel" means a structure or part of a structure with a common entrance or entrances, in which dwelling units are used primarily for transient occupancy and in which one or more of the following services are offered:

A. Maid service;

B. Telephone, secretarial or desk service;

C. Furnishing of linen; and

D. Bellboy service.

A hotel may include a restaurant or cocktail lounge, public banquet hall, ballroom or meeting room and may further include a guest room and suite of rooms for extended occupancy.

1 *Intensity of use.* "Intensity of use" means the amount of activity associated with a specific use.
2 Intensity of use shall be determined by the Department of Planning and Municipal Development based on
3 the following criteria:

- 4 A. Amount of vehicular traffic generated;
- 5 B. Amount of pedestrian traffic generated;
- 6 C. Noise, odor and air pollution generated;
- 7 D. Potential for litter or debris;
- 8 E. Type and storage of materials connected with the use;
- 9 F. Total residential units and density if residential; and
- 10 G. Total structure coverage and structure height on the parcel.

11 *Junk.* "Junk" means any of the following products which are stored in the open and which are
12 damaged or deteriorated or are in such a condition that the product cannot be used for the purpose for
13 which it was manufactured:

- 14 A. Motor vehicles;
- 15 B. Machinery;
- 16 C. Appliances;
- 17 D. Merchandise with missing parts;
- 18 E. Scrap metal; and
- 19 F. Scrap materials, including, but not limited to, rags, paper or building materials.

20 *Junkyard.* "Junkyard" means a lot used to store or process junk.

21 *Kennel.* "Kennel" means the keeping on a lot for commercial purposes of four or more dogs, cats or
22 other household pets which are more than six months old. Keeping includes, but is not limited to,
23 boarding, breeding or training.

24 *Loading space or area.* "Loading space or area" means an off-street space on the same lot with a
25 structure or group of structures for the temporary parking of a commercial vehicle while loading and
26 unloading merchandise or materials, and having direct and unobstructed access to a public street or alley.
27 "Unobstructed" does not preclude the use of security devices.

1 *Lot.* "Lot" means a parcel of land consisting of one or more lots of record occupied or intended to be
2 occupied by a principal structure or use and any accessory structure or by any other use or activity
3 permitted on the parcel of land. "Lot" includes the open spaces and yards required under this Zoning Code
4 and has its frontage on a public street or road either dedicated to the public or designated on a recorded
5 subdivision plat. Corner, interior and through lots are illustrated in Appendix II following the text of this
6 Zoning Code and are described as follows:

7 A. "Corner lot" means a lot where the interior angle of two adjacent sides at the intersection of two
8 streets is less than 135 degrees. A lot abutting upon a curved street is a corner lot if the radius of
9 the arc is less than 150 feet and the tangents to the curve at the two points where the lot lines
10 meet the curve or the straight street line extended form an interior angle of less than 135
11 degrees.

12 B. "Interior lot" means a lot other than a corner lot.

13 C. "Through lot" means an interior lot having frontage on two more or less parallel streets.

14 *Lot area.* "Lot area" means the total horizontal area within the lot lines of the lot.

15 *Lot coverage.* "Lot coverage" means the part or percentage of lot area occupied by structures and
16 hard-surfaced parking areas.

17 *Lot depth.* "Lot depth" means the horizontal distance between front and rear lot lines, measured
18 along the median between the side lot lines.

19 *Lot line, front.* "Front lot line" means that line separating a lot from the right-of-way line of a street.

20 *Lot line, rear.* "Rear lot line" means a lot line which is opposite the front lot line. In the case of a
21 corner lot, the rear lot line may be opposite either front lot line, but there shall be only one rear lot line. In
22 the case of a lot converging toward the rear, the rear lot line shall be an imaginary line parallel to the front
23 lot line, not less than ten feet long and wholly within the lot.

24 *Lot line, side.* "Side lot line" means any lot line not a front lot line or a rear lot line.

25 *Lot lines.* "Lot lines" means the lines bounding a lot.

26 *Lot of record.* "Lot of record" means a parcel of land which is part of a subdivision, the dimension
27 and configuration of which has been recorded on a map in the office of the Register of Deeds for the
28 appropriate county, or a parcel described by metes and bounds in any instrument of conveyance recorded
29 at the County Register of Deeds.

30 *Lot width.* "Lot width" means the horizontal distance from one side lot line to the opposite lot line.

1 *Maintenance of structure.* "Maintenance of structure" means to keep up, to keep from change, to
2 preserve, to hold or keep in any particular state or condition or to support what has already been brought
3 into existence.

4 *Mobile home.* "Mobile home" means a structure, transportable in one or more sections, which is built
5 on a chassis and designed to be used as a dwelling without a permanent foundation, when connected to
6 the required utilities, and includes the plumbing, heating, air conditioning and electrical systems
7 contained in the structure. "Mobile home" includes a manufactured home, but does not include a trailer.

8 *Mobile home park.* "Mobile home park" means a parcel or tract of land under the control of a person
9 upon which three or more mobile homes are located on a continual nonrecreational basis and which is
10 offered to the public for that purpose, regardless of whether a charge is made therefor, together with any
11 structure, building, enclosure, street, equipment or facility used or intended for use incidental to the
12 occupancy of a mobile home, and which is not intended for use as a temporary trailer park.

13 *Motel.* "Motel" means a series of attached, semidetached or detached rental units containing a
14 bedroom and a bathroom. A motel shall provide for overnight lodging which is offered to the public for
15 compensation and shall cater primarily to the public traveling by motor vehicle.

16 *Motor vehicle repair station.* "Motor vehicle repair station" means any lot on which minor repairs,
17 described in paragraph (96) hereof, are performed and, in addition, any of the following are performed:
18 bumping, painting, replacement of body parts, engine repair other than normal tuneup repair, engine
19 replacement, replacement of transmission or internal transmission parts or repair remaking.

20 *Motor vehicle service station.* "Motor vehicle service station" means any lot used for supplying
21 gasoline, oil and minor accessories at retail directly to the customer and which performs minor repairs.
22 "Minor repairs" means: engine tune up, alternator or generator replacement, rustproofing, battery
23 replacement, fan belt replacement, radiator hose replacement, radiator repair or replacement, tire repair or
24 replacement, wheel balancing, muffler and exhaust system replacement or front end alignment.

25 *Nonconformity.* "Nonconformity" means a use, structure or lot which does not conform with a use or
26 dimensional provision or any combination of a use or dimensional provision of this Zoning Code, but
27 which use, structure or land was lawfully established prior to the effectiveness date of such use or
28 dimensional provision.

29 *Nonresidential use.* "Nonresidential use" means any use not a residential use.

30 *Nursery.* "Nursery" means any land used to raise trees, shrubs, flowers and other plants for sale or
31 for transplanting.

1 *Nursing home.* See "Convalescent care home."

2 *Occupant.* "Occupant" means a person who takes or enters upon possession of a lot.

3 *Off-street parking facility.* "Off-street parking facility" means an off-street parking surface lot or an
4 off-street parking structure.

5 *Off-street parking structure.* "Off-street parking structure" means a structure which provides for
6 vehicular parking spaces, along with drives and aisles for maneuvering, so as to provide access for
7 entrance and exit for the parking of two or more vehicles.

8 *Off-street parking surface lot.* "Off-street parking surface lot" means the use of an area for vehicular
9 parking spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and exit
10 for the parking of more than two vehicles on the surface of a lot.

11 *Office.* "Office" means a structure in which a person transacts his or her business or carries on his or
12 her stated occupation.

13 *Open space.* "Open space" means that ground area, and the space above such ground area, which is
14 unimpeded from the ground to the sky by any structure, except that the area may be used for landscaping,
15 GARDENING or recreational purposes such as swimming, shuffleboard, tennis or similar uses. Parking
16 lots and storage areas for vehicles and material shall not be considered as open space.

17 *Open storage.* "Open storage" means any of the following items which are stored in the open and
18 which are inoperable, damaged and/or deteriorated in such a condition that any such item cannot be used
19 for the purpose for which it was manufactured, or is not reasonably associated with the principal use of
20 the lot itself, including, but not limited to:

21 A. Motor vehicles;

22 B. Machinery;

23 C. Appliances;

24 D. Motor vehicle parts; and

25 E. Other materials, including, but not limited to, metal, pipes, rags, papers or building materials.

26 *Outdoor play space.* "Outdoor play space" means that outside area on a lot reserved at a day care or
27 group day care home for outside exercise, large motor skill development and play space of children.

28 *Panelized structure.* "Panelized structure" means a structure consisting of preconstructed two-
29 dimensional units for walls, roofs and floors, which may include structural framing, windows, doors,

1 exterior finishes, interior wall finishes, installed wiring, plumbing and insulation, which is brought on-site
2 and erected thereon on a permanent foundation.

3 *Parking space.* "Parking space" means an area of defined length and width for the parking of motor
4 vehicles. Such area shall be exclusive of drives, aisles or entrances giving access thereto.

5 *Peak hour parking demand.* "Peak hour parking demand" means the number of parking spaces
6 required during the highest intensity of use.

7 *Perimeter line or boundary line.* "Perimeter line" or "boundary line" means the exterior limits of a
8 lot.

9 *Person.* "Person" means an individual, agent, association, corporation, partnership, sole
10 proprietorship, joint apprenticeship committee, joint stock company, labor organization, legal
11 representative, mutual company, receiver, trust, trustee in bankruptcy, unincorporated organization,
12 personal representative of an estate, the State, a political subdivision of the State, an agency of the State
13 or any other legal or commercial entity.

14 *Planned development.* "Planned development" means an office, commercial or industrial complex
15 developed as a single entity by one person, which complex contains more than one structure on a lot, not
16 including accessory structures.

17 *Planned neighborhood convenience retail center.* "Planned neighborhood convenience retail center"
18 means a building or group of buildings on a single lot two acres or more in size and designed to provide
19 commercial services to a residential neighborhood. "Residential neighborhood" means the land area
20 (within a one-half mile radius of the proposed planned neighborhood convenience retail center) which is
21 developed with at least 70 percent residential uses.

22 *Planned residential development.* "Planned residential development" means a lot on which all the
23 following conditions apply:

24 A. If the lot is zoned DM-1, the lot is more than six acres in size; if the lot is zoned DM-2, the lot is
25 more than four acres in size; if the lot is zoned DM-3, the lot is more than three acres in size;
26 and if the lot is zoned DM-4, the lot is more than two acres in size.

