



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
MAY 15, 2017**

Cemetery hosted by Friends of Lansing Cemeteries.

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON LEGISLATIVE MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the Mobile Food Pantry, and shared details about the dedication of the Multipurpose Athletic Complex to honor Willard Walker and renaming Westside Park as "Rudolph and Dorothy Wilson Park."

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of the dedication of the Multipurpose Athletic Complex to honor Willard Walker
2. In consideration of renaming Westside Park as "Rudolph and Dorothy Wilson Park" in Memoriam of Rudolph Valentino "Rudy" and Dorothy Jean "Dot" Wilson
3. In consideration of an Ordinance to enact Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements

Council Member Dunbar gave an overview of the public hearings #1 and #2.

Council Member Washington gave an overview of the public hearing #3.

• Public Comment on Legislative Matters:

Deb Parrish spoke about her concerns with the FY 2018 budget and other legislative matters.

Loretta Stanaway spoke about her concerns with the FY 2018 budget.

Mary Stafford spoke about her concerns with proposed changes in operation of the Groesbeck Golf Course and possible road through Ormond Park contained in the FY 2018 budget.

Beth Monteith spoke about her concerns with proposed changes in operation of the Groesbeck Golf Course and possible road through Ormond Park contained in the FY 2018 budget.

Peter Wood spoke about her concerns with proposed changes in operation of the Groesbeck Golf Course and possible road through Ormond Park contained in the FY 2018 budget.

Kathleen Badgley spoke about her concern with proposed changes in operation of the Groesbeck Golf Course and possible road through Ormond Park contained in the FY 2018 budget.

Linda Appling spoke about the FY 2018 budget.

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 8:10 p.m. by Vice President Wood

PRESENT: Council Members Brown Clarke, Hussain, Washington, Wood, Yorko

ABSENT: Council Members Dunbar (arrived at 8:17 p.m.), Houghton (arrived at 8:15 p.m.), Spitzley

Council Member Washington asked people to remember Robert Ovalle's son, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by Vice President Wood.

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Council Member Washington shared concerns about proposed entrance into Ormond Park to access Groesbeck Golf Course.

Council Member Houghton arrived at 8:15 p.m.

Council Member Hussain thanked Vice President Wood for hosting his past Third Ward constituent meeting and also announced dates of the meetings Churchill Downs Neighborhood Assoc., Colonial Village Neighborhood, Lewton-Rich Neighborhood Assoc., Neighborhood in Bloom, and meeting with Park Director in Southwest Lansing.

Council Member Yorko thanked volunteers and staff for Adopt-A-River program, especially in the Tecumseh River Neighborhood.

Council Member Dunbar arrived at 8:17 p.m.

Council Member Houghton announced Penn4People flower planting initiative on Pennsylvania, Old Everett Neighborhood Association, and Forest View Neighborhood Association.

Vice President Carol Wood shared that she has received several letters regarding Ormond Park and the budget to be added to the public record.

Council Member Dunbar announced Neighborhoods-in-Bloom pick-up information at St. Casimir Church

City Clerk Chris Swope provided information on Tri-County Office on Aging's public hearing regarding the 2018 Annual Implementation Plan and introduced new intern Kaitlin Jennings who will be assisting with Council meetings for the summer.

COMMUNITY EVENT ANNOUNCEMENTS

Linda Appling announced an event at the Michigan Historical Museum, hosted by Theta Rho Zeta Chapter of the Zeta Phi Beta Sorority.

Loretta Stanaway announced the flower giveaway at Evergreen

LEGISLATIVE MATTERS**REFERRAL OF PUBLIC HEARINGS**

1. In consideration of the dedication of Multipurpose Athletic Complex to honor Willard Walker
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. In consideration of renaming Westside Park as "Rudolph and Dorothy Wilson Park" in Memoriam of Rudolph Valentino "Rudy" and Dorothy Jean "Dot" Wilson
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. In consideration of an Ordinance to enact Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements
PLACED ON FILE

RESOLUTIONS**RESOLUTION #2017-127**

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

WHEREAS, the Mayor made the appointment of Kimberly Whitfield of 2500 Vine Street in Lansing, MI 48912, as a First Ward Member of the Park Board for a term to begin July 1, 2017 and set to expire June 30, 2021; and

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

WHEREAS, the Committee on Public Services met and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kimberly Whitfield of 2500 Vine Street in Lansing, MI 48912, as a First Ward Member of the Park Board for a term to begin July 1, 2017 and set to expire June 30, 2021.

By Council Member Dunbar

Motion Carried

City Clerk Swope swore in Kimberly Whitfield to the Park Board

RESOLUTION #2017-128

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

WHEREAS, Thomas Bishop graduated from Perry High School in 1990 and attended Lansing Community College.; and

WHEREAS, Thomas is currently the Member Experience Manager at Lake Trust Credit Union's South Lansing Branch. He has been employed with Lake Trust Credit Union for eighteen years and a member of the South Lansing Business Association for over fifteen years; and

WHEREAS, Thomas enjoys spending time with his eleven year old son as they both share a passion for MSU sports and all things basketball; and

WHEREAS, Thomas serves the South Lansing Community by volunteering as Team Lake Trust Lead for Registration at the Hawk Island Triathlon, teaching at seminars and classes regarding financial education, Grade Portfolio Reviews, Mock interviews at local High Schools, and the Lansing City Rescue Mission Playground; and

WHEREAS, Thomas is passionate about serving the community and making a difference by giving back to the people and neighborhoods that together support the South Lansing Community.

BE IT RESOLVED, Lansing City Council hereby, wishes to express its appreciation to Thomas Bishop for his commitment to the Lansing community. Congratulations on being chosen as the recipient of the "Business Person of the Year Award" from the South Lansing Business Association. We wish you continued success!

By Council Member Houghton

Motion Carried

RESOLUTION #2017-129

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

WHEREAS, Jane Aldrich was born and raised in Ann Arbor, Michigan and graduated from Alma College in 1978. Jane is married to Kip Bohne and together they have a daughter Emily; and

WHEREAS, Jane Aldrich worked at television stations in Toledo, Ohio and in the Lansing area before establishing her life long career at 6 News; and

WHEREAS, Jane started as a reporter and an anchor for 6 News on October 14, 1985, and has worked decades anchoring various shows, including 6 News at Noon, 5, 6, and 11 p.m.; and

WHEREAS, Jane Aldrich has hosted hundreds of events over the years for a variety of causes. Jane has helped raise money and awareness for The Alzheimer's Association Great Lakes Chapter, Lansing Community College, The Greater Lansing Food Bank, Hospice of Lansing, Special Olympics, and the Capital Area District Library just to name a few; and

WHEREAS, Jane Aldrich is a spiritual counselor through the University of the South School of Theology, Education for Ministry Extension Program and is certified as a Life Celebrant, officiating at weddings and funerals; and

WHEREAS, Jane Aldrich has a special affection for Lansing Community College and the role it played in helping her get a start in broadcast media. Jane has established a scholarship to provide financial assistance for Lansing Community College students in the Department of Communications, and Media and the Arts.

BE IT RESOLVED, Lansing City Council hereby, wishes to express its appreciation to Jane Aldrich for her commitment to the Lansing community. Congratulations on being chosen as the recipient of the "Community Service Award" from the South Lansing Business Association. We wish you continued success!

By Council Member Houghton

Motion Carried

RESOLUTION #2017-130

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

WHEREAS, Joan Bauer has lived and worked in Lansing for most of her life. Joan is well known for her deep commitment and service to Mid-Michigan through her professional career, her work as an elected official, and her community service; and

WHEREAS, In 1995 Joan was elected to the Lansing City Council as a

Member-At-Large. Joan served on the City Council for eleven years, during which time she served as President, Vice President, and chaired every one of the Council Committees; and

WHEREAS, Joan Bauer was elected to serve as State Representative for the House's 68th District in 2006 and served for six years. During her time in the Legislature Joan served on the House Appropriations Committee where she chaired the Higher Education and the Community Colleges subcommittees. Representative Bauer played a lead role in the passage of the bill to ban smoking in Michigan bars and restaurants; and

WHEREAS, Joan has been an active volunteer and community leader for many organizations over the past forty years, where she has served as President of the Michigan Capital Girl Scout Council, Friends of the Lansing Public Library, Friends of the Michigan Women's Historical Center and Hall of Fame, Lansing Rotary Club Foundation, and the Junior League of Lansing. Currently Joan chairs the United Way's Women's Leadership Council and the 2020 Girls Giving Society.

BE IT RESOLVED, Lansing City Council hereby, wishes to express its appreciation to Joan Bauer for her commitment to the Lansing community. Congratulations on being chosen as the recipient of the "Alfreda Schmidt Lifetime Achievement Award" from the South Lansing Business Association. We wish you continued success!

