

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



AGENDA FOR OCTOBER 23, 2017

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

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, October 23, 2017 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of September 25 and October 9, 2017

IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

1. Tribute; in recognition of Fifty-Second Annual NAACP Freedom Fund Dinner
2. Mayoral Presentation; National Lead Poisoning Prevention Week

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

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

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of Special Land Use; SLU-3-2017, Del Vista, LLC., Residential Use in the “H” Light Industrial District, Vacant Property South of 322 Pere Marquette
2. In consideration of Memorial Application; Memorial Review Board recommendation to approve renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.
3. In consideration of an Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 286, to add Section 286.16 that requires the City provide an employee with a summary of benefits when the employee separates from City Service

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS BROWN CLARKE, HUSSAIN, DUNBAR, HOUGHTON, SPITZLEY, WASHINGTON, WOOD, AND YORKO
 - a. Tribute; in recognition of the Closing the Digital Gap Organization’s Fifteenth Anniversary
 - b. Tribute; in recognition of Fifty-Second Annual NAACP Freedom Fund Dinner
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. IFT-1-17; Industrial Facilities Tax Certificate for Cameron Tool at property located at 1800 Bassett
 - b. Amended Obsolete Property Rehabilitation Act (OPRA) Certificate; DED Development, LLC at 629 W. Hillsdale St
3. BY THE COMMITTEE ON PERSONNEL
 - a. Council Staff; Salary Adjustments and Continued Applicability of Teamsters Local 214 Contract Compensation
4. BY THE COMMITTEE ON PUBLIC SERVICES
 - a. Permanent Sanitary Sewer Easement, Jackson National Life

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON PERSONNEL
 - a. Budget Transfer; City Council

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

F. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON WAYS AND MEANS

- a. Amend Section 206.05; Sole Source Procurement Criteria

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

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:

- a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
- b. R.E. Olds Transportation Museum Purchase Agreement and Necessity of Need, 240 Museum Dr.
- c. Waverly Park Purchase Agreement and Necessity of Need, 3701 W. Saginaw Hwy.
- d. Board of Water and Light Proposed Electric, Water, Steam, and Chill Water Rate Changes

2. Letter(s) from the Mayor re:

- a. Brownfield Redevelopment Plan #71, Neogen 1000 Hosmer Redevelopment Project, 1000 S. Hosmer Street
- b. Notice of Intent to Issue Bonds; Combined Sewer Overflow 34C Project
- c. SLU-4-2017; Funk Zone Investors, LLC, 735 E. Hazel Street, Residential Land Use in the "I" Heavy Industrial District
- d. Act-1-2017; Sale of R.E. Olds Transportation Museum 240 Museum Dr.
- e. Form-based Code to Replace Current Zoning Ordinance and Map

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Letter on behalf of Eric Schertzing, Ingham County Treasurer, Listing All Unsold Tax Reverted Properties in the City of Lansing
2. Notice from the Michigan Liquor Control Commission regarding the Application from Zaron LLC to transfer ownership of escrowed 2017 SDM Licensed Business from K & M Market Inc.; New Sunday Sales Permit (AM)
3. Claim Appeal; Claim #1454, Arthur Ostaszewski, \$362.50 for Grass and Weeds fees at 114 W. Willow

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-3-2017, Vacant Parcel – Pere Marquette Drive

Special Land Use Permit - Residential Use in the "H" Light Industrial District

The Lansing City Council will hold a public hearing on Monday, October 23, 2017, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-3-2017. This is a request by Michael Markey for a special land use permit to allow the development of a residential apartment building on the vacant property located immediately south of 322 Pere Marquette. Residential use is permitted in the "H" Light Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

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

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

GENERAL INFORMATION

APPLICANT: Michael Markey
1402 Cooper Avenue
Lansing, MI 48910

OWNER: Del Vista, LLC
700 W. Barnes Avenue
Lansing, MI 48912

STATUS OF APPLICANT: Owner's Representative

REQUESTED ACTION: Special Land Use permit to allow residential use in the "H" Light Industrial District

EXISTING LAND USE: Vacant

EXISTING ZONING: "H" Light Industrial District

PROPERTY SIZE & SHAPE: Slightly Irregular – 14,036 square feet – .319 acres

SURROUNDING LAND USE: N: Residential Condominiums
S: Parking Lot
E: Parking Lot
W: Industrial

SURROUNDING ZONING: N: "H" Light Industrial District
S: "H" Light Industrial District
E: "H" Light Industrial District
W: "H" Light Industrial District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for "Downtown Mixed-Use Center: Edge". Pere Marquette is designated as a local road.

APPLICANT'S PROPOSAL:

This is a request by Michael Markey for a special land use permit to allow the development of a residential apartment building with related site improvements on the vacant property located immediately south of 322 Pere Marquette. Residential use is permitted in the "H" Light Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

Building Safety: No objections.

Development:	Where is the parking? Is that 12 spaces along the west property line? Is there adequate parking on site to meet the zoning requirements of 2 spaces per unit?
Fire Marshal:	
Parks & Recreation:	No comments.
Public Service:	• The greenway on the east side of Pere Marquette is wide (greater than 15 feet) and variable. The first floor concept design appears to be encroaching into the public right-of-way. • There is a public 15" storm sewer that runs along the east edge of the east right-of-way. This will need to be protected during construction. • The development will need to comply with the City's storm water requirements. • There is an 8" sanitary sewer in Pere Marquette. Record drawings indicate that there should be a sanitary lead near the north property line. • Public Service will need to review the sanitary flow calculations to determine if there is capacity in sewer. A sanitary sewer permit will not be issued for the site if there is inadequate sanitary capacity. • Sidewalk will be required for the Pere Marquette right-of-way.
Transportation:	The Transportation and Non-Motorized Section of the Public Service Department has no objections or requirements related to this proposed SLU application.

ANALYSIS

Section 1282.03(f)(1)-(9) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

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

The subject property is located on the east side of Pere Marquette between E. Shiawassee Street and E. Michigan Avenue. The applicant is seeking a special land use permit to construct a residential apartment building. The site is zoned "H" Light Industrial, which district permits residential use to the density of the "DM-4" Residential districts, if a special land use permit is approved by the City Council following review and recommendation by the Planning Board.

The proposed residential development will be harmonious with the character of the area in which it is located. There is already a residential condominium development directly north of the subject property, which is also zoned "H" Light Industrial. A special land use permit to allow this development was approved by the City in 1999. The other surrounding land uses are primarily parking lots and low impact industrial uses which are relatively quiet and do not generate conditions that would negatively impact the quality of life for the residents of the proposed development.