27 B. The lot has more than one structure on it which is used for residential purposes.

28 C. The lot is planned and developed as an integral unit in a single development operation
29 according to the requirements of Chapter 1280.

1 *Plot plan.* "Plot plan" means a diagram depicting the existing and proposed structures, lot lines,
2 setbacks, parking areas and the location of any known wells.

3 *Porch, enclosed.* "Enclosed porch" means a covered entrance to a structure which is surrounded on
4 all sides by glass, screen, wood, brick, plastic or other materials permitted by the Building Code.

5 *Porch, open.* "Open porch" means a porch that is not enclosed.

6 *Premanufactured unit.* "Premanufactured unit" means an assembly of materials or products intended
7 to comprise all or part of a building or structure, and that is assembled at other than the final location of
8 the unit of the building or structure by a repetitive process under circumstances intended to ensure
9 uniformity of quality and material content.

10 *Principal use.* "Principal use" means the primary, major, main, leading, outstanding or chief use
11 which a lot serves or is intended to serve.

12 *Probate.* "Probate" means the period of probate, as defined in Public Act 642 of 1978, as amended,
13 being M.C.L.A. 700.1 et seq.

14 *Public utility.* "Public utility" means electric light and power companies, whether private, public,
15 corporate or cooperative; gas companies; water, telephone, telegraph, oil, gas and pipeline companies;
16 motor carriers; and all public transportation and communication agencies other than railroads and railroad
17 companies.

18 *Reconstruction.* "Reconstruction" means the act of rebuilding a structure to meet the standards of the
19 Building Code or Housing Code.

20 *Recreational facility.* "Recreational facility" means a structure or open space which provides
21 activities, including, but not limited to, swimming, racquet sports, exercise and fitness rooms or areas and
22 gymnasiums.

23 *Repair.* "Repair" means to restore to a sound or good state after decay, injury, dilapidation or partial
24 destruction.

25 *Residential care facility.* "Residential care facility" means a governmental or nongovernmental
26 establishment having as its principal function foster care for more than six persons. "Foster care" means
27 the provision of supervision, personal care and protection, in addition to room and board, for 24 hours a
28 day, five or more days a week and for two or more consecutive weeks, with or without compensation.
29 "Residential care facility" includes, but is not limited to, facilities for persons who are homeless, parolees,
30 ex-offenders, aged, emotionally disturbed, developmentally disabled or physically handicapped who

1 require supervision on an on-going basis but do not require continuous nursing care. A residential care
2 facility does not include any of the following:

3 A. A nursing home licensed under Article 17 of Public Act 368 of 1978, as amended, being
4 M.C.L.A. 333.20101 to 333.22181;

5 B. A hospital licensed under Article 17 of Public Act 368; or

6 C. A hospital for the mentally ill or a facility for the developmentally disabled operated by the
7 Department of Mental Health under Public Act 258 of 1974, as amended, being M.C.L.A.
8 330.1001 to 330.2106.

9 *Residential use.* "Residential use" means a use of a lot as a single-family, two-family or multifamily
10 residence, boarding or lodging house or residential care facility, and accessory uses thereto.

11 *Restoration.* "Restoration" means to put back into original or historic condition.

12 *Resumption.* "Resumption" means to begin the use of a nonconformity after it has been previously
13 discontinued from use.

14 *Salvage yard.* "Salvage yard" means a lot where any product, including, but not limited to, any of the
15 following, is taken apart in such a way that the usable parts are separated from the nonusable:

16 A. Motor vehicles;

17 B. Machinery;

18 C. Appliances;

19 D. Fixtures;

20 E. Goods; and

21 F. Merchandise.

22 *Site plan.* "Site plan" means a plan that conforms to the requirements contained in Section 1242.05.

23 *Stable.* "Stable" means a structure used to keep horses for commercial purposes.

24 *Storage.* "Storage" means the holding or safekeeping of goods to await the happening of some future
25 event or contingency which will call for the removal of the goods.

26 *Storage yard.* "Storage yard," in an A Residential District to a G-1 Business District, means a lot
27 used for the holding of any type of product, which product is not reasonably associated with the principal
28 use itself. "Storage yard," in a G-2 Wholesale District, H Light Industrial District or I Heavy Industrial

District, means a lot used for the holding, in the open, of any type of product, subject to the following conditions:

A. The product is not junk, unless the junk is associated with the normal functioning of the principal use.

B. The lot is not used as a salvage yard.

C. The product is not normally used in the functioning of the principal use.

Street. "Street" means a public thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane or court which affords the principal means of access to abutting property.

Street, local. "Local street" means a local street as defined in the Comprehensive Plan, as amended.

Street, private. "Private street" means a street which is not public.

Structural alteration. "Structural alteration" means any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.

Structure. "Structure" means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

Structure, minor. "Minor structure" means a structure having a replacement cost of not more than \$5,000.00.

Structure, temporary. "Temporary structure" means a structure which is located on a lot for less than one year, or, if the structure is connected with a construction activity on a lot, until the construction activity is completed.

Substitution. "Substitution" means to put in place of another.

Temporary use. "Temporary use" means any use that is not permitted as a principal use, accessory use or a conditional use in a zoning district, and which is limited in its duration.

Townhouse. "Townhouse" means a group of dwellings having common party walls with each other and normally having a basement. No dwelling in a townhouse is located above or below another dwelling.

Trailer. "Trailer" means a vehicle standing on wheels or rigid supports which is used for temporary living or sleeping purposes. "Trailer" includes a recreational vehicle.

Trailer camp. "Trailer camp" means a tract of land used or designed for the use of two or more trailers as a temporary residence.

1 *Tree*. "Tree" means a usually tall, woody plant characterized by a single trunk with a two-inch
2 diameter measured at the time the development plan is submitted and measured three feet from the base
3 of the tree, and which is on the recommended tree list maintained by the City Forester.

4 *Use*. "Use" means:

5 A. Any purpose for which a structure or lot may be designed, arranged, intended, maintained or
6 occupied; or

7 B. Any activity, occupation, business or operation carried on in a structure or on a lot.

8 *Yard*. "Yard" means a space on a lot with a structure, which space is unobstructed and unoccupied
9 from the ground upward, except as occupied or obstructed as permitted in this Zoning Code. Front, rear
10 and side yards are illustrated in Appendix III following the text of this Zoning Code.

11 A. "Front yard" means a yard extending across the full width of a lot between the front lot line of
12 the structure containing the principal use and the front lot line.

13 B. "Rear yard" means a yard extending the full width of a lot between the rearmost structure
14 containing the principal use and the rear lot line, the depth of which is the least distance
15 between the rear lot line and the rear of the structure containing the principal use.

16 C. "Side yard" means a space within a lot between a side lot line and a structure containing the
17 principal use or an attached accessory structure, whichever is closer to the side lot line. A side
18 yard extends on each side of a lot from the front lot line to the rear lot line of the lot.

19 *Zoning Code*. "Zoning Code" means Ordinance 636, passed March 7, 1983, as amended, codified
20 herein as Title Six of Part Twelve - the Planning and Zoning Code.

21 *Zoning variance*. "Zoning variance" means a modification of the strict letter of this Zoning Code
22 granted when, by reason of exceptional conditions, the strict application of this Zoning Code results in
23 peculiar, exceptional or practical difficulties or unnecessary hardship to the owner of the lot.

24 (Ord. No. 735, 11-24-86; Ord. No. 766, 1-91-88; Ord. No. 827, 12-17-90; Ord. No. 1117, § 1, 12-11-06)

25 1240.04. - Amendments.

26 (a) An application to amend, supplement or change the regulations and boundaries of zoning districts
27 may be made by any of the following persons:

28 (1) A person having a legal or equitable interest in the property;

1 (2) The authorized representative of a person having a legal or equitable interest in the property; or

2 (3) Council.

3 (b) The application described in subsection (a) hereof shall be made on forms provided by the Planning
4 Division and shall be filed with the City Clerk and accompanied by the fees required by Council.

5 (c) Within one day after receipt of the application, the City Clerk shall refer the application to the
6 Planning Board. Simultaneously, the City Clerk shall place the application on the agenda for the next
7 Council meeting.

8 (d) After the City Clerk refers the application to the Board, the Board shall hold not less than one public
9 hearing before submitting a final report to Council and shall provide notice of the public hearing as
10 described in subsection (e) hereof.

11 (e) Not less than 15 days' notice of the time and place of the public hearing described in this subsection
12 shall first be published in an official paper or a paper of general circulation in the City. In addition,
13 not less than 15 days' notice of the time and place of the public hearing shall be given by mail to
14 each public utility company and to each railroad company owning or operating any public utility or
15 railroad within the districts or zones affected, if the public utility company or railroad registers its
16 name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of
17 mailing shall be maintained by the Planning Division. In addition, the Planning Division shall
18 provide not less than 15 days' notice of a public hearing on a proposed amendment to a zoning
19 district boundary to the owner of the property in question, as represented on the tax records held in
20 the office of the City Assessor. A hearing shall be granted an interested person at the time and place
21 specified on the notice.

22 (f) Conditional rezoning.

23 (1) *Intent.* It is recognized that there are certain instances when it would be in the best interests of
24 the City, as well as advantageous to land owners seeking a change in zoning boundaries, if
25 specific conditions were to be proposed by the land owner as part of a request for a rezoning. It
26 is the intent of this section to provide a process consistent with MCL § 125.3405 by which a
27 land owner seeking a rezoning may voluntarily propose conditions regarding the use and/or
28 development of land as part of the rezoning request.

29 (2) *Application and offer of conditions.*

30 (a) A land owner or a land owner's agent may voluntarily offer in writing conditions relating to
31 the use and/or development of land for which a rezoning is requested. This offer may be

1 made either at the time the application for rezoning is filed or at a later time during the
2 rezoning process.

3 (b) The required application and process for considering a rezoning request with conditions
4 shall be the same as that for considering rezoning requests made without any offer of
5 conditions, except as modified by the requirements of this section.

6 (c) The land owner's offer of conditions may not purport to authorize uses or developments not
7 permitted in the requested new zoning district.