By Council Member Houghton

Motion Carried

RESOLUTION #2017-131

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in conformance with Article 7, Section 7-101 of the City Charter, on March 27, 2017, the Mayor submitted a proposed budget for the 2017/2018 fiscal year, which spans from July 1, 2017 through June 30, 2018; and

WHEREAS, the City Council held a series of televised public hearings to review Mayor's budget recommendations; and

WHEREAS, the City Council held special Committee of the Whole meetings during evening hours at the Alfreda Schmidt Community Center on May 3, 2017 and at the Foster Community Center on May 4, 2017, and as part of the Council meeting to provide opportunities for citizens to comment on the proposed City budget; and

WHEREAS, in accordance with City Charter and the State Uniform Budgeting and Accounting Act, notice was published and a public hearing was held on April 24, 2017, for the fiscal year 2017/2018 budget and capital improvements program; and

WHEREAS, Public Act 2 of 1968 of the State of Michigan, as amended, provides that the budget resolution of the City shall set forth the total number of mills to be levied under the General Property Tax Act, the estimated revenues, by source, and amounts appropriated to defray expenditures and meet the liabilities of the City for the ensuing fiscal year; and

WHEREAS, the City Council desires to establish certain budget policies for the fiscal year 2017/2018,

"NOW, THEREFORE, BE IT RESOLVED that 19.70 mills be levied under the General Property Tax Act for fiscal year 2017/2018 as follows:

City Operating:	19.44
City Debt:	.26

BE IT FURTHER RESOLVED that the City's sewage rate shall be increased by 3.0% for FY 2018;

BE IT FURTHER RESOLVED that the following changes to the City's fee and charges be adopted:

	From Current FY 2017	To Adopted FY 2018
City Clerk's Office		
Data Request - Voter Information - Labels	new	\$10.00 setup fee + \$0.40/label
Data Request - Voter Information - Printed Report	new	\$10.00 setup fee + \$0.25/page
Data Request - Voter Information - Email	new	\$10.00 setup fee + \$.001/voter name
Data Request - Voter Information - Daily AV Report	new	\$0.55/page
Fire Department - Code Compliance		
Home Occupation Initial Registration Fee	new	\$265.00
Home Occupation Inspection Fee	new	\$215.00
Parks & Recreation Department		
Tot Time Drop in fee	\$1.00	\$2.00
Dedicated Wireless service - Riverfront Park: Per hour/Per Event	new	\$100.00
Valentines Dances	\$8.00	\$9.00
Family Scavenger Hunt	new	\$50.00
Gym Full Court, non-athletic, Gier gym, Resident	\$35.00	\$45.00
Gym Full Court, non-athletic, Gier gym, Non-resident	\$40.00	\$50.00
Gym Full Court, non-athletic, Letts gym, Resident	\$25.00	\$35.00
Gym Full Court, non-athletic, Letts gym, Non-resident	\$30.00	\$40.00
Gym Full Court, non-athletic, Foster gym, Resident	\$15.00	\$25.00
Gym Full Court, non-athletic, Foster gym, Non-resident	\$20.00	\$30.00
Little Sluggers Baseball, Resident	\$25.00	\$30.00
Little Sluggers Baseball, Non-resident	\$30.00	\$35.00
Mens' Age 50+ Basketball	\$200.00	\$225.00
High School Fast-Pitch Softball	\$300.00	\$325.00
Age 70+ Senior Softball	\$200.00	\$225.00
Todd Martin Youth Leadership, Tutoring, Fall, age 8-18, Resident	new	\$65.00
Todd Martin Youth Leadership, Tutoring, Fall, age 8-18, Non-resident	new	\$95.00
Todd Martin Youth Leadership, Tutoring, Winter, age 8-18, Resident	new	\$65.00
Todd Martin Youth Leadership, Tutoring, Winter, age 8-18, Non-resident	new	\$95.00
Todd Martin Youth Leadership, Tutoring, Spring, age 8-18, Resident	new	\$65.00
Todd Martin Youth Leadership, Tutoring, Spring, age 8-18, Non-resident	new	\$95.00
Todd Martin Youth Leadership, Tutoring, Summer, age 8-18, Resident	new	\$45.00
Todd Martin Youth Leadership, Tutoring, Summer, age 8-18, Non-resident	new	\$65.00
Rivertrail Rental Fee, per event	\$100.00	\$125.00
Planning & Neighborhood Development Department - General Fund		
Payment in Lieu of Taxes (PILOT) Processing Fee	new	\$1,500.00
Planning & Neighborhood Development Department - Building Safety Fund		
Building Permit - Minimum Permit Amount	\$90.00	\$100.00
Commercial Plan Review (percent of Building Permit fee)	55%	56%
Plumbing Permit Base Fee	\$90.00	\$100.00
Mechanical Permit Base Fee	\$90.00	\$100.00
Electrical Permit Base Fee	\$90.00	\$100.00
Sign Permit - Minimum Permit Amount	\$125.00	\$135.00
Demolition Permit - Minimum Permit Amount	\$90.00	\$100.00
Planning & Neighborhood Development Department - Parking Fund		
Parking Fines		\$0.25 increase
Public Service Department General Fund:		
Soil Erosion Plan Review Fee	\$200.00	\$415.00
Soil Erosion and Sedimentation Control (SESC) Fee	\$200.00	\$270.00
Soil Erosion Permits - Residential Designation (previously, no separation for residential):		
Plan Review Fee	\$200.00	\$70.00
SESC Inspection Fee Per Acre (30 Day increments)	\$300.00	\$185.00
SESC Permit Closure	\$200.00	\$65.00
Drive Approach/Sidewalk Form Inspection Fees:		
Up to 200 linear feet	\$125.00	\$130.00
Storm Sewer Permits:		
Up to 75' of pipe installed	\$166.00	\$177.00
Additional fee when pipe installation exceeds 75'	\$1.60	\$1.70
Infrastructure Records Annual Access fee	new	\$75.00
Demolition cap off fee	\$111.00	\$124.00
Tower Antennas:		
Use: Stand Alone Tower w/Antenna-Zone 1	new	\$150.00
Use: Stand Alone Tower w/Antenna-Zone 2	new	\$75.00
Use: Collocated Existing Utility Pole/Tower-Zone 1	new	\$40.00
Use: Collocated Existing Utility Pole/Tower-Zone 2	new	\$20.00
Permit: Pole/Antenna (1-5 sites) stand alone tower w/antenna	new	\$360.00
Permit: Pole/Antenna (>5 but <11 sites) "	new	\$480.00
Permit: Pole/Antenna (>10 but <21 sites) "	new	\$732.00
Permit: Pole/Antenna (Per site after 20) "	new	\$50.00
Permit: Antenna (1-5 sites) collocated existing utility pole/tower	new	\$180.00
Permit: Antenna (>5 but <11 sites) "	new	\$228.00
Permit: Pole/Antenna (>10 but <21 sites) "	new	\$264.00
Permit: Pole/Antenna (Per site after 20) "	new	\$20.00
License: License agreement to use ROW	new	\$500.00
Bike Locker Fees - Monthly		
Bike Locker Fees - Monthly	new	up to \$15.00
Bike Locker Fees - Weekly	new	up to \$5.00
Bike Locker Fees - Daily	new	up to \$2.00
Bike Locker Fees - Hourly	new	up to \$0.50
Public Service Department Road Funds:		
Permit to Occupy the Right of Way: 1 - 365 days	\$125 permit plus \$9 per day	\$130 permit plus \$9 per day

MAY 15, 2017

COUNCIL PROCEEDINGS

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Public Service Department Refuse and Recycling Funds:

Refuse Carts:		
21 gallon cart - quarter year	\$39.00	\$40.00
32 gallon cart - quarter year	\$42.00	\$43.00
65 gallon cart - quarter year	\$47.00	\$48.00
95 gallon cart - quarter year	\$53.00	\$54.00
Recycling Fee	\$94.50	\$98.50
Recycling Commercial Late Fee	\$5.00	\$10.00

Public Service Department Sewer Fund:

Sewer Tap	\$419.08	\$467.53
Grease Trap Permit Fee	new	\$220.00
Sanitary Sewer Permits:		
Up to 75' of pipe installed	\$166.00	\$177.00
Additional fee when pipe installation exceeds 75'	\$1.60	\$1.70

BE IT FURTHER RESOLVED that the following appropriations and revenue projections are adopted as the City's budget for the FY 2017/2018 fiscal year:

	FY 2018 Proposed	Council Changes	FY 2018 Adopted
Estimated Revenues			
Property Taxes	40,505,000		40,505,000
Income Taxes	35,600,000		35,600,000
State Shared Revenues	15,764,500		15,764,500
Licenses and Permits	1,906,500		1,906,500
Charges for Services	9,422,900		9,422,900
Fines and Forfeitures	2,961,600		2,961,600
Interest and Rents	38,500		38,500
Return on Equity	22,300,000		22,300,000
Other Revenue	351,000		351,000
Transfers	100,000		100,000
Use of/(Contribution to) Fund Balance	(500,000)		(500,000)
Total Revenue	128,450,000	-	128,450,000
Appropriations			
City Council			
Personnel	483,542		483,542
Operating	214,458		214,458
Total	698,000	-	698,000
Internal Audit			
Personnel	168,088		168,088
Operating	12,612		12,612
Total	180,700	-	180,700
Courts			
Personnel	5,214,305		5,214,305
Operating	1,365,595		1,365,595
Total	6,579,900	-	6,579,900
Mayor's Office			
Personnel	851,649		851,649
Operating	192,951		192,951
Total	1,044,600	-	1,044,600
Office of Community Media			
Personnel	405,650		405,650
Operating	31,750		31,750
Total	437,400	-	437,400
City Clerk' Office			
Personnel	825,177		825,177
Operating	237,623		237,623
Total	1,062,800	-	1,062,800
Planning & Neighborhood Development			
Personnel	704,621		704,621
Operating	409,879	15,000	424,879
Total	1,114,500	15,000	1,129,500
Finance			
Personnel	4,515,150		4,515,150
Operating	1,291,150		1,291,150
Total	5,806,300	-	5,806,300
Human Resources			
Personnel	1,422,791		1,422,791
Operating	831,209		831,209
Total	2,254,000	-	2,254,000
City Attorney			
Personnel	1,777,094		1,777,094
Operating	249,406		249,406
Total	2,026,500	-	2,026,500
Police			
Personnel	34,993,710		34,993,710
Operating	6,301,290		6,301,290
Total	41,295,000	-	41,295,000
Fire			
Personnel	29,988,769		29,988,769
Operating	5,024,231	(30,000)	4,994,231
Total	35,013,000	(30,000)	34,983,000
Public Service			
Personnel	2,864,452		2,864,452
Operating	8,251,048		8,251,048
Total	11,115,500	-	11,115,500
Human Relations & Community Service			
Personnel	1,167,522		1,167,522
Operating	165,178		165,178
Total	1,332,700	-	1,332,700

Parks & Recreation			
Personnel	4,928,104		4,928,104
Operating	3,422,196		3,422,196
Total	8,350,300	-	8,350,300
Human Services			
Operating	1,600,000		1,600,000
Total	1,600,000	-	1,600,000
City-Supported Agencies			
Operating	481,400		481,400
Total	481,400	-	481,400
Non-Departmental			
Vacancy Factor	(500,000)		(500,000)
Library Lease	165,000		165,000
Debt Service	1,065,000		1,065,000
Transfers	7,327,400	15,000	7,342,400
Total	8,057,400	15,000	8,072,400
Total Appropriations	128,450,000	-	128,450,000

II. SPECIAL REVENUE FUNDS

MAJOR STREETS FUND

Estimated Revenues		
Gas & Weight Tax Receipts	8,910,700	8,910,700
Utility Permit Fees (Metro Act)	450,000	450,000
Reimbursements	1,200,900	1,200,900
Miscellaneous Revenue	168,000	168,000
Transfer from General Fund	-	-
Use of/(Contribution to) Fund Balance	1,770,400	1,770,400
Total Revenue	12,500,000	12,500,000
Appropriations		
Personnel	3,017,314	3,017,314
Operating	3,937,786	3,937,786
Capital	2,675,000	2,675,000
Debt Service	619,900	619,900
Transfers	2,250,000	2,250,000
Total Appropriations	12,500,000	12,500,000

LOCAL STREETS FUND

Estimated Revenues		
Gas & Weight Tax Receipts	2,966,700	2,966,700
Reimbursements	600,000	600,000
Transfers	4,151,000	4,151,000
Use of/(Contribution to) Fund Balance	32,300	32,300
Total Revenue	7,750,000	7,750,000
Appropriations		
Personnel	3,058,971	3,058,971
Operating	2,408,929	2,408,929
Capital	1,229,000	1,229,000
Debt Service	1,053,100	1,053,100
Total Appropriations	7,750,000	7,750,000

STADIUM FUND

Estimated Revenues		
Operating Revenues	410,000	410,000
Stadium Naming Rights	120,000	120,000
Reimbursements	125,000	125,000
Transfers In	501,100	501,100
Use of/(Contribution to) Fund Balance	-	-
Total Revenue	1,156,100	1,156,100
Appropriations		
Debt Service	1,156,100	1,156,100
Total Appropriations	1,156,100	1,156,100

BUILDING DEPARTMENT FUND

Estimated Revenues		
Licenses & Permits	2,537,500	2,537,500
Charges for Services	1,900	1,900
Miscellaneous	200	200
Transfer from General Fund	-	-
Use of/(Contribution to) Fund Balance	17,400	17,400
Total Revenue	2,557,000	2,557,000
Appropriations		
Personnel	2,002,224	2,002,224
Operating	554,776	554,776
Total Appropriations	2,557,000	2,557,000

CDBG FUND

Estimated Revenues		
Federal Grants	2,354,000	2,354,000
General Fund Transfer	155,000	155,000
Total Revenue	2,509,000	2,509,000
Appropriations		
Personnel	1,027,026	1,027,026
Operating	1,481,974	1,481,974
Total Appropriations	2,509,000	2,509,000

HOME GRANT FUND

Estimated Revenues		
Federal Grants	615,000	615,000
General Fund Transfer	30,000	30,000
Total Revenue	645,000	645,000
Appropriations		
Personnel	194,584	194,584
Operating	450,416	450,416
Total Appropriations	645,000	645,000