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

The proposed residential development will not change the essential character of the area since there is already a residential condominium development located directly north of the subject property. In fact, if the site were to be used for one of the industrial uses permitted by right in the "H" Light Industrial district, it would have more of an impact on the essential character of the area and the property to the north in particular, than the residential development being proposed.

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

The proposed residential development will not interfere with the enjoyment of adjacent properties. In fact, the proposed residential development is the use that would be the most compatible with the residential use already in existence to the north. Among the uses that would be permitted by right under the current "H" Light Industrial zoning are storage yards, manufacturing, heavy automobile repair and machine shops. These types of uses have the potential to negatively impact the residences to the north, both from an appearance standpoint and because of their propensity to generate noise, odors, vibrations, dust and heavy traffic. In addition, industrial uses are not consistent with the future land use pattern being advanced in the master plan for this area as described under item 8 below.

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

The proposed development represents a substantial improvement to the use and character of the property and the surrounding area in general. The current site is vacant which detracts, rather than contributes to the vibrancy of the surrounding area. In order to ensure compatibility with the surrounding area, the proposed building must have an urban architectural design consistent with the attached rendering, with the parking located behind or under the building. With those design parameters, the development will represent a significant improvement not only to the subject property, but the surrounding area in general.

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

The proposed residential use will not generate any hazardous conditions. No smoke, fumes, noise, odors or excessive traffic production will result from the proposed development. The transportation system in the area is more than adequate to accommodate the slight increase in traffic that would be generated by the proposed development.

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

See comments from Public Service on page 2 of this report. The proposed development, including the specific details of the utility systems and a storm water management plan, will have to be approved through the City's administrative site plan review process prior to issuance of any permits for the project.

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

See comments from Public Service on page 2 of this report. The applicant may have to provide, at his expense, the necessary upgrades to the sewer system in the area if it determined through the site plan review process that the current system is insufficient to accommodate the proposed development,

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

The proposed residential development will be consistent with the intent and purpose of both the Zoning Ordinance and the Design Lansing Master Plan. The Zoning Ordinance permits residential land use in the "H" Light Industrial district, with a special land use permit, when it can be determined through an analysis of the criteria contained in Section 1282.03(f)(1)-(9) of the Zoning Ordinance, that such use is appropriate for the proposed location. In this case, the proposed development meets or exceeds all of the criteria necessary for authorization of the special land use permit.

The Design Lansing Comprehensive Plan designates the subject property for "Downtown Mixed Use Center: Edge". The purpose of this district, as stated in the Plan, is:

"To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods."

The Master Plan lists the following as typical uses for the "Downtown Mixed Use Center: Edge" district:

"Office, institutions, entertainment, live-work and **residential**."

The Master Plan establishes the following placemaking characteristics for the “Downtown Mixed Use Center: Edge” land use category:

“Placemaking characteristics: Buildings should maintain a consistent setback and nearly continuous street facade to frame the street, with a clearly-defined primary entrance oriented to the street. Surface parking should be located on the interior of the block where possible and should be well landscaped and screened in all cases. Parking ratio maximums should be considered. Building base and top should be articulated. Facade articulation into vertical components should be considered. Minimum transparency (windows and doors) requirements should be established. Transitional features requirements (architectural elements and building massing height step backs) to mitigate potential conflicts between higher intensity uses and residential uses should be considered. Historic preservation of valuable existing buildings, and residentially-scaled and detailed new architecture should be encouraged in areas where older residential structures remain and on neighborhood edges.”

The proposed residential use is consistent with the future land use pattern being advanced in the Master Plan. Based on the information provided by the applicant, the proposed development will be consistent with the “Downtown Mixed Use Center: Edge” placemaking characteristics described above. Approval of this request should include conditions to ensure an urban architectural building design and site design consistent with the characteristics described above.

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

Since the site is zoned “H” Light Industrial and is surrounded on all sides by “H” Light Industrial zoning, there are no setback requirements, other than what may be required by the Building Code based on the building design/construction type. The building height limitation in the “H” Light Industrial district is 120 feet which is more than adequate to accommodate the proposed, 4-5 story building.

The allowable number of units is based on the following:

- (a) For each efficiency dwelling unit there shall be 500 square feet of lot area.
- (b) For each one-bedroom dwelling unit there shall be 700 square feet of lot area.
- (c) For each two-bedroom dwelling unit there shall be 950 square feet of lot area.
- (d) For each three-bedroom dwelling unit, or any dwelling with more than three bedrooms, there shall be 1,400 square feet of lot area.

Since the site is 14,036 square feet in area, the proposed building could contain 28 efficiency units, 20 1-bedroom units, 15 2-bedroom units, 10 3+ bedroom units or any combination thereof, based on the above lot area requirements.

The required number of parking spaces is based on the number of units by bedroom count:

- A. Dwelling units with two or more bedrooms, two spaces;
- B. Dwelling units with one bedroom, one and one-half spaces; and
- C. Efficiency dwelling unit, one space.

SUMMARY

This is a request by Michael Markey for a special land use permit to allow the development of a residential apartment building on the vacant property located immediately south of 322 Pere Marquette. Residential use is permitted in the "H" Light Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings contained in this staff report, the proposal complies with all of the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use may be adequately served by public services and utilities or upgraded at the sole expense of the developer.
7. Should the proposed Special Land Use place any demands on public services and facilities in excess of current capacities, it will be at the sole expense of the developer to make the upgrades necessary to accommodate the proposed development.
8. The proposed Special Land Use is consistent with the designations of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-3-2017, a special land use permit to permit the construction of a multi-family residential building on the property located immediately south of 322 Pere Marquette, based upon the findings of fact as outlined in this staff report, with the following conditions:

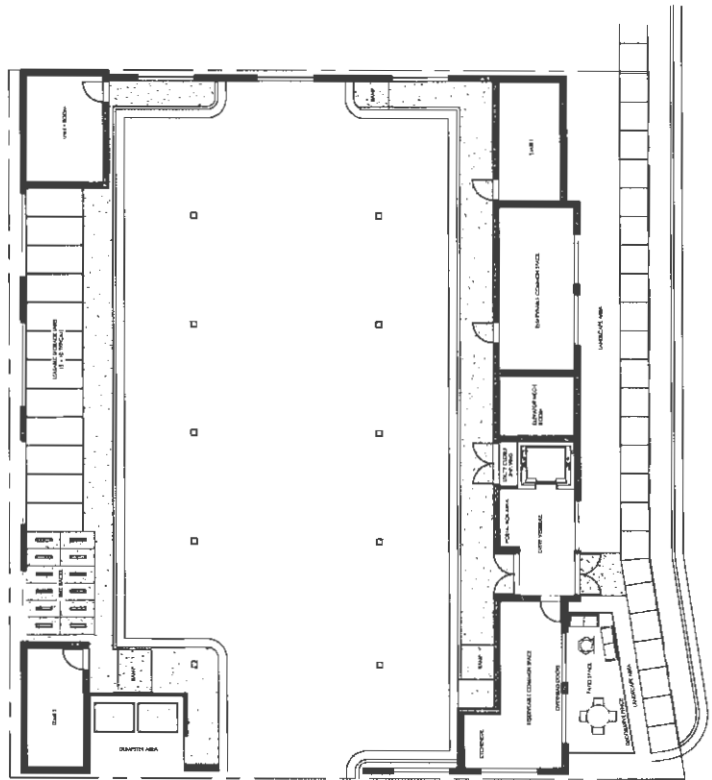
- * The building must be consistent with the urban architectural design provided by the applicant as part of the application for this SLU and with the placemaking characteristics described on page 5 of this staff report; and
- * The site must be designed in accordance with the placemaking characteristics described on page 5 of this staff report which includes prohibiting parking in the front yard.

Respectfully Submitted,

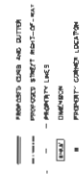
**Susan Stachowiak
Zoning Administrator**



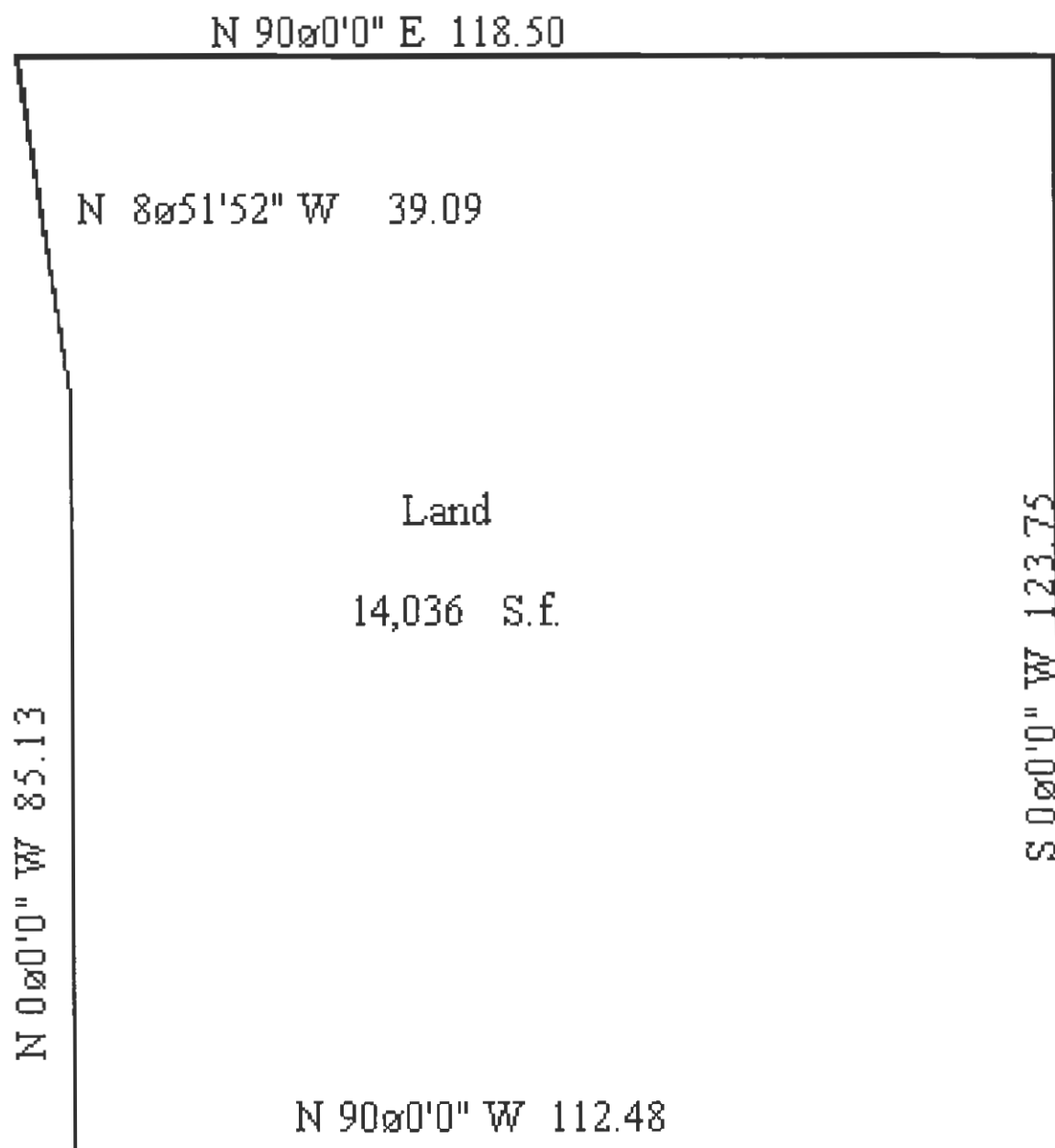




FIRST FLOOR CONCEPTUAL LAYOUT
PERE MARQUETTE APARTMENTS



per'e marquette Dr.