8 (d) Any use or development proposed as part of an offer of conditions that would require a
9 special land use permit under the terms of this ordinance may only be commenced if a
10 special land use permit for such use or development is ultimately granted in accordance
11 with the provisions of this ordinance.

12 (e) Any use or development proposed as part of an offer of conditions that would require a
13 variance under the terms of this ordinance may only be commenced if a variance for such
14 use or development is ultimately granted by the zoning board of appeals in accordance
15 with the provisions of this ordinance.

16 (f) Any use or development proposed as part of an offer of conditions that would require site
17 plan approval under the terms of this ordinance may only be commenced if site plan
18 approval for such use or development is ultimately granted in accordance with the
19 provisions of this ordinance.

20 (g) The offer of conditions may be amended during the process of rezoning consideration
21 provided that any amended or additional conditions are offered voluntarily by the owner.
22 an owner may withdraw all or part of its offer of conditions any time prior to final rezoning
23 action of the City Council provided that, if such withdrawal occurs subsequent to the
24 Planning Board's public hearing on the original rezoning request, then the rezoning
25 application shall be referred to the Planning Board for a new public hearing with
26 appropriate notice and a new recommendation.

27 (3) *Planning Board review.* The Planning Board, after public hearing and consideration of the
28 factors for rezoning set forth in this ordinance, may recommend approval, approval with
29 recommended changes or denial of the rezoning; provided, however, that any recommended
30 changes to the offer of conditions are acceptable to and thereafter offered by the land owner.

1 (4) *City Council review.* after receipt of the Planning Board's recommendation, the City Council
2 shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning
3 request. The City Council's deliberations shall include, but not be limited to a consideration of
4 the factors for rezoning set forth in this ordinance.

5 (5) *Approval.*

6 (a) If City Council finds the rezoning request and offer of conditions acceptable, the offered
7 conditions shall be incorporated into a formal written statement of conditions acceptable to
8 the land owner and conforming in form to the provisions of this ordinance. The statement
9 of conditions shall be incorporated by attachment or otherwise as an inseparable part of the
10 ordinance adopted by City Council to accomplish the requested rezoning.

11 (b) The statement of conditions shall:

12 (1) Contain a legal description of the land to which it pertains.

13 (2) Contain a statement acknowledging that the statement of conditions runs with the land
14 and is binding upon successor owners of the land.

15 (3) Incorporate by attachment or reference any diagram, plans or other documents
16 submitted or approved by the land owner that are necessary to illustrate the
17 implementation of the statement of conditions. If any such documents are
18 incorporated by reference, the reference shall specify where the document may be
19 examined.

20 (4) Contain the notarized signatures of all of the land owners of the subject land preceded
21 by a statement attesting to the fact that they voluntarily offer and consent to the
22 provisions contained within the statement of conditions.

23 (c) Upon the rezoning taking effect, the zoning map shall be amended to reflect the new
24 zoning classification along with a designation that the land was rezoned with a statement of
25 conditions. The City Clerk shall maintain a listing of all lands rezoned with a statement of
26 conditions.

27 (d) The City Council shall have authority to require that the statement of conditions be
28 recorded with the register of deeds if it determines that, given the nature of the conditions,
29 the recording of such a document would be of material benefit to the City or to any
30 subsequent owner of the land.

1 (e) Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to
2 all of the requirements regulating its use and development as contained in the statement of
3 conditions.

4 (6) *Compliance with conditions.*

5 (a) Any person who establishes a development or commences a use upon land that has been
6 rezoned with conditions shall continuously operate and maintain the development or use in
7 compliance with all of the conditions set forth in the statement of conditions. Any failure to
8 comply with a condition contained within the statement of conditions shall constitute a
9 violation of this zoning ordinance and be punishable accordingly. Additionally, any such
10 violation shall be deemed a nuisance per se and subject to judicial abatement as provided
11 by law.

12 (b) No permit or approval shall be granted under this ordinance for any use or development
13 that is contrary to a statement of conditions.

14 (7) *Time period for establishing development or use.* Unless another time period is specified in the
15 ordinance rezoning the subject land, the approved development and/or use of the land pursuant
16 to building and other required permits must be commenced upon the land within 18 months (or
17 shorter if specified) after the rezoning takes effect and thereafter proceed diligently to
18 completion. This time limitation may, upon written request, be extended by the City Council if:
19 (1) It is demonstrated to the City Council's satisfaction that there is a strong likelihood that the
20 development and/or use will commence within the period of extension and proceed diligently
21 thereafter to completion and (2) the City Council finds that there has not been a change in
22 circumstances that would render the zoning with statement of conditions incompatible with
23 other zones and uses in the surrounding area or otherwise renders it inconsistent with zoning
24 policy.

25 (8) *Reversion of zoning.* If approved development and/or use of the rezoned land does not occur
26 within the time frame specified under Subsection (7) above, then the land shall revert to its
27 former zoning classification as set forth in MCL § 125.3405.

28 (9) *Subsequent rezoning of land.* When land that is rezoned with a statement of conditions is
29 thereafter rezoned to a different zoning classification or to the same zoning classification but
30 with a different or no statement of conditions, whether as a result of a reversion of zoning or
31 otherwise, the statement of conditions imposed under the former zoning classification shall

1 cease to be in effect. Upon the land owner's written request, the City Clerk shall record with the
2 register of deeds a notice that the statement of conditions is no longer in effect.

3 (10) *Amendment of conditions when extension requested.* If a conditional zoning has been approved
4 and the applicant requests an extension of time for commencement of the development, the City
5 Council may add to, delete or modify the conditions in the previously approved statement of
6 conditions as part of its decision to grant the requested extension so long as the changes are
7 proposed by the developer.

8 (11) *City's right to rezone.* Nothing in the statement of conditions nor in the provisions of this
9 section shall be deemed to prohibit the City from rezoning all or any portion of land that is
10 subject to a statement of conditions to another zoning classification. Any rezoning shall be
11 conducted in compliance with City Ordinances and City Charter.

12 (12) *Failure to offer conditions.* The City shall not require a land owner to offer conditions as a
13 requirement for rezoning. The lack of an offer of conditions shall not affect a land owner's
14 rights under this ordinance.

15 (g) After the public hearing described in subsection (d) hereof, the Board shall make its final report to
16 Council. A summary of the comments submitted at the public hearing shall be transmitted with the
17 report of the Board to Council. Council shall hold at least one public hearing and shall provide notice
18 of a public hearing as described in subsection (e) hereof.

19 (h) Council shall not determine the boundaries of districts nor impose regulations until after the final
20 report of the Board, nor shall this Zoning Code or the maps be amended after they are adopted in the
21 first instance until the proposed amendment has been submitted to the Board and it has held at least
22 one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or
23 without amendments, after receipt of the Board's report, or refer this Zoning Code and maps again to
24 the Board for a further report.

25 (i) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to
26 this Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of
27 Council. The protest petition shall be presented to Council before final legislative action on the
28 amendment, and shall be signed by one of the following:

29 (1) The owners of at least 20 percent of the area of land included in the proposed change; or

30 (2) The owners of at least 20 percent of the area of land included within an area extending outward
31 100 feet from any point on the boundary of the land included in the proposed change.

(j) For purposes of subsection (h) hereof, publicly owned land shall be excluded in calculating the 20 percent land area requirement.

(k) Following the adoption of this Zoning Code and following the adoption of subsequent amendments to this Zoning Code by Council, one notice of adoption shall be published by the City Clerk in a newspaper of general circulation in the City within 15 days after adoption. The notice shall include the following information:

(1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by Council;"

(2) In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment;

(3) The effective date of the ordinance; and

(4) The place and time where a copy of the ordinance may be purchased or inspected.

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.

INTRODUCTION OF ORDINANCE

Council Member Houghton introduced:

An Ordinance of the City of Lansing, Michigan to amend Chapter 654, Noise Ordinance, Section 654.11, Special Permits, to modify the notice requirement to go to residents living within 500 feet of the emitter twelve days in advance of the public hearing.

The Ordinance is referred to the Committee on General Services

RESOLUTION SETTING PUBLIC HEARING BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for April 24, 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 Chapter 654, Noise Ordinance, Section 654.11, Special Permits, to modify the notice requirement to go to residents living within 500 feet of the emitter at twelve days in advance of the public hearing.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND
CHAPTER 654, NOISE ORDINANCE, SECTION 654.11, SPECIAL PERMITS, TO
MODIFY THE NOTICE REQUIREMENT TO GO TO RESIDENTS LIVING WITHIN 500
FEET OF THE EMITTER TWELVE DAYS IN ADVANCE OF THE PUBLIC HEARING.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Section 654.11 of Chapter 654 of the Lansing Codified
Ordinances ("Code") be amended to read as follows:

654.11. - Special permits.

(a) Following a public hearing at a regularly scheduled Council meeting, and upon
recommendation of the Mayor and approval by an affirmative vote of two-thirds of
the members of Council, a permit for relief from any of the restrictions or noise level
requirements of this chapter may be granted. Applications for a permit for such relief
may be made to the Mayor or his or her designated representative. Such a permit
for relief may be granted if it is found:

(1) That additional time is necessary for the applicant to alter or modify its
operation to comply with this chapter, or that the activity, operation or noise
source will be of temporary duration and cannot be done in a manner that would
comply with the other requirements of this chapter;

(2) That no reasonable alternative is available to the applicant; and

(3) That the noise created will not unreasonably damage or endanger the health,
safety or welfare of the public.

1 (b) Residents living within ~~300~~ 500 feet of the real property boundary line of the noise
2 emitter applying for such a permit must be given notice of the application ~~thirty~~
3 TWELVE days in advance of the hearing thereon. Such notice shall be delivered by
4 mail to all such residents. Unintentional failure to notify any such resident as
5 required in this subsection shall not invalidate a permit issued pursuant to this
6 section.

7 (c) Any permit granted pursuant to this section may be subject to and prescribe any
8 conditions, limitations or requirements which Council deems necessary to minimize
9 adverse effects upon the community, persons within the community or the
10 surrounding neighborhood.

11 (d) Any permit granted pursuant to this section shall contain all conditions upon which
12 the permit has been granted and shall specify a reasonable time that the permit
13 shall be effective, not to exceed two years.

14 (e) Any permit granted pursuant to this section shall be revoked if the conditions to
15 which it is subject are violated, or when issued pursuant to subsection (a) hereof, if
16 the conditions set forth in such subsection are no longer satisfied or fulfilled.