EMERGENCY SHELTER GRANT FUND

Estimated Revenues				WASTEWATER FUND			
Federal Grants	168,000		168,000	Estimated Revenues			
General Fund Transfer	-		-	Sewer Charges	33,880,000		33,880,000
Total Revenue	168,000	-	168,000	Interest Income	161,150		161,150
Appropriations				Low Income Credit	(2,000)		(2,000)
Operating	168,000		168,000	Miscellaneous Income	2,012,300		2,012,300
Total Appropriations	168,000	-	168,000	Use of/(Contribution to) Fund Equity	717,550		717,550
FEDERAL DRUG LAW ENFORCEMENT SPECIAL REVENUE FUND				Total Revenue	36,769,000	-	36,769,000
Estimated Revenues				Appropriations			
Drug Forfeitures	-		-	Personnel	8,089,117		8,089,117
Use of/(Contribution to) Fund Balance	58,500		58,500	Operating	8,492,695		8,492,695
Total Revenue	58,500	-	58,500	Capital	5,121,000		5,121,000
Appropriations				Debt Service	15,066,188		15,066,188
Personnel	-	-	-	Total Appropriations	36,769,000	-	36,769,000
Operating	58,500	-	58,500	REFUSE FUND			
Total Appropriations	58,500	-	58,500	Estimated Revenues			
STATE/LOCAL DRUG LAW ENFORCEMENT SPECIAL REVENUE FUND				Operating Income	2,005,216		2,005,216
Estimated Revenues				Interest Income	7,000		7,000
Drug Forfeitures	-		-	Use of/(Contribution to) Fund Equity	(74,216)		(74,216)
Use of/(Contribution to) Fund Balance	196,500		196,500	Total Revenue	1,938,000	-	1,938,000
Total Revenue	196,500	-	196,500	Appropriations			
Appropriations				Personnel	948,959		948,959
Operating	196,500	-	196,500	Operating	964,041		964,041
Transfers	-	-	-	Capital	25,000		25,000
Total Appropriations	196,500	-	196,500	Total Appropriations	1,938,000	-	1,938,000
DRUG LAW ENFORCEMENT FUND - TRI-COUNTY METRO				RECYCLING FUND			
Estimated Revenues				Estimated Revenues			
Drug Forfeiture Revenues	415,000		415,000	Operating Income	3,866,080		3,866,080
Contributions from Local Units	415,000		415,000	Sale of Recycled Materials	-		-
Total Revenue	830,000	-	830,000	Interest Income	-		-
Appropriations				Use of/(Contribution to) Fund Equity	563,920		563,920
Personnel	88,000	-	88,000	Total Revenue	4,430,000	-	4,430,000
Operating	742,000	-	742,000	Appropriations			
Transfers	-	-	-	Personnel	2,223,679		2,223,679
Total Appropriations	830,000	-	830,000	Operating	1,714,008		1,714,008
DOWNTOWN LANSING, INC.				Debt Service	454,813		454,813
Estimated Revenues				Capital	37,500		37,500
Special Assessments	407,000		407,000	Total Appropriations	4,430,000	-	4,430,000
Grants	10,000		10,000	IV. CAPITAL PROJECT FUNDS			
Miscellaneous	339,500		339,500	CAPITAL IMPROVEMENT (CIP) FUND			
Transfer from General Fund	221,000		221,000	Estimated Revenues			
Use of/(Contribution to) Fund Balance	-		-	Transfer from the General Fund	685,000		685,000
Total Revenue	977,500	-	977,500	Road/Sidewlk Millage (Sidewalks)	100,000		100,000
Appropriations				Knapps Loan Revenue	180,000		180,000
Personnel	166,197		166,197	PEG (Cable Capital) Revenues	400,000		400,000
Operating	811,303		811,303	Total Revenue	1,365,000	-	1,365,000
Total Appropriations	977,500	-	977,500	Appropriations			
III. ENTERPRISE FUNDS				Facilities	400,000		400,000
CEMETERIES FUND				PEG (Cable Capital) Expenditures	300,000		300,000
Estimated Revenues				Sidewalks	100,000		100,000
Cemetery Service Revenue	191,000		191,000	Equipment	285,000		285,000
Sale of Lots	70,000		70,000	Loan Revenue	180,000		180,000
Other	3,000		3,000	Transfer to General Fund	100,000		100,000
Transfer from Perpetual Care	5,000		5,000	Total Appropriations	1,365,000	-	1,365,000
Transfer from Parks Millage	464,000		464,000	PARKS MILLAGE FUND			
Use of/(Contribution to) Fund Balance	-		-	Estimated Revenues			
Total Revenue	733,000	-	733,000	Transfer from the General Fund	1,848,000		1,848,000
Appropriations				Total Revenue	1,848,000	-	1,848,000
Personnel	414,213		414,213	Appropriations			
Operating	291,787		291,787	Transfer to Cemeteries Fund	464,000		464,000
Transfers	27,000		27,000	Transfer to Golf Fund	619,000		619,000
Total Appropriations	733,000	-	733,000	Park & Community Center Improvements	765,000		765,000
GOLF FUND				Total Appropriations	1,848,000	-	1,848,000
Estimated Revenues				BE IT FINALLY RESOLVED, that the following policies are hereby established for the 2017/2018 fiscal year:			
Greens Fees	168,000		168,000	FY 2018 Adopted Budget Policies			
Equipment Rentals	96,500		96,500	In accordance with the State Uniform Budget and Accounting Act (Public Act 2 of 1968), the City of Lansing's annual appropriations, as set forth in the annual budget resolution, shall be made in accordance with Generally Accepted Accounting Principles (GAAP) and shall apply to all funds except internal service funds, debt service funds, permanent funds, and trust and agency funds.			
Concessions	16,500		16,500	The City's fiscal year is July 1 through June 30. In accordance with the City Charter, on or before the fourth Monday in March, the Mayor submits to the City Council a proposed operating budget for the fiscal year commencing the following July 1. No later than the third Monday in May, the Council adopts the budget and sets the property tax rates for the ensuing fiscal year.			
Transfers In - Parks Millage	619,000		619,000	Appropriations are set forth in the annual budget resolution. Authority to transfer between appropriations is dictated by City Charter; however, additional administrative budget transfer authority is granted for the following instances. The Administration is requested to submit			
Use of/(Contribution to) Fund Balance	(5,000)		(5,000)				
Total Revenue	895,000	-	895,000				
Appropriations							
Personnel	356,395	164,558	520,953				
Operating	463,605	(164,558)	299,047				
Capital	75,000		75,000				
Debt Service	-		-				
Total Appropriations	895,000	-	895,000				
PARKING FUND							
Estimated Revenues							
Parking Revenue	5,917,100		5,917,100				
Baseball Revenue	45,000		45,000				
Parking Fines	400,000		400,000				
Other Revenue	1,114,715		1,114,715				
Use of/(Contribution to) Fund Equity	2,505,185		2,505,185				
Total Revenue	9,982,000	-	9,982,000				
Appropriations							
Personnel	2,495,874		2,495,874				
Operating	2,256,532		2,256,532				
Capital	2,147,000		2,147,000				
Debt Service	3,082,594		3,082,594				
Total Appropriations	9,982,000	-	9,982,000				

to Council quarterly reports of such transfers.

Wastewater Funds – the transfer residual State Revolving Fund (SRF) loan and/or bond proceeds between projects and project segments.

Flood Control – the transfer of funds for flood control and/or storm sewer purposes to address flooding or unanticipated storm sewer maintenance needs.

Major and Local Street (Act 51) Funding – Transfer authority is not limited by departmental allocation, and administrative authority is included for appropriation of MDOT special authorization funding.

Parking System – the transfer of capital project accounts from operating accounts is permitted to meet bid or unforeseen capital needs.

Debt Service Funds – the transfer of residual balances between general obligation bond debt service accounts.

Vacancy Factor/funded and unfilled Positions - The budget includes an attrition vacancy allowance of \$500,000. The Administration is requested to provide Council on July 1, 2017 and every month, thereafter, a list of vacant positions by department. The Administration is also requested to provide, on a quarterly basis, a detailed list by Department of all positions by title, FTE, wages and fringes, and impact on programs and/or services which are included within this allowance. The personnel wages and fringes associated with all positions identified above as of July 1, 2017 and any such position vacated, thereafter, shall be placed in a budget control account, and will require City Council approval for expenditure.

In addition, administrative authority is granted for the transfer of wage and fringe benefit reserves to departmental budgets upon settlement of a collective bargaining agreement.

Carryforwards

Authority is granted to reappropriate available capital project balances as of June 30, 2017 into the FY 2018 budget. All non-capital balances require City Council approval to carryforward, except for encumbered (purchase order) obligations less than \$5,000 and not more than 8 months old.

- Human Services and Community Supported Agencies Funding
The plan for funding Agencies submitted to Council designate particular Agencies. If any agency does not apply for or use their funding, all funds will remain in their respective account(s) for additional appropriation and approval by Council for Human Services and Community Supported Agencies use pursuant to the Charter transfer authority. The Administration/Human Relations Community Services Department is requested to submit to Council a quarterly report on the status of the Human Services and Community Supported Agencies' funding. This report should include the accounting level detail appropriation; amount spent, balance, and a notation as to whether the balance of funds is expected to be spent by the end of the Fiscal Year; if not, why?

General Fund Reserve Policy

The City's General Fund reserves consist of the General Fund fund balance and the Budget Stabilization Fund. Use of and contributions to the Budget Stabilization Fund are dictated by Ordinance section 218.05.

The targeted unrestricted balance for the combination of the General Fund fund balance and the Budget Stabilization Fund is a minimum of 12% of General Fund expenditures and a maximum of 15% of General Fund expenditures. If events necessitate that the combined balances drop below 12% of General Fund expenditures, annual appropriations of a minimum of \$500,000 will be made until the 12% target is reached. In the event that combined reserves are projected to exceed 15% of

General Fund revenues, the excess amount will be used to supplement retiree healthcare prefunding.

Debt Management

Appropriations are made to adequately fund annual debt service obligations. Adherence will be made to required debt service reserves, where applicable, as well as to the provision of annual disclosures as required by outstanding bond obligations.

Investment Policy

Management of cash investments is governed by the City's investment policy and in accordance to State statute, with the objective being the maximization of return on the City's governmental funds through pooling of funds where appropriate and permitted, monitoring of interest rates and fee structures. Investments of the Employee Retirement System, the Police and Fire Retirement System, and the VEBA, are governed those respective boards and dictated by their respective investment policies.

Strategic Planning and Budget Development

In working toward the goal of the incorporation of strategic planning into the budget process, this next year, Administration is encouraged to work towards developing a multi-year budgeting process. This process should align the City's master plan, strategic goals, and performance metrics to short-term and long-term budget priority-setting by Council in accordance with Financial Health Team recommendations.

Civil Actions, Claims, and Damages

Whenever a claim is made or any civil action is commenced against the Mayor, a City Council member, a non-bargaining unit employee, or a Lansing retirement board trustee (collectively in this provision "the Employee") for damages caused by an act or acts of the Employee within the scope of his or her authority and while in the course of his or her employment with the City or his or her duties on behalf of the retirement board, the City will pay for, engage, or furnish the services of an attorney to advise the Employee as to the claim and to appear for and represent the Employees in the action. If the City Attorney does not provide the attorney services, the attorney selection shall be made by the City Attorney in the manner the City Charter requires. The City may compromise, settle, and pay a claim before or after the commencement of any civil action. Whenever any judgment for damages caused by the act or acts of the Employee covered under this provision is awarded against the Employee as the result of a civil action, the City will indemnify the Employee or will pay, settle, or compromise the judgment. The City's obligations under this provision, however, is contingent upon the Employee giving prompt notice of the commencement of the action and upon the Employee cooperating in the preparation, defense, and settlement of the action. The term "scope of authority" under this provision does not include any act or acts of Employee (i) fraud, (ii) dishonesty, (iii) willful, intentional, or deliberate violation of the law or breach of fiduciary duty, (iv) criminal act, or (v) traffic violation; nor does this provision abrogate or diminish governmental immunity.