Pere Marquette Dr



Legend

roads_final

Tax Parcels

A Residential-Single

B Residential-Single

C Residential-2 Unit

NONE

CUP Community Unit Plan

D-1 Professional Office

D-2 Residential/Office

DM-1 Residential-Multiple

DM-2 Residential-Multiple

DM-3 Residential-Multiple

DM-4 Residential-Multiple

E-1 Apartment Shop

E-2 Local Shopping

F Commercial

F-1 Commercial

G-1 Business

G-2 Wholesale

H Light Industrial

I Heavy Industrial

J Parking

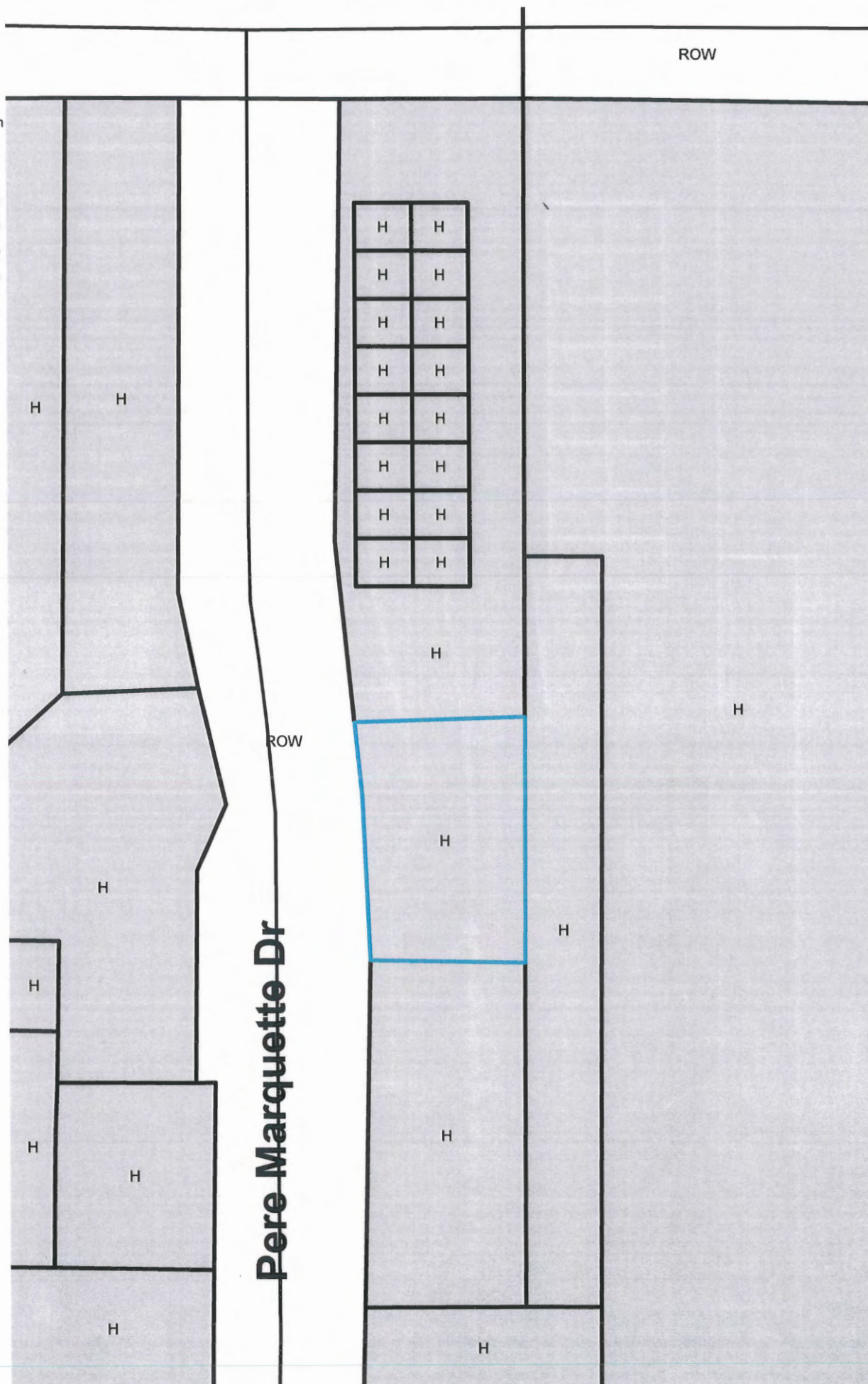
ROW Right of Way

City of Lansing Zoning Map

ROW

Pere Marquette Dr

ROW



**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, October 23, 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:

Renaming portions of East Grand River Avenue and West Grand River Avenue to César E. Chávez Ave. Specifically, the application requests that East Grand River Avenue commencing at Oakland Avenue and ending at Washington Avenue and West Grand River Avenue commencing at Washington Avenue and ending at Pine Street be renamed César E. Chávez Avenue.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on Monday, October 23 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

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

Lansing for César E. Chávez Committee
P.O. Box
Lansing, MI 48909
August 10, 2017

Mr. Chris Swope, City Clerk
City of Lansing
124 W. Michigan Ave., 9th Floor
Lansing, MI

Dear Mr. Swope:

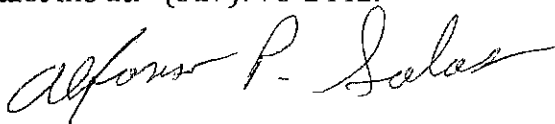
**Re: *Application for Renaming portions of East Grand River and
West Grand River to César E. Chávez Ave.***

The Lansing for César E. Chávez Committee submits the attached Application for Naming and Renaming Memorials in the City of Lansing, Michigan in support of renaming portions of East Grand River Avenue and West Grand River Avenue to César E. Chávez Ave. Specifically, the application requests that East Grand River Avenue commencing at Oakland Avenue and ending at Washington Avenue and West Grand River Avenue commencing at Washington Avenue and ending at Pine Street be renamed César E. Chávez Avenue. The street name change will specifically impact approximately 150 Lansing residents and businesses, the majority of which overwhelmingly support the change. The basis and significance of the proposed street name change is addressed in the application.

The Lansing for César E. Chávez Committee is committed to honoring César E. Chávez in the City of Lansing with a permanent street renaming, as well as continuing his humanitarian efforts in the greater Lansing community. City-wide, many Lansing residents support this change as evidenced by the petitions submitted with the application and their "Si Se Puede" words of encouragement.

Please find the attached application and required documents for review and submission to the appropriate City of Lansing boards or committees along with a check for the estimated cost of mailing notice to owners of all properties with mailing addresses on the subject streets and on corners, which intersect the subject streets. If more information or documentation is needed to consider the application please contact me at: (517)775-2442.

Sincerely,



Al Salas
Vice Chair, The Lansing for César E. Chávez Committee

RECEIVED
2017 AUG 10 PM 2:40
LANSING CITY CLERK



Application for Naming and Renaming Memorials In the City of Lansing, Michigan

Proposed name: César E. Chávez Avenue

Basis and significance of proposed name: César E. Chávez dedicated his life to nonviolent social change, justice, equality and humane treatment for all. César E. Chávez marched to Lansing in the 1970's to highlight the deplorable living conditions of agriculture workers in the State of Michigan. He met with legislators and was instrumental in initiating regulations and laws to improve the living conditions of farm workers throughout Michigan. The Lansing César E. Chávez Committee is requesting the name of an American hero on one of the City's major streets as a way of honoring a man who dedicated his life to the struggle for justice and equality for all Americans. His contributions have been recognized in hundreds of cities across the country. He, like Mahatma Gandhi, Martin Luther King Jr., Mother Teresa and others understood the meaning of non-violent social change and used it to elevate the human condition among one of the most vulnerable segments of American society. César E. Chávez was a leader and organizer who founded the first successful farm workers labor union in American history. His mission was to affirm the dignity of farm workers and to ensure fair wages, medical coverage, benefits, and humane living and workplace conditions for millions of Americans. César E. Chávez inspired millions of Americans and was awarded the U.S. Presidential Medal of Freedom, America's highest civilian honor, and the Martin Luther King Jr. Peace Prize. His philosophy, "Si se Puede" or "Yes We Can" influenced millions of Americans to seek economic and social equality beginning in the 1960's and that philosophy remains alive and well today. Chávez served in the United States Navy during World War II, during which millions lost their lives. After his military service he dedicated his life to advancing and improving the lives of all farm workers and all oppressed people in the United States and the world. As described by Senator Robert F. Kennedy, César E. Chávez is "one of the heroic figures of our time."