17 (f) If it is decided to revoke any permit granted pursuant to this section, written notice
18 of revocation shall be served upon the permittee or his or her agent or officer
19 personally or by certified mail, return receipt requested. If the activities being
20 conducted or the noise created pursuant to such a permit endangers the public
21 health or safety, such revocation will be effective immediately; otherwise the
22 revocation will be effective ten days after service of the notice of revocation.

1 (g) If a permittee wishes to appeal the revocation of a permit issued pursuant to this
2 section, an appeal may be initiated by filing a written notice of appeal at the office of
3 the City Clerk. The notice must state specifically the reasons and facts upon which
4 the permittee bases the appeal. The notice of appeal must be filed within ten days
5 of the service of the notice of revocation of the permit or of the denial of the permit.
6 If such a notice of appeal has been filed in a timely fashion, and if the revocation of
7 the permit was not given immediate effect based on danger to public health and
8 safety, the revocation of the permit will be suspended until such time as the
9 permittee's appeal is decided or until such time as Council finds that the activities
10 engaged in or the noise produced pursuant to the permit endangers the health or
11 safety of the public.

12 (h) If an appeal of the revocation or denial of a permit granted pursuant to this section
13 is made, the appellant shall be granted a hearing before Council or such persons as
14 Council, by resolution, may designate. If the permit involved has been revoked and
15 such revocation has not been suspended, the hearing shall be conducted and a
16 decision on the appeal rendered as soon as reasonably possible. At any hearing
17 conducted pursuant to this section, the appellant shall be permitted to be
18 represented by counsel of choice, to present such pertinent testimony and other
19 proof as he or she desires and to confront any witness or evidence submitted in the
20 support of the revocation. The decision on the appeal shall be rendered in writing
21 and a copy of the decision shall be supplied to the appellant. In the appeal, the
22 appellant shall have the burden of proof as to all matters.

1 (i) Fees shall be established by resolution of Council for the permits, appeals or
2 variances granted pursuant to this section. Such fees shall reflect the costs of
3 granting and investigating the permit or variance request, or, in the case of an
4 appeal, the cost of conducting the hearing of the appeal, and shall be approved by
5 Council.

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

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

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

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



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: 4-7-17
RE: Parks Millage Grant Acceptance

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: Mitchell Whisler, Assistant City Engineer

Subject: CITY COUNCIL AGENDA ITEM - Parks Millage Grant Acceptance

Date: April 5, 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



LANSING CITY COUNCIL

GRANT INFORMATION FORM

(Required for all grant applications and acceptances)

REFERRAL DATE: _____

GRANT NAME: Ingham County Trails and Parks Millage

DEPARTMENT: Parks & Recreation

CONTACT PERSON (INCLUDE EMAIL AND PHONE): Brett Kaschinske: brett.kaschinske@lansingmi.gov 483.4042

APPLICATION DATE(S): 5/4/16, 6/1/16, 11/28/16

AWARD DATES: 6/14/16, 6/26/16, 3/28/17

GRANT CYCLE: FY2017, FY 2018,

Check One: ☐ Annual ☒ One-Time

FUND AMOUNT: \$ 4,509,093 (Breakdown below should total this amount)

GOODS & SERVICES \$ 17,500

PERSONNEL \$ _____

CONSTRUCTION \$ 4,491,593

LAND \$ _____

OTHER \$ _____

CITY MATCH (IF APPLICABLE): \$ 0*

GRANT PAYS FOR: River Trail repairs – capital preventative maintenance (overband and crack sealing), overlay and partial reconstruction of 21 segments of the River Trail, repair of the trail and bank stabilization near Elm Street and along Moores River Drive, repair of bridges/boardwalk (under Oakland Avenue, at Michigan Avenue, over the Red Cedar south of Potter Park, under CN RR near Crego Park, east of Moores Park),

FUND ALLOCATIONS (Please describe the purpose of the grant and allowable uses):

The allowable uses for the grants are for costs associated with the construction activities, including engineering, as identified in Ingham County Road of Commissioners resolutions 16-257, 16-328 and 17-109, with the exception of the funding for the volunteer trail ambassador coordinator, which is for a contract with Friends of Lansing Regional Trails.

* City Match Note - Remaining funding for US-127 pathways is federal FY 2018 and 2020 CMAQ funding

Approved Grant Amounts are as follows:

<u>Description</u>	<u>Amount</u>
Overband and crack sealing of 14 sections of the River Trail	\$ 83,200
Overlay and partial reconstruction of 7 sections of the River Trail	\$ 419,663
Bridge repair – under Oakland Avenue	\$ 86,000
Boardwalk and stair repair – under Michigan Avenue	\$ 281,000
Bridge replacement – over Red Cedar south of Potter Park Zoo	\$1,806,000
Bridge replacement – under Canadian National RR near Crego Park	\$ 335,000
Decking replacement – over Grand River near Moores Park	\$ 50,000
Bank and trail failure repair – south of Elm Street	\$ 215,393
Bank/slope stabilization – Moores River Drive	\$ 381,160
US-127 pathways	\$ 734,177
Grand River north section – bank stabilization	\$ 100,000
Volunteer trail ambassador coordinator (one year)	\$ 17,500
Total	\$4,509,093

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING ENTERING INTO CONTRACTS FOR THE TRAILS AND PARKS
MILLAGE APPLICATIONS AND RECOMMENDING TWO APPLICATIONS BE CONSIDERED
FOR THE UPCOMING BRIDGE APPLICATION ROUND**

RESOLUTION # 16 – 257

WHEREAS, Board of Commissioner resolution 16-104 authorized that all 84 segments of existing asphalt trails identified within the Ingham County Trails and Parks Comprehensive Report in Table #3 with a pavement surface evaluation and rating system (PASER) rating between 1-7 was eligible for millage funds with the total amount not to exceed \$1,000,000; and

WHEREAS, six applications were received for Round 1 from the City of Lansing (4), Meridian Township (1), and the City of East Lansing (1); and

WHEREAS, after careful review and evaluation of the applications, the Park Commission recommends funding the below four applications in order of PASER rating lowest to highest all under 7; and

Entity	Project Title	Total
City of Lansing	Overlay and Partial Reconstruction Of Multiple Lansing River Trail Sections- 7 segments of an average PASER rating of 3.286	\$419,663
Meridian Township	Meridian Township Trail Rehabilitation 2016 Multiple Sections- 7 segments of an average PASER rating of 6.143	\$88,000
City of East Lansing	Northern Tier Trail Repair And Maintenance Of Multiple Sections- 8 segments of an average PASER rating of 6.625	\$198,000
City of Lansing	Over Band and Crack Sealing Of Multiple Lansing River Trail Sections- 14 segments of an average PASER rating of 6.64	\$83,200
TOTAL		\$788,863

WHEREAS, the Park Commission recommends two of the applications below received from the City of Lansing that deal primarily with sea wall and bank stabilization and limited asphalt repairs be considered for round 2 bridge application authorized by resolution 16-105; and

Entity	Project Title	Total
City of Lansing	River Trail West (Near Elm St) - Wall and Pavement Repair	\$215,393
City of Lansing	Moore's River Drive Trail Repair	\$368,160
TOTAL		\$583,553

WHEREAS, the entire section of Moore's River Drive Trail was omitted from Table #3 in the Ingham County Trails and Parks Comprehensive Report and the Park Commission recommends the Moore's River Drive Trail Repair application be considered for the bridge application round.

THEREFORE BE IT RESOLVED, that the Moores River Drive Trail is eligible to be considered for an application to apply for millage funds subject to the subsequent approval by the Board of Commissioners in a future resolution for the bridge round.

BE IT FURTHER RESOLVED, the Board of Commissioners authorizes the application titled River Trail West (Near Elm St) - Wall and Pavement Repair and the application titled Moores River Drive Trail Repair from the City of Lansing that deal primarily with sea wall and bank stabilization and limited asphalt repairs be considered for the bridge application round and to be first priority under the bridge application round.

BE IT FURTHER RESOLVED, the City of Lansing will not need to reapply for the bridge application round for the applications titled River Trail West (Near Elm St) - Wall and Pavement Repair and Moores River Drive Trail Repair.

BE IT FURTHER RESOLVED, that the remaining dollars from the Asphalt round (\$211,137) be placed with the 4.5 million already approved for the bridge round of applications bringing the total of the bridge round to \$4,711,137.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners hereby approves entering into a contract with the City of Lansing to fund a Project Titled: Over Band and Crack Sealing of Multiple Lansing River Trail Sections; 28, 29, 30, 31, 35, 37, 40, 42, 43, 49, 50, 54, 57, 70 for a total of 4.592 miles of trails in an amount not to exceed \$83,200 and to fund a second Project Titled: Overlay and Partial Reconstruction of Multiple Lansing River Trail Sections; 32, 33, 36, 38, 45, 46, 74 for a total of 2.281 miles of trails in an amount not to exceed \$419,663 respectively.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with Meridian Township to fund the Projects Titled: Meridian Township Trail Rehabilitation 2016 Multiple Sections; 12, 16, 17, 20, 21, 22, 23 for a total of 3.008 miles of trails in an amount not to exceed \$88,000.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with the City of East Lansing to fund the Project Titled: Northern Tier Trail Repair and Maintenance of Multiple Sections; 76, 77, 78, 79, 80, 81, 82, 83 for a total of 3.47 miles of trail in an amount not to exceed \$198,000.

BE IT FURTHER RESOLVED, that all work will be completed within two years from the date the contracts are executed.

BE IT FURTHER RESOLVED, to require the entity to include signage provided by the Ingham County Parks Department referencing the millage funds during the construction phase and a permanent sign to remain on the site in perpetuity post completion of the project.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary documents that are consistent with this Resolution and approved as to form by the County Attorney.