Grants

The Administration shall present to Council every application for any grant and, upon notification of the award of a grant, shall submit the grant to Council for acceptance. Administrative authority is given to create the necessary accounts and transfers in accordance with the requirements of the grantor. Any grant that can be applied for administratively should be submitted for Council review within 10 days of the application.

Transparency and Accountability in Government

Council will review, and when necessary, pass policies, procedures and ordinances to achieve improved transparency and accountability with respect to economic incentives, outsourcing of service and contracting within City government.

Corridor Façade Grants

The Committee of the Whole will generate a resolution of guidelines

with LEAP describing the area and requirements for the implementation of the Corridor Façade Grants by August 1, 2017.

By Council Member Brown Clarke to place an affirmative roll on the resolution.

By Council Member Brown Clarke to recuse herself from the District Court budget because her family receives direct benefit.

Motion Carried with Council Member Brown Clarke not voting.

The question being adoption of the portion of the resolution pertaining to the District Court.

Motion Carried with Council Member Brown Clarke not voting.

By Council Member Dunbar to recuse herself from the Community Supported Agencies portion of the HRCS budget because her employer receives funding for AmeriCorps through that item.

Motion Carried with Council Member Dunbar not voting.

By Council Member Yorko to recuse herself from the Community Supported Agencies portion of the HRCS budget because her employer benefits from that portion.

Motion Carried with Council Member Yorko not voting.

The question being adoption of the portion of the resolution pertaining to the HRCS Department.

Motion Carried with Yorko and Dunbar not voting

By Council Member Washington to separate the vote on the portion of the budget funding the Golf Fund which would transfer of operation of Groesbeck Golf Course to LEPFA from the remainder of the budget.

Motion Carried

The question being adoption of the portion of the budget funding the Golf Fund which would transfer of operation of Groesbeck Golf Course to LEPFA.

Motion failed by the following roll call vote

Yeas: Brown Clarke, Houghton, Yorko

Nays: Dunbar, Hussain, Washington, Wood

The question being the remainder of the budget

Motion Carried by the following roll call vote:

Yeas: Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: none

By Council Member Yorko to amend the portion of the budget funding the Golf Fund which would transfer of operation of Groesbeck Golf Course to LEPFA by increasing Golf Fund Appropriations for Personnel by 164,558 and decreasing Golf Fund Appropriations for Operating by 164,558 which would return funding for operation of Groesbeck Golf Course back to the Parks Department.

Yeas: Dunbar, Hussain, Washington, Wood, Yorko

Nays: Brown Clarke, Houghton

The Council went into recess at 9:44 p.m.

Vice President Wood called the Council back to order at 10:00 p.m

The question being adoption of the portion of the budget funding the Golf Fund which would transfer of operation of Groesbeck Golf Course to LEPFA as amended to revert operation the the Parks Department.

Yeas: Dunbar, Hussain, Washington, Wood, Yorko

Nays: Brown Clarke, Houghton

ORDINANCES FOR INTRODUCTION

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing, Michigan to amend Chapter 1220 by adding a new Section 1220.26 to the Lansing Codified Ordinances for the purpose of establishing the Central United Methodist Church Historic District, a single-resource local historic district located at 215 North Capitol Avenue (A.K.A. 200 W. Ottawa Street) PPN 33-01-01-16-180-041 in the City of Lansing, Michigan and defining its boundaries in accordance with Chapter 1220

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

RESOLUTION #2017-132

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

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for June 12, 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 1220 by adding a new Section 1220.26 to the Lansing Codified Ordinances for the purpose of establishing the Central United Methodist Church Historic District, a single-resource local historic district located at 215 North Capitol Avenue (A.K.A. 200 W. Ottawa Street) PPN 33-01-01-16-180-041 in the City of Lansing, Michigan and defining its boundaries in accordance with Chapter 1220.

By Council Member Brown Clarke

Motion Carried

ORDINANCES FOR PASSAGE

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.

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

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: None

ORDINANCE #2598

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 May 15, 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.

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 294, Sections 294.02(a), 294.02(i), 294.02(k) and 294.02(r) to conform to the Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements between the City and Capitol City Labor Program, Inc. (CCLP) Local #141 Supervisory and Non-Supervisory Divisions, both ratified in 2015, by adding the definition of base wage; providing a minimum retirement age of 50 for new hired Police Officers; limiting pensions to 115% and 110% of a base wage; amending the Police Officer employee pension contribution; and reducing the pension benefit multiplier for new hired police officers.

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

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: Council Members

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 was reported from the Committee on Development and Planning and is on the order of immediate passage

Motion Carried

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: None

ORDINANCE #1211

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.

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

Ambulatory health care facility. See "Clinic."

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

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

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

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

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

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

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

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

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

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

- A. It is intended to be used, or is used, for sleeping purposes.
- B. It contains a floor area of not less than 70 square feet.
- C. It is not the only room in the dwelling unit (i.e. an efficiency dwelling unit).

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

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

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

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

- A. The property lying between two intersecting streets or public rights-of-way;
- B. The property lying between an intersecting street and railroad right-of-way, river or stream; or
- C. The property lying between a public right-of-way, railroad right-of-way, river or stream and the corporate boundaries of the City.

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

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

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

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

Building height. "Building height" means the vertical distance from the grade at the front of a 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.

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

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

Comparison retail store. "Comparison retail store" means a retail store which is not a convenience retail store.

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

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

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

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

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

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

Contiguous. "Contiguous" means abutting.

Convalescent care home. "Convalescent care home" means a nursing care facility, other than a hospital, that provides organized nursing care and medical treatment to seven or more unrelated individuals suffering or recovering from illness, injury or infirmity. County medical facilities shall be deemed convalescent care homes for the purpose of this Zoning Code.

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

- A. Limited service food store;
- B. Drug store;
- C. Hardware store;
- D. Barber and/or beauty shops;
- E. Laundry or cleaners pickup;
- F. Watch and shoe repair;
- G. Jewelry store;
- H. Florist;
- I. Gift shop;
- J. Book store;
- K. Clothing store;
- L. Photographer;
- M. Tailor; and
- N. Bakery whose products are sold only on the premises.

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

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

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

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

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

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

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

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

- A. Lot area requirements;
- B. Front yard requirements;
- C. Side yard requirements;
- D. Rear yard requirements;
- E. Parking requirements; or
- F. Height restrictions.

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

Duplex. See "Dwelling, two-family."

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

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

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

Dwelling unit. "Dwelling unit" means a structure or a portion of a structure on a permanent foundation with one or more rooms, including a bathroom and complete kitchen facilities, which rooms 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
5. Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the outside of the structure.

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

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

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

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

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

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

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

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

- A. An individual;
- B. An individual or two or more persons related by blood, marriage or adoption, together with not more than two other persons as roomers; or
- C. Two or more persons related by blood, marriage or adoption, with not more than two other unrelated persons as roomers.

Family day care home. "Family day care home" means a facility receiving six or less preschool or school-aged children for care for less than 24 hours a day, where the parents or guardians are not immediately available to the children. "Family day care home" includes a facility receiving six or less preschool or school-aged children and which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day.

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

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

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

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

Floor area, usable. "Usable floor area" means, for the purpose of computing parking, that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used for hallways, stairways, elevator shafts, utility or sanitary facilities or the

storage or processing of merchandise shall be excluded from this computation of "usable floor area." Measurement of usable floor area shall be the sum of the horizontal areas of each story of a structure measured from the interior faces of the exterior walls. Usable floor area is illustrated in Appendix I following the text of this Zoning Code.