Lansing, Michigan has been home for thousands of farm workers, many of whom were Latino and Hispanic as early as the 1940's. The north side of Lansing became the home, heartbeat and center for the growing Latino and Hispanic community, which included migrant farm workers and factory workers. Latino and Hispanic businesses and community activity was concentrated and established in the East and West Grand River Avenue area such as El Renacimiento, a bilingual community newspaper, restaurants (Ramon's, Torres's), Cristo Rey Church, Cristo Rey Community Center, and Quinto Sol newspaper and radio station, to name a few. César E. Chávez personal connection to this community occurred when he visited the Lansing community and other Michigan cities in the late 60's and 70's to organize farmworkers. He also led a march from Saginaw to Lansing to highlight the plight of farm workers and to request legislative changes to improve the conditions of farmworkers in Michigan. The renaming of East Grand River Ave and West Grand River Avenue to César E. Chávez Avenue, honors not only one of the great leaders of the Latino and Hispanic community, but a man who became an American hero to all.

Object, site, or street to be named or renamed: Portions of East and West Grand River Avenue, specifically: East Grand River Avenue beginning at Oakland Avenue to Washington Avenue and West Grand River Avenue beginning at Washington Ave to Pine Street. The proposal is to rename these streets César E. Chávez Avenue.

Current name (if applicable): East Grand River Avenue and West Grand River Avenue

Impact on residents: The effect of the proposed name change upon the affected residents is being received favorably. There are approximately 60-80 residents on this portion of East Grand River Avenue and West Grand River Avenue that will be directly affected. Many if not all of them have signed petitions in support of the name change. Some residents claimed the name change would be a great benefit because it will eliminate confusion with East Grand River in East Lansing. Other residents stated that they thought the "honorary" designation was temporary like the changing of Logan Street to Martin Luther King, Jr. Blvd. Lansing residents throughout the city also support the change, as evidenced by the attached petitions and letters of support. The proposed street name change has received a positive response from citizens of Lansing representing all walks of life, including from a broad range of ethnic and economic backgrounds. The effort has united many citizens of Lansing to work together for the betterment of the City. They see the name change as a vehicle to promote understanding of American values and history and to unify citizens. Honoring César E. Chávez in this way will demonstrate that Lansing, Michigan is a city that stands for diversity and promotes the importance of tolerance and inclusion.

Impact on businesses: The effect of the proposed name change upon the affected businesses is primarily favorable. Many of the businesses currently on what is now East and West Grand River Avenue have expressed a positive response to the street name change. Another significant effect is the attracting of business and commerce in that area. Two businesses have been identified and have made it known that the changing of East Grand River Avenue to César E. Chávez Avenue has encouraged them to open new businesses within the area resulting from the proposed street name change. As stated above, in terms of a social effect, it will illustrate that Lansing, Michigan is a city that believes in the power of inclusion and understands the importance of diversity and building communities that are welcoming of Americans from diverse backgrounds. The Lansing for César E. Chávez Committee recognizes business owners may incur costs as a result of the name change for stationary and literature. In 2010, the Old Town Commercial Association, which represents some of the businesses, raised the financial cost as a basis for opposition. At that time, it was recommended that a gradual name change process be considered to minimize costs and provide time to deplete their stationary and literature inventory until the street name is officially changed. Moreover, the businesses would incur a one time only cost as part of the normal procedure for reordering stationary with the new street name. The 2010 "honorary" designation of César E. Chávez Avenue to East Grand River Avenue provided the businesses an opportunity to use both names on their stationary and literature to assist in a smooth transition. The Lansing for César E. Chávez Committee proposes to negotiate a discounted group rate for printing of new stationery with a local print shop to help absorb some of the cost for the business owners on Grand River Avenue. Also, many businesses rely primarily on websites, which can be easily modified, with little or no cost.

Projected implementation cost if application is approved: Minimal to the city. Approximately, thirty (30) street signs must be replaced changing East Grand River Avenue and West Grand River Avenue to César E. Chávez Avenue. According to Andrew Miller traffic design specialist in the Transportation Division of the Public Service Department, replacement and installation costs are approximately \$81.66 per ground mounted sign and \$131.31 per traffic signal pole mounted signs. Mr. Chris Swope, Lansing City Clerk, previously anticipated a cost of \$117.00 for mailing notification to the area businesses and residents. The City should be able to absorb the minimal costs for changing the street signs. If necessary, Lansing César E. Chávez Committee will contribute funds to pay for the implementation costs associated with the street signs. Payment for mailing notification to owners of all properties with mailing addresses on these streets has been submitted with this application.

Proposed funding: City to absorb the costs or the Lansing César E. Chávez Committee will contribute funds for the signs. No additional funds will be needed after street signs replaced.

Anticipated support and/or opposition to the proposal. It is anticipated that there will be general support for the naming of portions of East Grand River Avenue and West Grand River Avenue after César E. Chávez, a formidable humanitarian that contributed to improving conditions for all Americans, not

just the farm workers. Petitions and letters attached to the application demonstrate support from individuals, churches, agencies and organizations.

There has been nominal opposition to the street name change from the Old Town Commercial Association (OTCA) and a few of its members. OTCA opposed the change in 2010 and maintains its opposition now. Notably, the majority of OTCA members do not have businesses on East and West Grand River Avenue and only a few of the businesses on East Grand River fall within the boundary designation of "Old Town" as defined by the city of Lansing. Generally, however, "Old Town" is recognized as an area located in the north side of Lansing. Initially, many of the businesses in Old Town signed the 2017 petitions to support the name change and individually explained the basis for their support. An organized effort by OTCA to oppose the name change resulted in a few businesses changing their position and citing the devaluing of Old Town if the street was named César E. Chávez Avenue. Notice of these position changes has been informal, but formal notices will be provided upon receipt. Opponents of this change may not fully know or understand César E. Chávez's local, state and national achievements and contributions to our state and nation. Clearly, the renaming of the street to César E. Chávez Avenue would result in Lansing being celebrated for recognizing this humanitarian leader and renaming the street César E. Chávez Avenue.