COUNTY SERVICES: Yeas: Nolan, Bahar-Cook, Hope, Maiville

Nays: None **Absent:** Koenig, Celentino, Tsernoglou **Approved 6/07/2016**

FINANCE: Yeas: Bahar-Cook, McGrain, Crenshaw, Anthony, Schafer, Case Naeyaert

Nays: None **Absent:** Tennis **Approved 6/08/2016**

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING ENTERING INTO CONTRACTS
FOR THE TRAILS AND PARKS MILLAGE APPLICATIONS**

RESOLUTION # 16 – 328

WHEREAS, Board of Commissioner resolution 16-105 authorized all bridges identified within the Ingham County Trails and Parks Comprehensive Report in table #7, with priority given to those bridges with a need for Total Replacement (12 in total), were eligible for millage funds with the total amount not to exceed \$4,500,000; and

WHEREAS, Board of Commissioners resolution 16-257 authorized the application titled River Trail West (Near Elm St) - Wall and Pavement Repair and the application titled Moores River Drive Trail Repair from the City of Lansing that dealt primarily with sea wall and bank stabilization and limited asphalt repairs be considered for the bridge application round and to be first priority under the bridge application round; and

WHEREAS, 11 applications were received for the bridge round from the City of East Lansing (1 application/6 bridges), the City of Lansing (6 application/6 bridges), the City of Mason (3 applications/3 bridges), and Meridian Township (1 application/7 bridges) with a total amount including the two items from round one for a total of \$5,760,872.30 for a total of 22 bridges; and

WHEREAS, after careful review and evaluation of the applications, the Park Commission recommends funding all of the bridges listed below with a total amount of \$4,736,872.30 with the exception of bridge CL-18-LTE-RC, East of Crego Park Access - \$1,024,000 of the City of Lansing.

Entity	Project Title	Total
City of East Lansing	EL-07-NTT-SWL, South County Line, West of Abbot Road	\$229,450
City of East Lansing	EL-04-NTT-SWL, Whitehills Park	\$204,100
City of East Lansing	EL-03-ELT-RC, Hagadorn Road	\$206,050
City of East Lansing	CL-22-ELT-RC, Kalamazoo Street	\$128,700
City of East Lansing	EL-05-NTT-SWL, Harrison Meadows	\$61,100
City of East Lansing	EL-06-NTT-SWL, East of Abbey Road	\$61,100
City of Lansing	CL-29-LT-GR, Oakland Avenue	\$86,000
City of Lansing	CL-26-LT-GR, Lansing Center	\$281,000
City of Lansing	CL-16-LTE-RC, Potter's Zoo Creek Bridge	\$1,806,000
City of Lansing	CL-20-LTE-RC, Under RR North of Crego Park	\$335,000
City of Lansing	CL-09-LTW-GR, East of Moores Park	\$50,000
<u>City of Lansing Priority Applications from the Asphalt Round Moved Forward for the Bridge Round:</u>		
City of Lansing	River Trail West (Near Elm St) - Wall and Pavement Repair	\$215,393
City of Lansing	Moores River Drive Trail Repair	\$368,160
City of Mason	CM-03-HAY-SC, Maple Grove Cemetery to Mason Community Gardens	\$21,057.30
	*Reimbursement request for bridge work completed in 2015	
City of Mason	CM-01-HAY-SC, Near West S. Street	\$54,381
City of Mason	CM-02-HAY-SC, North of West Elm Street	\$54,381

Meridian Township	MT-07-MIP-DR, East of Okemos Road	\$140,000
Meridian Township	MT-03-PK-DR, Central Park South	\$101,000
Meridian Township	MT-05-PK-DR, Nancy L. Moore Community Park Trail End	\$50,000
Meridian Township	MT-04-PK-DR, Nancy L. Moore Community Park	\$70,000
Meridian Township	MT-02-MP-DR, West of Okemos Road	\$68,000
Meridian Township	MT-01-PK-SWL, Hartrick Park	\$136,000
Meridian Township	MT-06-MIP-DR West of Okemos Road, Meridian Interurban Pathway	\$10,000
TOTAL FUNDED		\$4,736,872.30

THEREFORE BE IT RESOLVED, that bridge CL-18-LTE-RC, East of Crego Park Access - \$1,024,000 of the City of Lansing will not be funded in this round.

BE IT FURTHER RESOLVED, bridge CL-18-LTE-RC of the City of Lansing is eligible to be considered for a future round if the City of Lansing re-applies in a future round which would be subject to the subsequent approval by the Board of Commissioners in a future resolution.

BE IT FURTHER RESOLVED, per Board of Commissioner Resolution 16-257 that the remaining dollars from the Asphalt round (\$211,137) was placed with the 4.5 million already approved for the bridge round of applications bringing the total of the bridge round to \$4,711,137.

BE IT FURTHER RESOLVED, the Board of Commissioners authorize an additional \$25,735.30 be funded from the millage reserve for the bridge round for the overage.

BE IT FURTHER RESOLVED, the total request to be funded for the bridge round is \$4,736,872.30.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners hereby approves entering into a contract with the City of East Lansing to fund the below projects in an amount not to exceed a total of \$890,500.

Entity	Project Title	Total
City of East Lansing	EL-07-NTT-SWL, South County Line, West of Abbot Road	\$229,450
City of East Lansing	EL-04-NTT-SWL, Whitehills Park	\$204,100
City of East Lansing	EL-03-ELT-RC, Hagadorn Road	\$206,050
City of East Lansing	CL-22-ELT-RC, Kalamazoo Street	\$128,700
City of East Lansing	EL-05-NTT-SWL, Harrison Meadows	\$61,100
City of East Lansing	EL-06-NTT-SWL, East of Abbey Road	\$61,100

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners hereby approves entering into a contract with the City of Lansing to fund the below projects in an amount not to exceed a total of \$3,141,553.

Entity	Project Title	Total
City of Lansing	CL-29-LT-GR, Oakland Avenue	\$86,000
City of Lansing	CL-26-LT-GR, Lansing Center	\$281,000
City of Lansing	CL-16-LTE-RC, Potter's Zoo Creek Bridge	\$1,806,000
City of Lansing	CL-20-LTE-RC, Under RR North of Crego Park	\$335,000
City of Lansing	CL-09-LTW-GR, East of Moores Park	\$50,000

City of Lansing Priority Applications from the Asphalt Round Moved Forward for the Bridge Round:

City of Lansing	River Trail West (Near Elm St) - Wall and Pavement Repair	\$215,393
City of Lansing	Moores River Drive Trail Repair	\$368,160

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners hereby approves entering into a contract with the City of Mason to fund the below projects in an amount not to exceed a total of \$129,819.30.

Entity	Project Title	Total
City of Mason	CM-03-HAY-SC, Maple Grove Cemetery to Mason Community Gardens	\$21,057.30
	*Reimbursement request for bridge work completed in 2015	
City of Mason	CM-01-HAY-SC, Near West S. Street	\$54,381
City of Mason	CM-02-HAY-SC, North of West Elm Street	\$54,381

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners hereby approves entering into a contract with Meridian Township to fund the below projects in an amount not to exceed a total of \$575,000.

Entity	Project Title	Total
Meridian Township	MT-07-MIP-DR, East of Okemos Road	\$140,000
Meridian Township	MT-03-PK-DR, Central Park South	\$101,000
Meridian Township	MT-05-PK-DR, Nancy L. Moore Community Park Trail End	\$50,000
Meridian Township	MT-04-PK-DR, Nancy L. Moore Community Park	\$70,000
Meridian Township	MT-02-MP-DR, West of Okemos Road	\$68,000
Meridian Township	MT-01-PK-SWL, Hartrick Park	\$136,000
Meridian Township	MT-06-MIP-DR West of Okemos Road, Meridian Interurban Pathway	\$10,000

BE IT FURTHER RESOLVED, that all work will be completed within two years from the date the contracts are executed.

BE IT FURTHER RESOLVED, to require the entity to include signage provided by the Ingham County Parks Department referencing the millage funds during the construction phase and a permanent sign to remain on the site in perpetuity post completion of the project.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary documents that are consistent with this Resolution and approved as to form by the County Attorney.

COUNTY SERVICES: Yeas: Koenig, Celentino, Bahar-Cook, Hope, Maiville

Nays: None **Absent:** Nolan, Tsernoglou **Approved 7/19/2016**

FINANCE: Yeas: Bahar-Cook, Tennis, McGrain, Crenshaw, Anthony, Schafer, Case Naeyaert

Nays: None **Absent:** None **Approved 7/20/2016**

Introduced by the County Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE CONTRACTS FOR TRAILS AND PARKS MILLAGE APPLICATIONS

RESOLUTION # 17 – 109

WHEREAS, Board of Commissioners Resolution #16-106 approved a second round of applications that would address new construction as identified as regional priority corridors in figure 24 of the Ingham County Trails and Parks Comprehensive Report, and special projects (including blue ways) as well as repairs, rehabilitation, and long-term maintenance projects; and

WHEREAS, 18 applications that were received from Aurelius Township (1), Village of Dansville (1), Delhi Township (1), City of East Lansing (1), City of Lansing (9), City of Leslie (2), City of Mason (1), and Meridian Township (2); and

WHEREAS, after careful review and evaluation of the applications by the Park Commission, the Park Commission recommends funding the below applications.

Entity	Project Title	Millage Funds Recommended for Funding
City of Lansing	US 127 Pathways	\$734,177.00
City of Lansing	Grand River North Section - Bank Stabilization	\$100,000.00
City of Lansing	Volunteer Trail Ambassador Coordinator (one year)	\$17,500.00
Charter Township of Meridian	MSU to Lake Lansing Connector Trail - Phase I	\$950,000.00
City of Mason	Hayhoe Riverwalk Trail Extension and Trailhead Project	\$692,984.00
City of East Lansing	Northern Tier Trail Connection through White Park	\$469,000.00
City of Leslie	Leslie Trail Planning Project	\$4,000.00
Aurelius Township	Aurelius Township – Glenna Droscha Community Park	\$23,234.50
TOTAL		\$2,990,895.50

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners hereby approves entering into contracts with the City of Lansing to fund a Project Titled: US 127 Pathways in an amount not to exceed \$734,177.00 from the Trails and Parks Millage Fund and to fund a second Project Titled: Grand River North Section Bank Stabilization in an amount not to exceed \$100,000.00 from the Trails and Parks Millage Fund and

to fund a third Project Titled: Volunteer Trail Ambassador Coordinator in an amount not to exceed \$17,500 .00 from the Trails and Parks Millage Fund respectively.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with Charter Township of Meridian to fund the Project Titled: MSU to Lake Lansing Connector Trail Phase I in an amount not to exceed \$950,000.00 from the Trails and Parks Millage Fund.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with the City of Mason to fund the Project Titled: Hayhoe Riverwalk Trail Extension and Trailhead Project in an amount not to exceed \$692,984.00 from the Trails and Parks Millage Fund.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with the City of East Lansing to fund the Projects Titled: Northern Tier Trail Connector Project in an amount not to exceed \$469,000.00 from the Trails and Parks Millage Fund.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with the City of Leslie to fund the Projects Titled: Leslie Trail Planning Project in an amount not to exceed \$4,000.00 from the Trails and Parks Millage Fund.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract with Aurelius Township to fund the Project Titled: Aurelius Township – Glenna Droscha Community Park in an amount not to exceed \$23,234.50 from the Trails and Parks Millage Fund.