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

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

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

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

GARDEN MEANS THE GROWING OF PLANTS FOR HUMAN CONSUMPTION, INCLUDING BERRIES, HERBS, VEGETABLES, SEEDS, OR OTHER SIMILAR PRODUCTS INCORPORATED INTO, AND USED AS FOOD AND FLOWERS, BUT NOT INCLUDING PLANTS GROWN FOR COMMERCIAL SALE OR PURPOSES. GARDENS THAT ARE ACCESSORY TO A PRIMARY PERMITTED USE ARE ALLOWED BY RIGHT IN ALL RESIDENTIAL DISTRICTS. GARDENS THAT ARE THE PRIMARY USE OF A LOT ARE PERMITTED IN ALL RESIDENTIAL DISTRICTS, SUBJECT TO COMPLIANCE WITH ALL APPLICABLE STANDARDS OF THE LANSING ZONING ORDINANCES AND SIGN ORDINANCE, INCLUDING, BUT NOT LIMITED TO SETBACK, BUILDING HEIGHT, PLACEMENT AND LOT COVERAGE, LANDSCAPE, SCREENING AND BUFFERING AND SIGN RESTRICTIONS; AND ALSO SUBJECT TO ALL OTHER APPLICABLE STATE LAWS AND CITY ORDINANCES, INCLUDING, BUT NOT LIMITED TO NOISE AND OTHER NUISANCES AS DEFINED BY CITY ORDINANCE, EXCEPT THAT VEGETATION AS DESCRIBED IN A DEFINED GARDEN MAY EXCEED 8' IN HEIGHT.

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

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

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

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

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

Greenhouse, commercial. "Commercial greenhouse" means a glass or less than opaque enclosure 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.

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

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

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

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

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

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

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

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

- A. "Corner lot" means a lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street is a corner lot if the radius of the arc is less than 150 feet and the tangents to the curve at the two points where the lot lines meet the curve or the straight street line extended form an interior angle of less than 135 degrees.
- B. "Interior lot" means a lot other than a corner lot.
- C. "Through lot" means an interior lot having frontage on two more or less parallel streets.

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

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

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

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

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

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

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

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

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

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

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

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

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

Motor vehicle repair station. "Motor vehicle repair station" means any lot on which minor repairs, described in paragraph (96) hereof, are performed and, in addition, any of the following are performed: bumping, painting, replacement of body parts, engine repair other than

normal tuneup repair, engine replacement, replacement of transmission or internal transmission parts or repair remaking.

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

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

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

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

Nursing home. See "Convalescent care home."

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

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

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

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

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

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

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

- A. Motor vehicles;
- B. Machinery;
- C. Appliances;
- D. Motor vehicle parts; and
- E. Other materials, including, but not limited to, metal, pipes, rags, papers or building materials.

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

Panelized structure. "Panelized structure" means a structure consisting of preconstructed two-dimensional units for walls, roofs and floors, which may include structural framing, windows, doors, exterior finishes, interior wall finishes, installed wiring, plumbing and insulation, which is brought on-site and erected thereon on a permanent foundation.

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

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

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

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

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

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

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

- 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 more than four acres in size; if the lot is zoned DM-3, the lot is more than three acres in size; and if the lot is zoned DM-4, the lot is more than two acres in size.
- B. The lot has more than one structure on it which is used for residential purposes.
- C. The lot is planned and developed as an integral unit in a single development operation according to the requirements of Chapter 1280.

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

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

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

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

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

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

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

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

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

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

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

emotionally disturbed, developmentally disabled or physically handicapped who require supervision on an on-going basis but do not require continuous nursing care. A residential care facility does not include any of the following:

- A. A nursing home licensed under Article 17 of Public Act 368 of 1978, as amended, being M.C.L.A. 333.20101 to 333.22181;
- B. A hospital licensed under Article 17 of Public Act 368; or
- C. A hospital for the mentally ill or a facility for the developmentally disabled operated by the Department of Mental Health under Public Act 258 of 1974, as amended, being M.C.L.A. 330.1001 to 330.2106.

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

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

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

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

- A. Motor vehicles;
- B. Machinery;
- C. Appliances;
- D. Fixtures;
- E. Goods; and
- F. Merchandise.

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

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

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

Storage yard. "Storage yard," in an A Residential District or a G-1 Business District, means a lot used for the holding of any type of product, which product is not reasonably associated with the principal 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.

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

Use. "Use" means:

- A. Any purpose for which a structure or lot may be designed, arranged, intended, maintained or occupied; or
- B. Any activity, occupation, business or operation carried on in a structure or on a lot.

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

- A. "Front yard" means a yard extending across the full width of a lot between the front lot line of the structure containing the principal use and the front lot line.
- B. "Rear yard" means a yard extending the full width of a lot between the rearmost structure containing the principal use and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of the structure containing the principal use.
- C. "Side yard" means a space within a lot between a side lot line and a structure containing the principal use or an attached accessory structure, whichever is closer to the side lot line. A side yard extends on each side of a lot from the front lot line to the rear lot line of the lot.

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

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

(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)

1240.04. - Amendments.

- (a) An application to amend, supplement or change the regulations and boundaries of zoning districts may be made by any of the following persons:
 - (1) A person having a legal or equitable interest in the property;
 - (2) The authorized representative of a person having a legal or equitable interest in the property; or
 - (3) Council.
- (b) The application described in subsection (a) hereof shall be made on forms provided by the Planning Division and shall be filed with the City Clerk and accompanied by the fees required by Council.
- (c) Within one day after receipt of the application, the City Clerk shall refer the application to the Planning Board. Simultaneously, the City Clerk shall place the application on the agenda for the next Council meeting.
- (d) After the City Clerk refers the application to the Board, the Board shall hold not less than one public hearing before submitting a final report to Council and shall provide notice of the public hearing as described in subsection (e) hereof.
- (e) Not less than 15 days' notice of the time and place of the public hearing described in this subsection shall first be published in an official paper or a paper of general circulation in the City. In addition, not less than 15 days' notice of the time and place of

the public hearing shall be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected, if the public utility company or railroad registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained by the Planning Division. In addition, the Planning Division shall provide not less than 15 days' notice of a public hearing on a proposed amendment to a zoning district boundary to the owner of the property in question, as represented on the tax records held in the office of the City Assessor. A hearing shall be granted an interested person at the time and place specified on the notice.

(f) Conditional rezoning.

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

(2) *Application and offer of conditions.*

- (a) A land owner or a land owner's agent may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or at a later time during the rezoning process.
- (b) The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this section.
- (c) The land owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
- (d) Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.
- (e) Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this ordinance.
- (f) Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.
- (g) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are offered voluntarily by the owner. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Board's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Board for a new public hearing with appropriate notice and a new recommendation.

(3) *Planning Board review.* The Planning Board, after public hearing and consideration of the factors for rezoning set forth in this ordinance, may recommend approval, approval

with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the land owner.

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

(5) *Approval.*

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

(b) The statement of conditions shall:

- (1) Contain a legal description of the land to which it pertains.
- (2) Contain a statement acknowledging that the statement of conditions runs with the land and is binding upon successor owners of the land.
- (3) Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the land owner that are necessary to illustrate the implementation of the statement of conditions. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
- (4) Contain the notarized signatures of all of the land owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the statement of conditions.

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

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

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

(6) *Compliance with conditions.*

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

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

- (7) *Time period for establishing development or use.* Unless another time period is specified in the ordinance rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months (or shorter if specified) after the rezoning takes effect and thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the City Council if: (1) It is demonstrated to the City Council's satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the City Council finds that there has not been a change in circumstances that would render the zoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise renders it inconsistent with zoning policy.
- (8) *Reversion of zoning.* If approved development and/or use of the rezoned land does not occur within the time frame specified under Subsection (7) above, then the land shall revert to its former zoning classification as set forth in MCL § 125.3405.
- (9) *Subsequent rezoning of land.* When land that is rezoned with a statement of conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning or otherwise, the statement of conditions imposed under the former zoning classification shall cease to be in effect. Upon the land owner's written request, the City Clerk shall record with the register of deeds a notice that the statement of conditions is no longer in effect.
- (10) *Amendment of conditions when extension requested.* If a conditional zoning has been approved and the applicant requests an extension of time for commencement of the development, the City Council may add to, delete or modify the conditions in the previously approved statement of conditions as part of its decision to grant the requested extension so long as the changes are proposed by the developer.
- (11) *City's right to rezone.* Nothing in the statement of conditions nor in the provisions of this section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a statement of conditions to another zoning classification. Any rezoning shall be conducted in compliance with City Ordinances and City Charter.
- (12) *Failure to offer conditions.* The City shall not require a land owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect a land owner's rights under this ordinance.
- (g) After the public hearing described in subsection (d) hereof, the Board shall make its final report to Council. A summary of the comments submitted at the public hearing shall be transmitted with the report of the Board to Council. Council shall hold at least one public hearing and shall provide notice of a public hearing as described in subsection (e) hereof.
- (h) Council shall not determine the boundaries of districts nor impose regulations until after the final report of the Board, nor shall this Zoning Code or the maps be amended after they are adopted in the first instance until the proposed amendment has been submitted to the Board and it has held at least one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or without amendments, after receipt of the Board's report, or refer this Zoning Code and maps again to the Board for a further report.
- (i) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to this Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of Council. The protest petition shall be presented to

Council before final legislative action on the amendment, and shall be signed by one of the following:

- (1) The owners of at least 20 percent of the area of land included in the proposed change; or
 - (2) The owners of at least 20 percent of the area of land included within an area extending outward 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.