If the Proposed Memorial Involves changing a street name, this application must be accompanied by payment for the estimated cost of mailing notice to owners of all properties with mailing addresses on the subject street and on corners which intersect the subject street.

Applicant's Name: The Lansing for César E. Chávez Committee Date: August 10, 2017

Applicant's Address: P.O. Box 27072

City Lansing State: MI Zip: 48909

Main Contact Number: (517)775-2442 Secondary Contact Number: (517)327-8828

If you have questions please call: 517-483-4131

When you are done with this form, please return it to: Chris Swope, City Clerk

Lansing City Clerk's Office

Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695 clerk@lansingmi.gov

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, October 23, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Chapter 286, to add Section 286.16 that requires the City provide an employee with a summary of benefits when the employee separates from City Service.

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

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

DRAFT

October 3, 2017

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 286, TO ADD SECTION 286.16 THAT REQUIRES THE CITY PROVIDE AN EMPLOYEE WITH A SUMMARY OF BENEFITS WHEN THE EMPLOYEE SEPARATES FROM CITY SERVICE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 286, of the Code of Ordinances of the City of Lansing, Michigan, be and is hereby amended to add a new section 286.16 to read as follows:

WHEN A CITY EMPLOYEE, WHO IS EITHER A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM, THE POLICE AND FIRE RETIREMENT SYSTEM, A DEFINED CONTRIBUTION PLAN, OR A HYBRID DEFINED BENEFIT/ DEFINED CONTRIBUTION PLAN VOLUNTARILY SEPARATES FROM CITY SERVICE, THE EMPLOYEE SHALL BE PROVIDED WITH A WRITTEN SUMMARY OF THE EMPLOYEE'S POST-SEPARATION BENEFITS BASED ON THE EMPLOYEE'S CITY SERVICE. THE SUMMARY WILL BE PREPARED BY THE DEPARTMENT OF HUMAN RESOURCES AND UPDATED WHEN BENEFITS, OTHER THAN THE RETIREMENT ALLOWANCE, ARE LEGALLY CHANGED EITHER THROUGH A COLLECTIVE BARGAINING AGREEMENT, A POLICY OR BENEFIT PLAN AMENDMENT PERMISSIBLE UNDER THE LANSING CITY CHARTER AND ORDINANCES, A WRITTEN CONTRACT, OR LAW, WHICHEVER IS APPLICABLE. THE SUMMARY SHALL BE GIVEN TO THE EMPLOYEE AT THE EMPLOYEE'S CITY SERVICE EXIT MEETING OR, IN THE EVENT THE EMPLOYEE DOES NOT PARTICIPATE IN AN EXIT MEETING PRIOR TO SEPARATION, IT SHALL BE MAILED BY REGISTERED OR

DRAFT

October 3, 2017

CERTIFIED MAIL TO THE EMPLOYEE’S CURRENT ADDRESS AS MAINTAINED IN
THE DEPARTMENT OF HUMAN RESOURCE’S RECORDS. THE SUMMARY SHALL
INDICATE WHETHER ANY LISTED BENEFIT IS SUBJECT TO CHANGE.

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

Approved as to form:

City Attorney

Dated: _____

RESOLUTION 2017-

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Closing the Digital Gap began in 2002, in the Lansing Area as a non-profit economic development initiative. The mission is to provide low income residents the opportunity to earn a computer, receive basic computer and internet training, and world wide web access. While assisting them in making connections with community resources for further training that may lead to employment and/or educational enrichment; and

WHEREAS, Closing the Digital Gap's remarkable success attracted multiple partnerships, including ACD.net, Black Child and Family Institute, Capital Area District Library, Capital Area Service Center Head Start Program, City of Lansing, Greater Lansing Housing Coalition, Michigan Works, Peckham, Lansing Community College, Lansing School District, Michigan State University, and New Horizons Computer Learning Center; and

WHEREAS, Closing the Digital Gap has trained thousands of participants and donated numerous computers, proving to be an innovator and a leader in the computer training field, through providing citizens with advanced computer training.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, wishes to congratulate Closing the Digital Gap on their 15th Anniversary and to extend its deepest appreciation for their dedication and service to the community.

**RESOLUTION: #2017-
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, the Lansing Branch of the National Association for the Advancement of Colored People (NAACP) has announced its 52nd Annual Freedom Fund Dinner, with a theme of “NAACP :“Steadfast and Immovable!”.... to be held Saturday, October 29, 2017 at The Radisson Hotel, downtown Lansing, MI; and

WHEREAS, in 1919, the Lansing branch of the NAACP was chartered under the leadership of Mr. C. A. Campbell who fought diligently to enforce civil rights laws for the community, and for over 100 years, the NAACP has led the movement on social rights and equality; and

WHEREAS, The *National Association for the Advancement of Colored People* (NAACP) works at the local, state, and national levels to ensure: political, educational, social and economic equality of all citizens and to eliminate and remove all barriers of racial discrimination; and

WHEREAS, the 2017 guest speaker is the Honorable Ms. Roslyn M. Brock, Chairman Emeritus of the National Board of Directors of the NAACP, who will bring a timely message on equality, civil rights, social justice, and the fight for freedom; and

WHEREAS, the NAACP 52nd Annual Freedom Fund Dinner offers an opportunity for the community to come together in support of the NAACP Lansing Branch, and share in the celebration! The effort put forth through the Lansing Branch has made vast strides in integrating the Lansing community.

BE IT RESOLVED, the Lansing City Council, hereby, acknowledges the Lansing Branch of the National Association for the Advancement of Colored People on its 52nd Annual Freedom Fund Dinner and expresses our admiration and gratitude to its members for their achievements and commitment to the City of Lansing and its residents. We applaud the NAACP Lansing Branch for many years of success and diligence in the fight for equality and anticipate many more to come.