BE IT FURTHER RESOLVED, that all work will be completed within two years from the date the contracts are executed.

BE IT FURTHER RESOLVED, that if work is not completed within two years due to delay from awaiting other funding sources that an extension may be requested and negotiated and mutually agreed upon between both parties.

BE IT FURTHER RESOLVED, granting of millage dollars to municipalities is subject to the acquisition of local or grant match funding awarded when included in the original proposal.

BE IT FURTHER RESOLVED, to require the entity to include signage provided by the Ingham County Parks Department referencing the millage funds during the construction phase and a permanent sign to remain on the site in perpetuity post completion of the project.

BE IT FURTHER RESOLVED, that \$2,000 from the Trails and Parks Millage Fund is allocated to the Ingham County Parks Department to fund office supplies, postage, and mileage for the administration of this program.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments consistent with this resolution.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary documents that are consistent with this Resolution and approved as to form by the County Attorney.

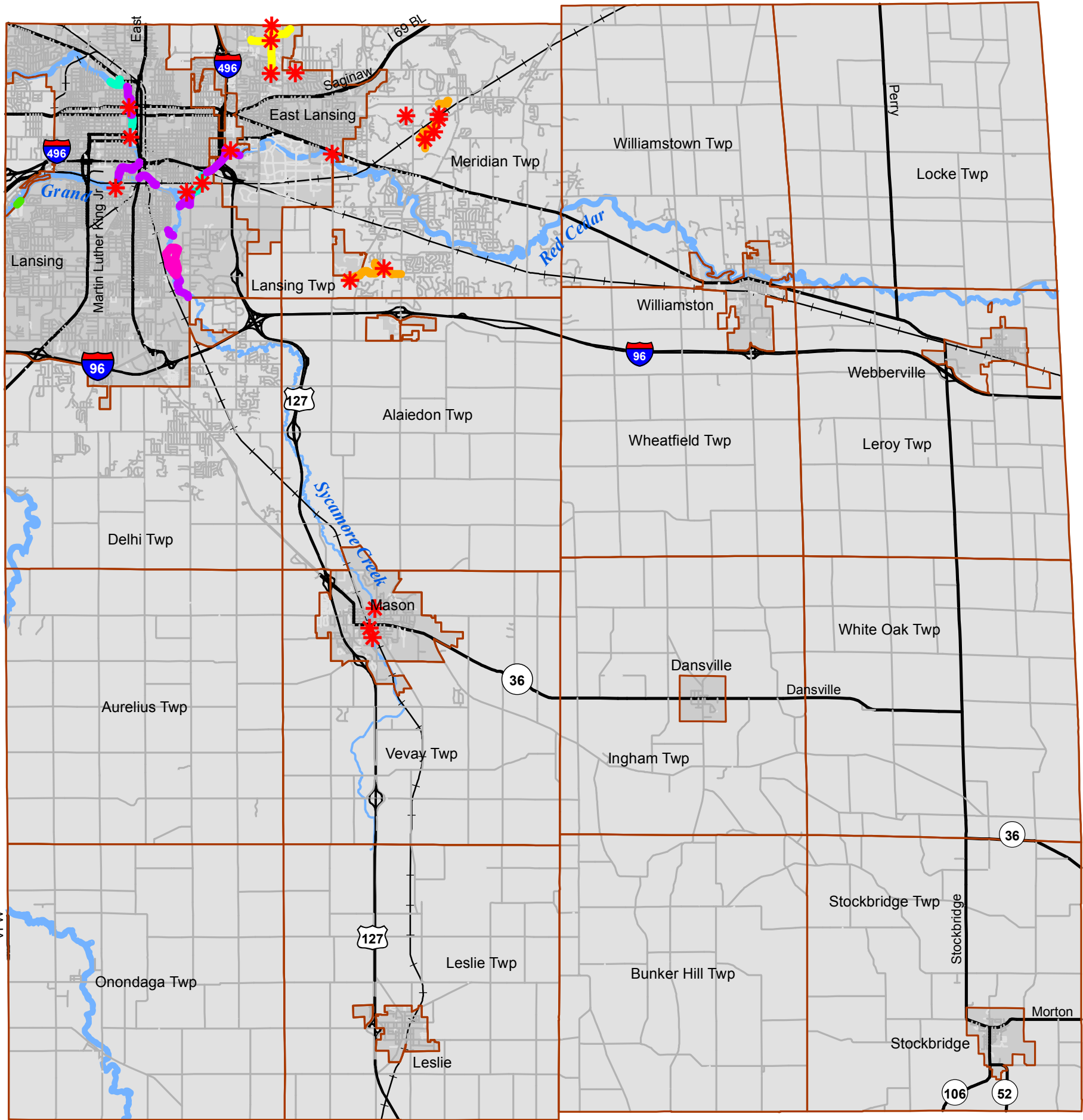
COUNTY SERVICES: Yeas: Celentino, Crenshaw, Grebner, Nolan, Koenig, Sebolt, Maiville
Nays: None **Absent:** None **Approved 3/21/2017**

Commissioner Nolan voted No on the Trail Ambassador Coordinator Position

FINANCE: Yeas: Grebner, Anthony, Case Naeyaert
Nays: Hope **Absent:** McGrain, Tennis, Schafer **Approved 3/22/2017**