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 294, Sections 294.02(a), 294.02(i), 294.02(k) and 294.02(r) to conform to the Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements between the City and Capitol City Labor Program, Inc. (CCLP) Local #141 Supervisory and Non-Supervisory Divisions, both ratified in 2015, by adding the definition of base wage; providing a minimum retirement age of 50 for new hired Police Officers; limiting pensions to 115% and 110% of a base wage; amending the Police Officer employee pension contribution; and reducing the pension benefit multiplier for new hired police officers.

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: None

ORDINANCE #1212

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

AMENDING THE POLICE OFFICER EMPLOYEE PENSION CONTRIBUTION; AND REDUCING THE PENSION BENEFIT MULTIPLIER FOR NEW HIRED POLICE OFFICERS.

THE CITY OF LANSING ORDAINS:

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

294.02. Pensions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) *Voluntary Retirement.*

(1) A member may retire upon his or her written application filed with the Board of Trustees setting forth at what time, not less than 30 days nor more than 90 days subsequent to the execution and filing thereof, he or she wishes to be retired, provided that such member is eligible to retire according to subsection (i)(2) upon his or her retirement, he or she shall receive a retirement allowance as provided in subsection (k)(1) hereof.

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

(k) *Retirement Allowance.*

(1) *Generally.*

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

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

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

BC. FOR a A firefighter who is a member WHOSE MEMBERSHIP COMMENCED before May 20, 2014, and WHO retires, he or she shall receive a retirement allowance equal to the sum of 3.2 percent of his or her final average compensation multiplied by the number of years, and fraction of a year, of his or her credited service, not to exceed 25 years, except that for a member who separates from City employment on or after October 1, 2014, the retirement allowance shall not exceed 110% of the firefighter's MEMBER'S base wage at the time of separation.

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

DE. If a retiree dies before he or she has received in retirement allowance payments an aggregate amount equal to his or her accumulated contributions standing to his or her credit in the employees' savings fund at the time of his or her retirement and does not have a beneficiary who will receive a retirement allowance under this chapter, the difference between his or her accumulated contributions and the aggregate amount of retirement allowance payments received by him or her shall be paid from the retirement reserve fund to such person or persons as the retiree has nominated by written designation, duly executed and filed with the Board of Trustees. If there is no such designated person or persons surviving the retiree, such difference, if any, shall be paid to the retiree's legal representative. No benefits shall be paid under this section on account of the death of a retiree if a retirement allowance becomes payable under subsections (k)(3) and (k)(4) hereof on account of his or her death.

(2) *Deferred allowance.* Should any member, who has ten or more years of credited service, leave the employ of the City before becoming eligible to retire as provided in section (i) hereof for any reason except his or her discharge, retirement or death, he or she shall be entitled to a retirement allowance, as provided in subsection (k)(1)

hereof pursuant to its provisions in force at the time he or she left City employment, provided that he or she does not withdraw his or her accumulated contributions from the employees' savings fund. His or her retirement allowance shall begin the first day of the calendar month next following the month in which his or her written application on the approved form for the same is filed with the Board of Trustees, within 30 days before, on or after his or her attainment of age 55.

(3) *Retirement options.*

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

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

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

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

Option IV. Non-spousal beneficiary. A member may select a reduced pension naming a parent, brother, sister, child or grandchild as beneficiary. The reduced pension shall be actuarially determined based on the age of the member and the beneficiary at the time of retirement, and shall not be actuarially more costly than Option I. For this option to be made and take effect, the member who is married must first have filed with the Board a voluntary written spousal relinquishment of beneficiary agreement on a form approved by the Board that has been duly and voluntarily executed by the member's spouse.

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

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

Option II. Under this option, the member at retirement shall receive 93 percent of the full retirement allowance as provided in subsection (k)(1)B and upon the retiree's death, his and her

surviving spouse, who was his or her legally married spouse at the time of retirement, shall receive a retirement allowance equal to 75 percent of the retiree's retirement allowance until the spouse's death.

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

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

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

- C. If a retiree who retired under subsection (i)(1) hereof dies prior to the earlier of his or her attainment of age 55 or the date upon which he or she would have achieved 25 years of credited service but for the disability, his or her widow or widower, who was his or her legally married spouse at the time of his or her retirement, shall receive a retirement allowance computed according to subsection (k)(1) hereof. In computing the retirement allowance, the retiree's credited service shall be increased to include the period he or she was in receipt of a disability retirement allowance provided in subsection (i)(3) hereof, and his or her final average compensation shall be recomputed using the monthly rates of compensation as of the date of his or her death for the rank or ranks held by him or her during the period used in computing his or her final average compensation at the time of his or her retirement. For Fire Department employees, if the employee incurred the disability while "acting" at a higher rank, the final average compensation of the employee shall be based upon the pay he or she would have received in the "acting" rank for the applicable service period. The widow or widower retirement allowance shall not be less than 20 percent of the retiree's recomputed final average compensation and shall be subject to subsection (k)(3)C. hereof.

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

- (4) *Allowance for spouse of deceased member.* If a member, who has ten or more years of credited service, dies on or after the effective date of this revised chapter (September 1, 1966) while in the employ of the City, and leaves a

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

(r) *Retirement System Funds.*

- (1) *Generally.* The employees' savings fund, the pension accumulation fund and the retirement reserve fund are hereby established. Effective January 1, 1999, the health insurance fund is additionally established. The Board of Trustees may from time to time establish such other funds as shall be required for the proper operation of the retirement system. The funds shall be held and administered for the exclusive purpose of providing benefits to the members and their beneficiaries and defraying reasonable expenses of the retirement system. The entire amount of all moneys paid into the fund shall constitute an irrevocable contribution by the City, and the City shall have no further rights or claims to said funds other than such amounts as remain in the funds upon the retirement system's termination because of erroneous actuarial computations after the satisfaction of all fixed and contingent obligations to the members and their beneficiaries. A balance due to an erroneous actuarial computation shall mean any surplus arising because actual requirements differed from expected requirements based on previous actuarial valuations of liabilities or determinations of costs of providing pension benefits under the retirement system in accordance with reasonable assumptions as to mortality, interest, etc., and correct procedures relating to the method of funding, all as made by the City upon and with the advice of an actuary. Notwithstanding the foregoing, any contributions made by the City by a mistake of fact shall be returned to the City, upon its request, within one year after such contribution was made.

(2) *Employees' savings fund.*

- A. The employees' savings fund shall be the fund in which shall be accumulated, at regular interest the contributions deducted from the compensations of members, and from which shall be made transfers and paid refunds of accumulated contributions as provided in this section.
- B. The contributions of a member shall be calculated as a percentage of the member's compensation and paid into the system IN THE FOLLOWING PERCENTAGES as provided in this subsection (r)(2)B: for the Police Nonsupervisory division the member's contribution shall be 8.5 percent. For the Police Supervisory division the member's contribution shall be 9.52 percent.
- POLICE NONSUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP COMMENCED BEFORE AUGUST 1, 2014, SHALL EACH CONTRIBUTE NINE PERCENT (9%) OF THE MEMBER'S COMPENSATION PAID BY THE CITY.
- POLICE NONSUPERVISORY DIVISION MEMBERS, WHOSE MEMBERSHIP COMMENCED ON OR AFTER AUGUST 1, 2014, SHALL EACH CONTRIBUTE SEVEN PERCENT (7%) OF THE MEMBER'S COMPENSATION PAID BY THE CITY.

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

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

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

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

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

- C. The contributions provided in this subsection shall be made notwithstanding that the minimum compensation provided by law for any member shall be changed thereby. Every member shall be deemed to consent and agree to the deductions made and provided for in this subsection, and payment of his or her compensations less such deductions shall be a full and complete discharge and acquaintance of all claims and demands whatsoever for the services rendered by such person, except as to benefits provided under this chapter. When deducted, the contributions of each member shall be paid into the retirement system and shall be credited to his or her individual account in the employees' savings fund.
- D. In addition to the contributions deducted from the compensations of a member, as hereinbefore provided, he or she shall deposit in the fund, by a single payment or by an increased rate of contribution as determined by the Board of Trustees, an amount equal to the amount he or she might have withdrawn therefrom, together with regular interest from the date of withdrawal to the date of repayment. In no case shall any member be given credit for service rendered prior to the date he or she withdrew his or her accumulated contributions until he or she repays to the fund all amounts due such fund by him or her.
- E. Upon the retirement of a member, his or her accumulated contributions shall be transferred from the employees' savings fund to the retirement reserve fund. At the expiration of a period of five years from and after the date an employee ceases to be a member, any balance standing to his or her credit in the employees' savings fund that is unclaimed by the member or his or her legal representative shall remain a part of the moneys of the retirement system and shall be transferred to the pension accumulation fund, if no retirement allowance will become payable by the retirement system on account of his or her City employment.
- F. The employer shall, for tax purposes, pick up the Fire members, Police Supervisory and Police

Nonsupervisory Department member contributions required by this section for all compensation earned after the later of the execution or effective date of this subsection (January 1, 1996). The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The employer shall pick up the member contributions from funds established and available in the salaries account, which funds would otherwise have been designated as member contributions and paid to the retirement system. Member contributions picked up by the employer pursuant to this subsection shall be treated for all other purposes of this and other laws of the employer in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The member does not have the option of receiving the picked up member contributions in cash instead of having it paid into the retirement system.