DRAFT

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

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-01-14) on October 27, 2014, on the property located at 1800 Bassett, Lansing MI; and

WHEREAS, the City of Lansing received and filed an application from Cameron Tool Corporation requesting an Industrial Facilities Exemption Certificate (IFT-01-17) for real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held on _____, on the Industrial Facilities Exemption Certificate (IFT-01-17) filed by Cameron Tool Corporation, at which all owners of real and personal property within IDD-01-14 and, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-01-14 had the opportunity to appear and be heard; and

WHEREAS, Cameron Tool Corporation has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the SEV of real property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of twelve (12) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for real property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Cameron Tool Corporation for an Industrial Facilities Exemption Certificate (IFT-01-17), for real property investments in the areas of IDD-01-14 legally described as:

N 3 FT LOT 2 SHIRLEY PARK, ALSO LOTS 1 THRU 9 INCL, OUTLOTS A & B, ALL VAC SHIRANN ST SHIRANN SUB, ALSO PARTS LOTS 27 THRU 34 ASSESSORS PLAT NO 11 COM N LINE BASSETT ST 163 FT W OF E LINE LOT 30, TH N 231 FT TO N LINE LOT 31, W 1.5 FT, N 165 FT, W 167.76 FT, S 66 FT, W 169.65 FT, S 197.64 FT, E 85.66 FT TO POINT 90.34 FT W OF NE COR LOT 29, S 14.91 FT, E 80.99 FT, S 117.34 FT TO N LINE BASSETT ST, E 172.3 FT TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-004, and

DRAFT

PARTS LOTS 31, 33 & 34 COM SW COR LOT 31, TH E 125 FT, N TO S LINE LOT 34, E 169.65 FT, N 66 FT, W 283.88 FT TO E LINE LMRR, S'LY 264.03 FT ALONG R/W TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-093, and

LOTS 27, 28 & W 25.7 FT LOT 29, EXC COM 9.3 FT W OF NE COR LOT 29, TH S 14.66 FT, W 80.99 FT, N 14.91 FT, E 81.04 FT TO BEG, EXC PARTS ABOVE LOTS USED AS BASSETT ST R/W ASSESSORS PLAT NO 11, Tax ID 33-01-01-08-126-082,

for a period of 12 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between Cameron Tool Corporation and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

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

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
At 629 West Hillsdale Street

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

WHEREAS, DED Development, LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted _____, after a public hearing was held on March 27, 2017, as provided by section 3 of PA 146 of 2000; and

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

WHEREAS, a public hearing was held on March 27, 2017 in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, DED Development, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 7 years and under no circumstances or criteria will an extension of the exemption be considered; and

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

WHEREAS, the applicant DED Development, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at 629 West Hillsdale Street legally described as LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan -- Parcel Number: 33-01-01-16-360-002.

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

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

WHEREAS, the Committee on Personnel reviewed the Teamsters Local 214 (the Union) contract for the period covering January 1, 2015 through December 31, 2018 for applicability of compensation therein to Council Staff employees; and

WHEREAS, Council Staff received their last compensation lump sum with the previous Teamster Local 214 contract that ended December 31, 2014; and

THEREFORE, BE IT RESOLVED, the City Council hereby approves the following lump sum and hourly wage increases to reflect wage increases across the board as reflected in the Teamster Local 214 contract for the years of 2015, 2016, 2017, and 2018:

- Effective the first full pay period following the date of this resolution, actively employed Council Staff employees at the date of this Resolution, who were employed with the City before January 1st, 2015 shall receive a \$6,400.00 lump sum payment for retro-active wages and have their hourly wage scale increased by 6.5% to reflect wage increases across the board as reflected in the Teamster Local 214 contract for the years of 2015, 2016, and 2017; and
- Effective the first full pay period following the date of this resolution, actively employed Council Staff employees at the date of this resolution who were employed with the City after January 1st, 2015 and before January 1, 2017 shall receive a \$950.00 lump sum payment for retro-active wages and have their hourly wage scale increased by 2.0% to reflect wage increases across the board as reflected in the Teamster Local 214 contract for the year of 2017; and
- Effective the first full pay period following January 1, 2018, actively employed Council Staff employees with (1) one or more years of credited service as a Council Staff employee shall receive a hourly wage scale increase of 2.0% to reflect wage increases across the board as reflected in the Teamster Local 214 contract for the year of 2018.

THEREFORE, BE IT FINALLY RESOLVED, the City Council Staff Personnel Rules will be amended to reflect that the Council Staff will continue to follow Teamsters Local 214 for applicability on compensation regardless of the Term of the Contract.

RESOLUTION # _____
BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Development Agreement between the City and Jackson National Life (JNL), the City is providing sanitary sewer services to the Public Act 425 transfer area that was formerly Alaiedon Township; and

WHEREAS, as part of the sanitary sewer system, JNL constructed for the City is now ready to transfer appurtenant easements to the City; and

WHEREAS, the Public Service Department has inspected and recommends its acceptance and dedication by the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves City acceptance of the permanent public sanitary sewer easement and assignment of the constructed sanitary sewer therein, as filed March 6, 2014 in the office of the City Clerk, and dedicated the sanitary sewer to public use.

BE IT FURTHER RESOLVED that the Mayor, on behalf of the City, is authorized to sign and execute easements, subject to their prior approval as to form by the City Attorney.

BE IT FINALLY RESOLVED, after the execution of the permanent easement by the Mayor, the City Clerk is requested to record the easement with the Ingham County Register of Deeds.

DRAFT

XIII C. 1. a.

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

That the following FY 2018 appropriations be approved:

\$(9,000.00)	MISCELLANEOUS OPERATING	101.112101.741000.00000
\$(5,000.00)	TEMPORARY HELP-CONTRACTUAL	101.112101.743050.00000
\$11,000.00	SALARIES	101.112101.702000.00000
\$(500.00)	TEMPORARY HELP	101.112120.707000.00000
\$3,500.00	SALARIES	101.112120.702000.00000

THIS PAGE LEFT BLANK

PASSAGE OF ORDINANCE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND SECTION 206.05 OF THE CITY OF LANSING CODIFIED ORDINANCES TO PROVIDE FOR SOLE SOURCE PROCUREMENT OF SUPPLIES, SERVICES, OR CONSTRUCTION ITEMS AND SETTING THE CRITERIA FOR SUCH PROCUREMENT

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

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

☐ ADOPTED

☐ FAILED

CITY OF LANSING, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND SECTION 206.05 OF THE CITY OF LANSING CODIFIED ORDINANCES TO PROVIDE FOR SOLE SOURCE PROCUREMENT OF SUPPLIES, SERVICES, OR CONSTRUCTION ITEMS AND SETTING THE CRITERIA FOR SUCH PROCUREMENT

THE CITY OF LANSING ORDAINS:

SECTION ONE: Section 206.05 of Part 2, Title 2, Chapter 206 of the City of Lansing Codified Ordinances is amended to read as follows:

206.05. - Sole source procurement.

(A) A contract for supplies, services or construction items may be awarded by the Mayor or Director, whoever is applicable, without competitive sealed bids when the Director, HAVING PERFORMED A WRITTEN ANALYSIS WITH FINDINGS PURSUANT TO THIS SECTION, determines, after conducting a good faith review of available sources AND APPLYING THE CRITERIA SET FORTH IN Section 206.05 (C), that there is only one source for supplying the requested supply, service or construction item AND NO OTHER REASONABLE ALTERNATIVE SOURCE EXISTS. The Director, along with a representative from the requesting using agency, shall conduct negotiations as appropriate. The written documentation shall be available for public inspection in the Finance Department.