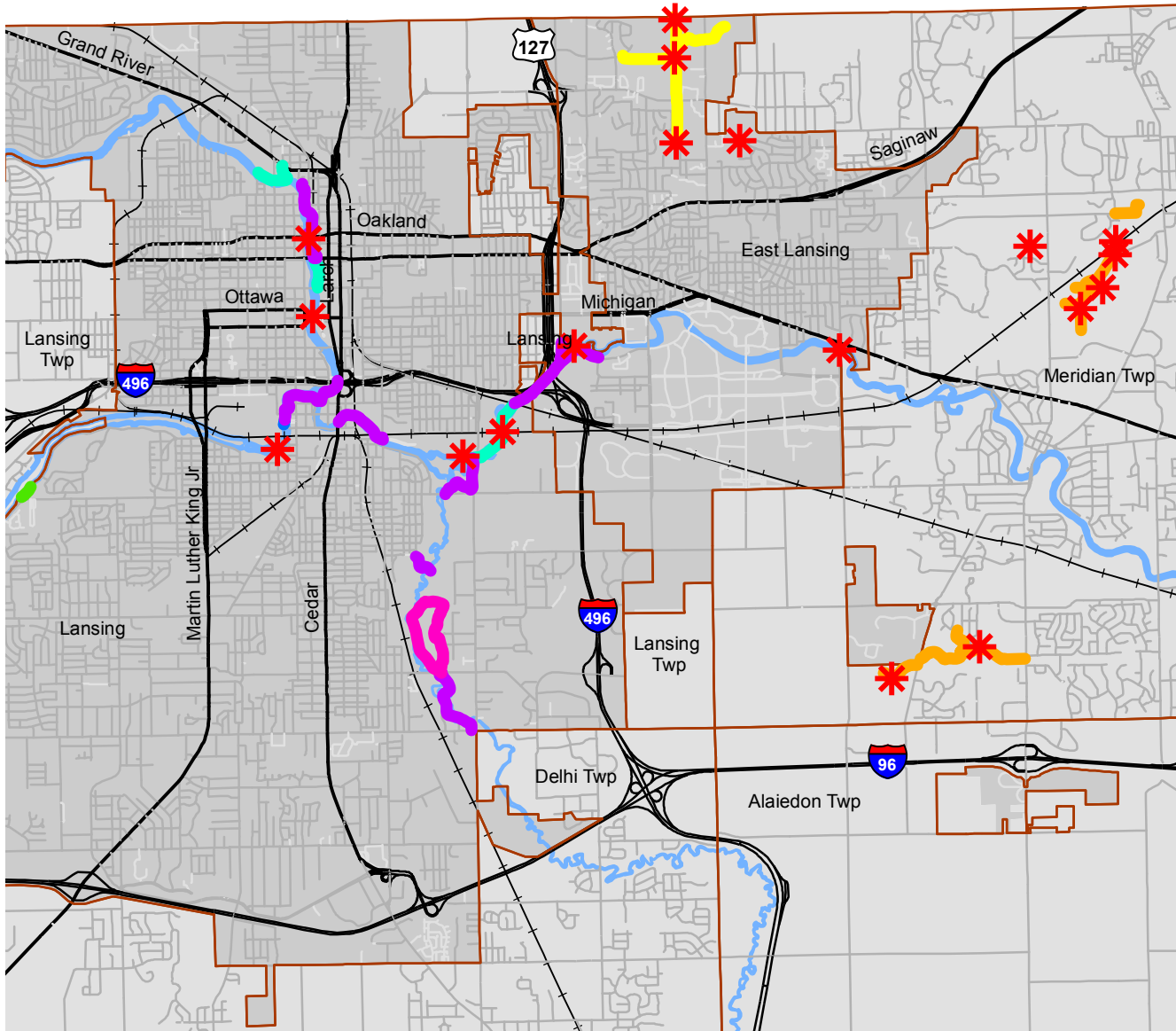


Ingham County Trails and Parks Millage Projects: Approved Round 1 Projects



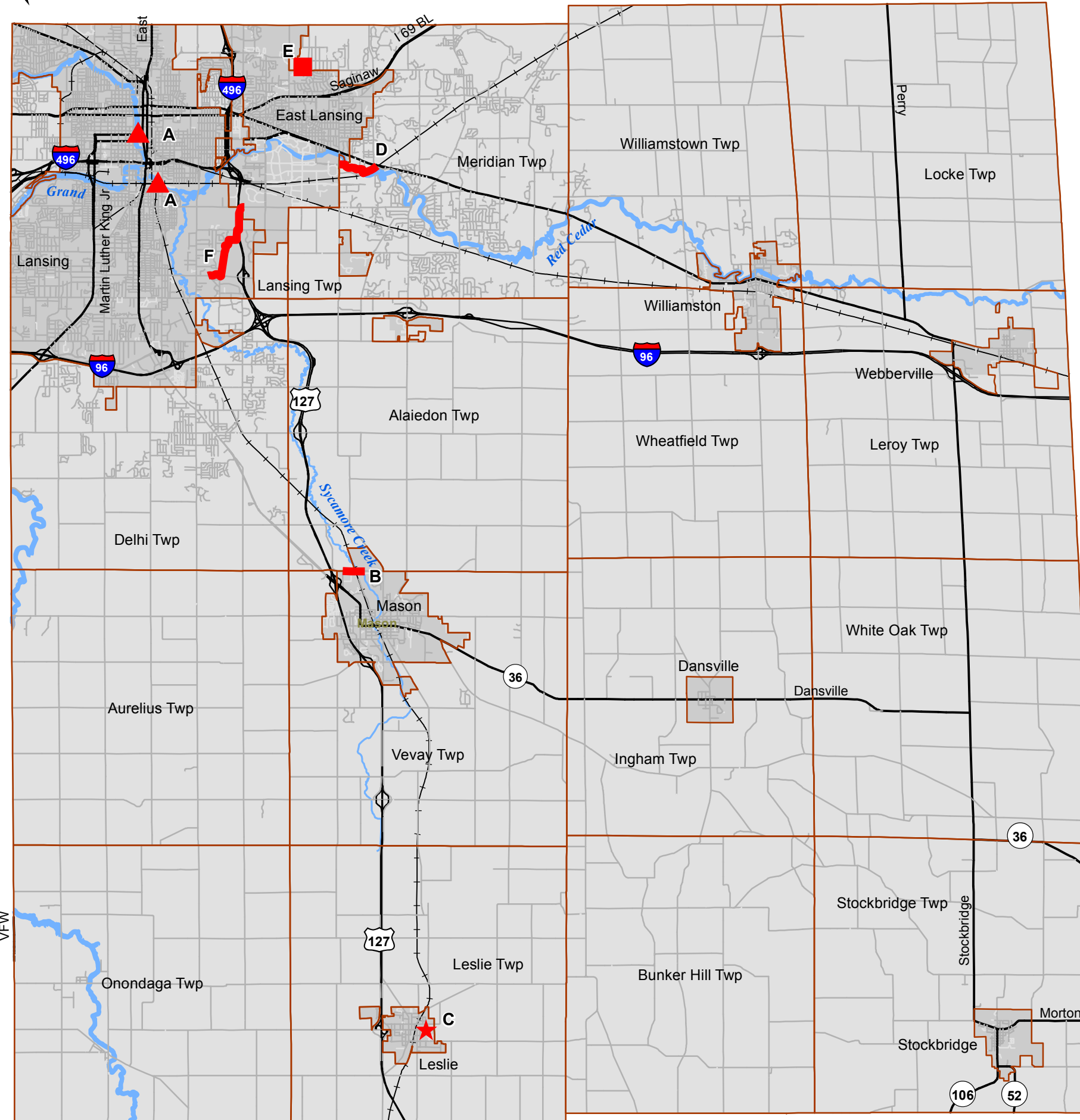
- Bridge Maintenance and Repair: East Lansing, Lansing, Mason, Meridian Township
- East Lansing Northern Tier Trail Repair and Maintenance
- Hawk Island County Park Loop Trail
- Lansing Moores River Drive Trail Repair
- Lansing Overband and Crack Sealing of River Trail
- Lansing Overlay and Partial Reconstruction of River Trail
- Lansing Wall and Pavement Repair River Trail West
- Meridian Township Trail Rehabilitation

Note:
In addition to these projects, additional signage for Trails and Parks Millage Projects for Ingham County was funded.





Ingham County Trails and Parks Millage Projects: PROPOSED Round 2 Projects

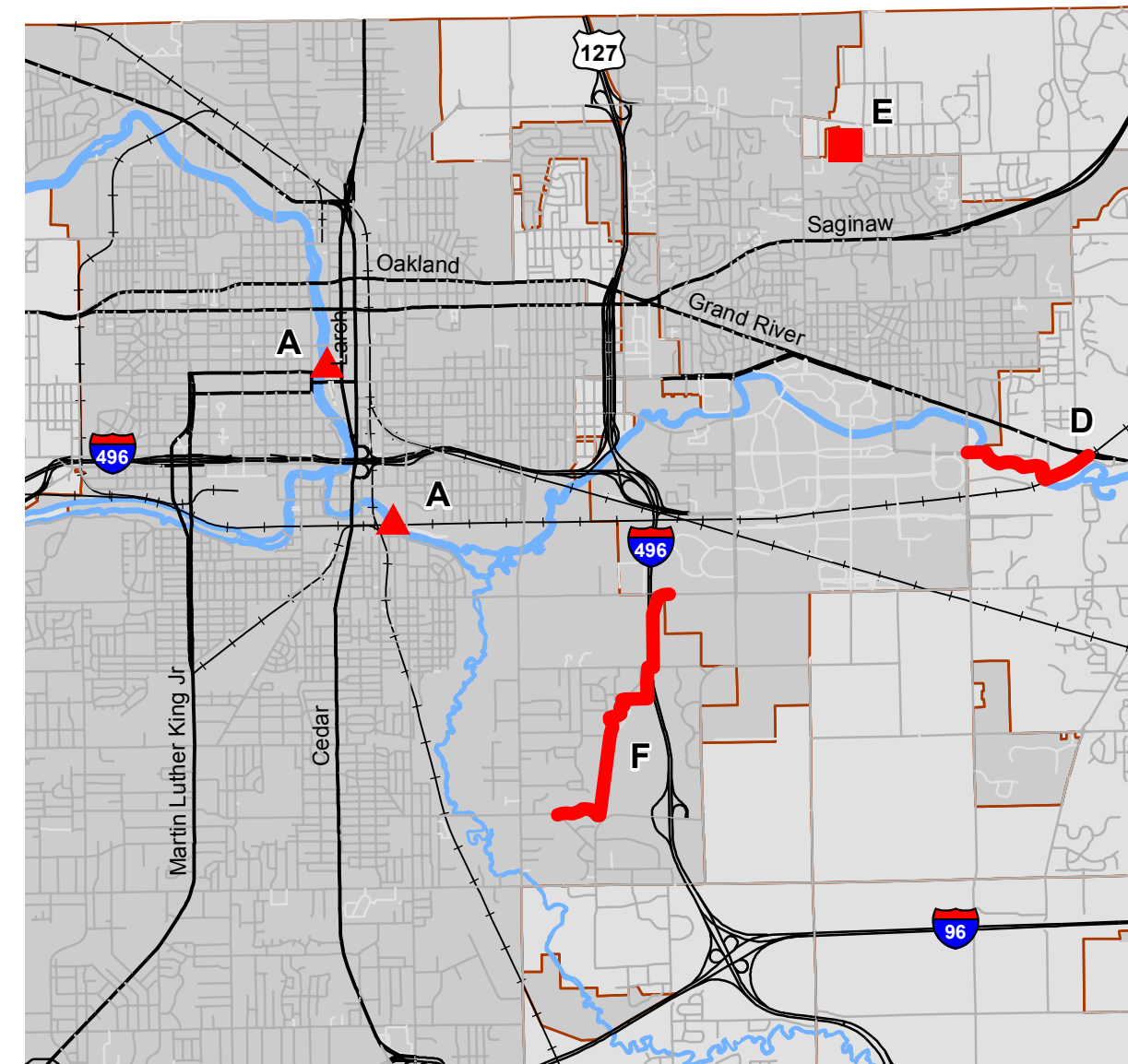


- A. Grand River Bank Stabilization (Lansing)
- B. Hayhoe Riverwalk Trail Extension and Trailhead (Mason)
- C. Leslie Trail Planning Project (Leslie)
- D. MSU to Lake Lansing Connector Trail Phase I (Meridian Township)
- E. Northern Tier Trail Connection White Park (East Lansing)
- F. US 127 Pathways (Lansing)

- New Construction
- ▲ Repair Rehabilitation Long-term Maintenance
- ★ Special Project
- New Construction



Note:
G. In addition to these projects, a Volunteer Trail Ambassador Coordinator was also approved.



BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks & Recreation Department of the City of Lansing received approval from the Ingham County Board of Commissioners for up to \$4,496,093 in trails and parks millage funding; and

WHEREAS, the funding will be used for twelve (12) projects within the trail system within the city of Lansing, as detailed in Ingham County Board of Commissioners resolutions 16-247, 16-328 and 17-109; and

WHEREAS, there is no match requirement for this funding; and

WHEREAS, the funding for the US-127 pathway project is intended to be used for engineering and the required 20% local match for the construction of this project, which is funded with federal CMAQ funding in FY'2018 and FY'2020; and

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Ingham County trails and parks millage funding; and

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

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

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Ingham County parks and trails millage funding as identified in the Ingham County Board of Commissioners resolutions 16-247, 16-328 and 17-109;

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



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: 4-7-17

RE: Public Improvement V: Assessment Roll B-095 2015 Sidewalk Repair

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: Mitchell Whisler, Assistant City Engineer

Subject: CITY COUNCIL AGENDA ITEM - Public Improvement V: Assessment Roll B-095
2015 Sidewalk Repair

Date: April 5, 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 PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT V

WHEREAS, it was deemed to be a public necessity to repair Sidewalk in the areas described below, and

WHEREAS, the construction of PS #01113, known as the 2015 SIDEWALK REPAIR Construction Project, has been completed, and

WHEREAS, changes to the Assessment Roll # have been conveyed to the City Assessor Roll # B-095, as ratified by City Council, and

WHEREAS, there was an error in the reported estimated cost of \$41,152.90 assessable to the property owner(s) in Resolution #2015-222, and

WHEREAS, the reported estimated cost assessable to the property owner should have stated \$40,574.64, and

WHEREAS, the benefitted properties are as follows:

PROPERTY BENEFITTED:

SIDEWALK:

- Glasgow Drive (from Deerfield Avenue to Inverary Drive); and
- Christine Drive (from Norwich Road to Inverary Drive); and
- Inverary Drive (from Norwich Road to Glasgow Drive); and
- Brisbane Drive (from Norwich Road to Averill Drive); and
- Oban Road (from Christine Drive to Glasgow Drive); and
- Sunderland Road (from Brisbane Drive to Inverary Drive);

Excepting all public streets and alleys and other land deemed not benefitted.