- (3) *Pension accumulation fund.* The pension accumulation fund shall be the fund in which shall be accumulated reserves resulting from contributions provided by the City. Upon the basis of mortality tables and other tables of experience, and regular interest, as the Board of Trustees shall from time to time adopt, the actuary shall annually compute the retirement allowance reserve liabilities for retirement allowances being paid retirements and beneficiaries and covering service rendered and to be rendered by members. The liabilities so computed shall be financed by appropriations, to be made by Council determined according to this section. The board shall annually report to council the amount of contributions to be paid by the City to the retirement system during the ensuing fiscal year. When paid, the City's contributions shall be credited to the pension accumulation fund.
 - A. The City's appropriations for members' current service shall be a percentage of their annual compensation which will produce an amount which if paid annually by the City during the members' periods of future service would be sufficient, together with the future service portions of their accumulated contributions, to provide the retirement allowance reserves for the future service portions of the retirement allowances to be paid them.
 - B. The City's appropriations for members' accrued service shall be a percentage of their annual compensation which will produce an amount which if paid annually by the City for a number of years, to be determined by the Board, would amortize, at regular interest, the unfunded retirement allowance reserves, if any, for the accrued service portions of the retirement allowances to be paid them.
 - C. The City's appropriations for retirement allowances being paid retiree and beneficiaries shall be a percentage of the annual compensations of members which will produce an amount which if paid annually by the City for a number of years, to be determined by the Board, would amortize, at regular interest, the unfunded retirement allowance reserves, if any, for the retirement allowances being paid retirees and beneficiaries.
- (4) *General fund.* The administrative expenses of the retirement system shall be paid by the City from its General Fund.
- (5) *Retirement reserve fund.* The retirement reserve fund shall be the fund from which shall be paid all retirement allowances payable as provided in this chapter. Should a disability retiree return to the employ of the City, his or her retirement allowance reserve, computed as of the date of his or her return, shall be transferred from the retirement

reserve fund to the employees' savings fund and the pension accumulation fund in the same proportions as the retirement allowance reserve was originally transferred. The portion transferred to the employees' savings fund shall be credited to the member's individual account therein. Each December 31, after receipt of the annual actuarial valuation, the balance in the retirement reserve fund shall be brought into balance with the actuarial present value of retirement allowances to be paid after December 31 to all retiree and beneficiaries in receipt of retirement allowances at December 31, by a transfer between the retirement reserve fund and the pension accumulation fund.

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

- A. Beginning July, 1 1999, the City's annual contribution to the health insurance fund may equal the sum of the actuarially computed normal cost for the year plus an amortization of the cumulative net actuarial gains and losses arising from the experience of active members on or after January 1, 1998. Using an amortization period adopted by the board of trustees for this purpose. However, in no case shall the city's annual contribution to the health insurance fund be less than 2.48 percent of active member payroll, and in no case shall the City's annual contribution to the health insurance fund exceed the limitation imposed by Internal Revenue Code section 401(h) and the regulations thereunder. The amount, if any, by which the contribution must be reduced, in order to comply with the limitation imposed by section 401(h), shall instead be contributed to a voluntary employee's beneficiary association established by the City for this purpose.
- B. Beginning July 1, 1999, and each year thereafter, a portion of the premiums or charges for post-retirement health insurance benefits, including dental insurance and Medicare reimbursement benefits, shall be paid from the health insurance fund on behalf of eligible retiree and beneficiaries of the retirement system in accordance with the applicable collective bargaining agreements and personnel rules of the City. The portion of the premiums or charges that will be paid from the health insurance fund is a percentage of such premiums or charges paid on behalf of persons with retirement effective dates on or after January 1, 1999. The percentage shall be four percent in the fiscal year beginning July 1, 1998, increasing four percent each year thereafter until it reaches 100 percent. The amount of premiums or charges paid from the health insurance fund shall be reduced by the amount, if any, paid from a voluntary employee's beneficiary association established by the City for this purpose. Notwithstanding the method specified

in this subparagraph to compute the portion of the premiums or charges that are paid from the health insurance fund, the fund balance of the health insurance fund at any point in time is reserved to support the post-retirement health insurance benefits, including dental insurance and Medicare reimbursement benefits, of all eligible retiree and beneficiaries of the retirement system regardless of retirement effective date.

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

(7) *Investment of funds.*

- A. The Board of Trustees shall be the trustees of the funds of the retirement system and may invest and reinvest such funds as now or hereafter permitted by law. The Board may hold, purchase, sell, assign, transfer and dispose of any securities and investments in which any of the moneys of the retirement system have been invested, as well as the proceeds of such investments.
- B. Except as otherwise provided in this chapter, no trustee or officer or employees of the retirement system shall have any direct or indirect interest in the gains or profits of any investments made by the Board. No such person, directly or indirectly, for himself or herself or as an agent or partner of others, shall borrow any of the moneys or deposits of the system or in any manner use such moneys or deposits, except to make such current and necessary payments as are authorized by the Board. No such person shall become an endorser or surety or become in any manner an obligor for any moneys loaned by or borrowed from the system.

- (8) *Allowance of regular interest.* The Board annually shall allow and credit regular interest on the mean balances in each of the funds of the retirement system for the preceding year; provided, however, that interest to be credited members' individual balances in the employees' savings fund shall be computed on the balances standing to their credit at the beginning of the calendar year and shall be credited at the end of the calendar year, the amounts so allowed and credited shall be paid from interest and other earnings on investments of the system. Any additional amount necessary to allow regular interest, as provided in this system, shall be paid from the pension accumulation fund. AU interest, dividends and other income derived from the deposit and investment of moneys of the system not required for the allowance of regular interest, shall be credited to the pension accumulation fund.

- (9) *Method of making payments.* All payments from the funds of the retirement system shall be made according to provisions of the City Charter only upon regular City vouchers signed by two persons designated by the Board of Trustees. A duly attested copy of a resolution of the Board designating such persons, and bearing upon its face specimen signatures of such persons, shall be filed with

the City Treasurer as his or her authority to make payments upon such vouchers. No voucher shall be drawn unless it has been previously authorized by a specific or continuing resolution adopted by the Board.

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.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Council Member Brown Clarke that all items be considered as being read in full and that Vice President Wood make the appropriate referrals

Motion Carried

- 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

PLACED ON FILE

- b. Temporary relocation of the Polling Place for Ward 1, Precinct 4 for the August 8, 2017 City Primary Election

REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Transfer of ownership of a Resort Class C license at 200 Edgewood Blvd., Celebration Banquets, LLC

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Application for Naming and Renaming Memorials; rename Lansing City Hall as David C. Hollister City Hall

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter(s) from the Mayor re:

- a. 2016 Homeland Security Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

- b. FY 2017 Emergency Solutions Grant Match

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

- c. Analyses of City of Lansing Retiree Health Plan and Pension Plan, Segal Consulting

REFERRED TO THE COMMITTEE OF THE WHOLE AND TO THE INTERNAL AUDITOR

- Communications and Petitions, and Other City Related Matters:

1. Notice from the Michigan Liquor Control Commission regarding:
 - a. Transfer Ownership 2017 Class C & SDM Licensed Business with Sunday Sales Permit (PM) and Dance Permit from Unicorn Tavern, Inc. to Unicorn, LLC, 327 E. Grand River Avenue

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. New SDM License Issued Under MCL 436.1533(7); New Sunday Sales Permit (Am); New Gas Pumps for Cedar Street Citgo Inc., 4600 S. Cedar Street

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Affidavit of Disclosure; Elizabeth Donaldson, Board of Water and Light

REFERRED TO THE BOARD OF ETHICS

MOTION OF EXCUSED ABSENCE

By Council Member Brown Clarke to excuse Council President Spitzley from tonight's proceedings.

Motion Carried

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Loretta Stanaway spoke about parks.

ADJOURNED TIME 10:41 P.M.

CHRIS SWOPE, CITY CLERK