ROLL B-095	ESTIMATED COST	ACTUAL COST	DIFFERENCE
2015 Sidewalk Repair	\$40,574.64	\$37,390.68	(\$3,183.96)

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B-095, Public Service # 01113, known as 2015 SIDEWALK REPAIR CONSTRUCTION Project, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten

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days, his warrant directing the City Treasurer to adjust the assessments of all persons who have paid said tax as originally assessed to pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.



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: 4-7-19

RE: Renaming Westside Park as "Rudolph and Dorothy Wilson Park"

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: Brett Kaschinske, Director of Parks and Recreation

Subject: CITY COUNCIL AGENDA ITEM - Renaming Westside Park as “Rudolph and Dorothy Wilson Park”

Date: 4-7-17

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

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

WHEREAS, Rudolph Valentino “Rudy” and Dorothy Jean “Dot” Wilson have been long time tireless leaders, mentors and servants as residents of Lansing; and

WHEREAS, Rudy and Dot were strong community pillars both active in many affiliations receiving awards and recognition of their dedication for the betterment of Lansing residents; and

WHEREAS, Rudy and Dot were involved with the Youth Development Corporation, Black Child and Family Institute, Greater Lansing Chapter of the National Caucus and Center on Black Aged, Tri-County Office on Aging to promote the health and well-being of the elderly, and worked diligently to make positive changes in their community; and

WHEREAS, Rudy and Dot contributed to the beautification and development of the neighborhood as active members of the Westside Neighborhood Association, which played a significant role in the safety and quality of life for its residents; and

WHEREAS, Rudy, earlier in life, worked with Boy Scouts of America; was a trailblazer as the first African American salaried employee of General Motors Oldsmobile Chemistry Lab; the first African American on the Ingham Intermediate School District Board, Community Mental Health Board, and served on the Lansing Fire Commission. Rudy was a member of the Omega Psi Phi Fraternity, Inc. Sigma Upsilon Chapter; and

WHEREAS, Dot made a profound impact through her work and community service with YWCA’s Girls Reserve and Girls Scouts of America. She worked for Lincoln Community Center (now known as Letts Community Center), United Way, March of Dimes, and Mothers’ March on Infantile Paralysis, Parent Teacher Association Council, Voter Registration, Links, Inc., and a volunteer at Sparrow Hospital. Dot was a bookkeeper for UAW Local 652; and

WHEREAS, Dot was a member of Alpha Kappa Alpha Sorority, Inc., Links, Inc. and a Founding member of Les Meres et Debutantes.

WHEREAS, Rudy and Dot both worked as relentless crusaders for the less fortunate and youth in their community. Their concerns for the human condition and social justice lead them to fight for fair housing prices, equal opportunity in employment and accommodations. They consistently were actively involved in the NAACP Lansing Charter advocating for equality and justice; and

WHEREAS, the Memorial Review Board agreed to defer the decision to the Park Board; and

WHEREAS, at the regular January 13, 2016 Park Board meeting the board members approved with a 7 to 0 vote to support the Mayor's request to rename Westside Park to the Rudy and Dorothy Wilson Park; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves renaming Westside Park to the Rudolph and Dorothy Wilson Park.



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

4-7-17

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

Dear President Spitzley and City Councilmembers:

I herewith submit for your confirmation the re-appointments of:

Board of Fire Commissioners:

Betty Draher as a First Ward Member for a term to expire June 30, 2021

Board of Police Commissioners:

Clyde Carnegie as a Fourth Ward Member for a term to expire June 30, 2020

Drew Macon as a First Ward Member for a term to expire June 30, 2021

William Renfrew as an At-Large Member for a term to expire June 30, 2021

Board of Public Service:

Lyndon Babcock as an At-Large Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Emly Horne as an At-Large Member for a term to expire June 30, 2020

Jordan Leaming as an At-Large Member for a term to expire June 30, 2020

Downtown Lansing Inc.:

Terry Carella as a Business Representative for a term to expire June 30, 2021

Summer Schriener as an Adjacent Neighborhood Representative for a term to expire June 30, 2021

Election Officers Compensation Commission:

Kurt Berryman as an At-Large Member for a term to expire October 1, 2023



OFFICE OF THE MAYOR

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

Virg Bernero, Mayor

Historic District Commission:

Philip Mondro as an At-Large Member for a term to expire June 30, 2020
Cassandra Nelson as an At-Large Member for a term to expire June 30, 2019
Curtis Sonnenberg as an At-Large Member for a term to expire June 30, 2018
Tom Truscott as an At-Large Member for a term to expire June 30, 2018
Nathalie Winans as an At-Large Member for a term to expire June 30, 2018

Human Relations & Community Service Board:

Edwina Marshall as a First Ward Member for a term to expire June 30, 2021

Memorial Review Board:

Maria Enriquez as an At-Large Member for a term to expire June 30, 2019
Angela Moore as a Fourth Ward Member for a term to expire June 30, 2020
Chad Rogers as an At-Large Member for a term to expire June 30, 2020

Potter Park Zoo Board:

Richard Kibbey as an At-Large Member for a term to expire December 31, 2018

Your confirmation of these re-appointments is appreciated.

Sincerely,

Virg Bernero
Mayor

VB/rh
Attachment

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

WHEREAS, the Mayor made reappointments to various Boards as stated below; and

WHEREAS, the Mayor's office has verified that the nominees have been vetted and meet the qualifications as required by the City Charter.

NOW, THEREFORE BE IT RESOLVED, the City Council confirms the reappointments to various Boards as stated below:

Board of Fire Commissioners:

Betty Draher as a First Ward Member for a term to expire June 30, 2021

Board of Police Commissioners:

Clyde Carnegie as a Fourth Ward Member for a term to expire June 30, 2020

Drew Macon as a First Ward Member for a term to expire June 30, 2021

William Renfrew as an At-Large Member for a term to expire June 30, 2021

Board of Public Service:

Lyndon Babcock as an At-Large Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Emly Horne as an At-Large Member for a term to expire June 30, 2020

Jordan Leaming as an At-Large Member for a term to expire June 30, 2020

Downtown Lansing Inc.:

Terry Carella as a Business Representative for a term to expire June 30, 2021

Summer Schriener as an Adjacent Neighborhood Representative for a term to expire June 30, 2021

Election Officers Compensation Commission:

Kurt Berryman as an At-Large Member for a term to expire October 1, 2023

Historic District Commission:

Philip Mondro as an At-Large Member for a term to expire June 30, 2020

Cassandra Nelson as an At-Large Member for a term to expire June 30, 2019

Curtis Sonnenberg as an At-Large Member for a term to expire June 30, 2018

Tom Truscott as an At-Large Member for a term to expire June 30, 2018

Nathalie Winans as an At-Large Member for a term to expire June 30, 2018

Human Relations & Community Service Board:

Edwina Marshall as a First Ward Member for a term to expire June 30, 2021

Memorial Review Board:

Maria Enriquez as an At-Large Member for a term to expire June 30, 2019

Angela Moore as a Fourth Ward Member for a term to expire June 30, 2020
Chad Rogers as an At-Large Member for a term to expire June 30, 2020

Potter Park Zoo Board:

Richard Kibbey as an At-Large Member for a term to expire December 31, 2018

Hello,

I am officially appealing the denied claim for the property located at 5271 Pacific Ave, Lansing MI 48906.

Sincerely

Mark Preston



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

March 6, 2017

Mark Preston
5398 Harper Road
Holt, MI 48842

Re: Claim – 527 Pacific Ave.

Dear Mr. Preston:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$764.00 for property located at 527 Pacific Ave., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Venus Kumar".

Venus Kumar
Paralegal

Appeal

I am Farik Abbawi the owner of the property located at 2413 S. Pennsylvania, Lansing MI.

I met the Community In Attorney department, about 3 months ago & I asked them to wave the inspection fees which was for 4 months & I showed for them all the documents and receipts I have which prove that I am working hard on that house which is a very old house of 2 stories, I worked hard to change the main circuit breaker & the cables beside the meter, also the furnace & the water heater & the chimney liner, 2 sump pumps beside the digging and the drain pipes. flooring, carpeting, painting, electrical repairs like not grounded outlets and wrong wiring.

Beside this effort I have a big issue with the money as I am working while my wife is not & I am squeezing my budget & expenses at home to save some hundreds dollars to pay to the contractors & the materials for this project.

So please I want your help to wave all the late inspection fees for 3 months not only the 1st. month. which is $\$157 \times 3 = \571 .

Farik Abbawi

Abbawi
4-2-17



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

March 6, 2017

Tarik Abbawi
2128 Coolidge
East Lansing, MI 48823

Re: Claim – 2413 S. Pennsylvania

Dear Mr. Abbawi:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$157.50 for property located at 2413 S. Pennsylvania, Lansing, Michigan, and denied the claim you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Venus Kumar".

Venus Kumar
Paralegal



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

April 6, 2017
American Gas & Oil, Inc.
c/o: Joseph A. Lucas
(jalucas@rhodesmckee.com)

**RID #900959 Reference/Transaction: New SDM License issued under MCL 436.1533(7);
New Sunday Sales Permit (AM); New Gas Pumps to be issued under MCL 436.151(6) 5' (inside)**

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: American Gas & Oil, Inc.

Business address and phone number: 4019 S. Martin L King, Lansing, MI 48910

Home address and phone number of partner(s)/subordinates:

Jason F. Berris – 5701 Chanterelle Dr. NE, Belmont, MI 49503;

B: 616-887-0956 C: 616-437-7666

Frank G. Berris – 8220 Ten Mile Rd, Rockford, MI 49341; B: 616-887-0956 C: 616-874-7263

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

**Escanaba District Office (906) 786-5553
Lansing District Office (866) 813-0011**

**Grand Rapids District Office (616) 447-2647
Southfield District Office (313) 456-1170**

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

A copy of this notice is also being provided to **Lansing City** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

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

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Jason F. Berris (j.berris@americango.biz) / Lansing City