(B) The sole source procurement shall be made at the lowest obtainable price and the Mayor OR DIRECTOR shall submit a WRITTEN report, INCLUDING THE ANALYSIS AND FINDINGS REQUIRED IN SECTION 206.05, WITHIN THIRTY DAYS FROM THE DATE the transaction is CONSUMMATED, to the City Clerk and CITY Council identifying sole source procurement contracts equal to or in excess of \$15,000.00 awarded by the City, the name of the firm(S) involved, and the prices the contracts were awarded for.

(C) THE CRITERIA TO BE FOLLOWED BY THE DIRECTOR IN DETERMINING THAT THERE IS ONLY ONE SOURCE FOR SUPPLYING THE REQUESTED SUPPLY, SERVICE, OR CONSTRUCTION ITEM ARE:

- (1) SPECIAL FEATURES ARE REQUIRED; OR
- (2) SPECIAL MARKET CONDITIONS EXIST; OR
- (3) SPECIAL SERVICES OR FACILITIES ARE REQUIRED; OR
- (4) THE SOURCE IS UNIQUE OR SPECIAL IN NATURE; OR
- (5) THE SOURCE IS LIMITED OR PROPRIETARY; OR

1 (6) SALES TERRITORIES OR PRODUCT AVAILABILITY WITHIN LIMITED
2 GEOGRAPHICAL BOUNDARIES REQUIRE SOLE SOURCE
3 PROCUREMENT; OR

4 (7) WHERE STANDARDIZATION OR COMPATIBILITY IS THE OVERRIDING
5 CONSIDERATION AND SUCH COMPATABILITY OR STANDARDIZATION
6 CAN ONLY BE ACHIEVED THROUGH THE PURCHASE OR USE OF A
7 UNIQUE PRODUCT; OR

8 (8) WHERE A PRODUCT OR SERVICE IS SPECIFICALLY IDENTIFIED AS
9 PART OF A GRANT AWARD.

10 (D) THIS SECTION IS SUBJECT TO SECTION 206.17., UNAUTHORIZED
11 PURCHASES.

12
13 SECTION 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules,
14 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void
15 and of no effect.

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

19 SECTION 4. This Ordinance shall take effect on the 30th day after enactment unless given
20 immediate effect by the City Council.

THIS PAGE LEFT BLANK



Chris Swope
Lansing City Clerk

October 20, 2017

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

Dear Councilmembers:

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

BOARD NAME

DATE OF MEETING

Lansing Entertainment and Public Facilities Authority

August 22, 2017

Lansing Park Board

September 13, 2017
June 14, 2017

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

Sincerely,

Chris Swope, CMC, CMMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

October 20, 2017

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

Dear President Spitzley and Council Members:

Pursuant to Chapter 208.08 (a) "Disposition Policy", Codified Ordinances – City of Lansing, My office has received and placed these files on October 6, 2017:

Planning and Neighborhood Development 's "Real Estate Purchase Agreement between the City of Lansing and R.E. Old Transportation Museum Association for 240 Museum Drive, Lansing, MI"

Planning and Neighborhood Development's Staff Report in connection with ACT-1-17.

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

Sincerely,

Chris Swope, CMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

October 20, 2017

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

Dear President Spitzley and Council Members:

Pursuant to Chapter 208.08 (a) "Disposition Policy", Codified Ordinances – City of Lansing, My office has received and placed these files on October 13, 2017:

Planning and Neighborhood Development 's "Real Estate Purchase Agreement between the City of Lansing and Northern Capital Investments, LLC, a Michigan limited liability company, for the former "Waverly Golf Course", 3701 W. Saginaw Hwy., Lansing, MI"

Planning and Neighborhood Development's Staff Report in connection with ACT-3-12 and City Council Resolution 2013-015 "Waverly and Michigan Avenue Parks Market for Sale". As well as the "Necessity of Need" statement, and attachments.

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

Sincerely,

Chris Swope, CMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

October 20, 2017

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

Dear President Spitzley and Council Members:

Pursuant to Article 5, Chapter 2, Section 5-205.2 of the Lansing City Charter, on October 13, 2017 the Board of Water and Light placed on file with my office:

Board of Water and Light proposed rate changes with effective February 1, 2018, February 1, 2019, and February 1, 2020.

This document is available for review at the office of the City Clerk and on the City Clerk's website (www.lansingmi.gov/clerk).

Sincerely,

Chris Swope, CMC
Lansing City Clerk

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #71
NEOGEN 1000 SOUTH HOSMER BUILDING REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 1000 South Hosmer Street located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **(INSERT DATE)** at 7:00 p.m. on Brownfield Plan #71 – Neogen 1000 South Hosmer Building Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

1000 South Hosmer Street Lansing, MI 48933. Parcel number 33-01-01-22-103-021; N 245 FT LOT 2 ASSESSORS PLAT NO 26 ALSO LOTS 1 TO 8 INCL & VACATE ALLEY EXC THAT PART USED FOR HWY PURPOSES; BLOCK 3 MANUFACTURERS ADD NO 1.

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #71 – Neogen 1000 South Hosmer Building Redevelopment Project and the scheduled public hearing.

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on **(INSERT DATE)** at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #71 – Neogen 1000 South Hosmer Building Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 1000 South Hosmer Street located in the City of Lansing, but more particularly described as:

1000 South Hosmer Street Lansing, MI 48933. Parcel number 33-01-01-22-103-021; N 245 FT LOT 2 ASSESSORS PLAT NO 26 ALSO LOTS 1 TO 8 INCL & VACATE ALLEY EXC THAT PART USED FOR HWY PURPOSES; BLOCK 3 MANUFACTURERS ADD NO 1.

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – Director of Economic Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

Chris Swope

City Clerk

Lansing Brownfield Redevelopment Authority



**Lansing Brownfield Redevelopment Authority
Neogen 1000 Hosmer Building Redevelopment**

Brownfield Plan #71

1000 S. Hosmer Street
Lansing, Michigan 48912

PREPARED BY:

Triterra
1375 S. Washington Avenue, Suite 300
Lansing, Michigan 48910
Contact Person: Dave Van Haaren
dave.vanhaaren@triterra.us
Phone: 517-702-0470

REVIEWED BY:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Avenue, Suite 201
Lansing, Michigan 48910
Contact Person: Karl Dorshimer
karl@purelansing.com
Phone: 517-999-9039

July 31, 2017

Approved by the LBRA on _____

Adopted by the Lansing City Council on _____

Table of Contents

<u>Section</u>	<u>Page</u>
1. Project Summary Sheet	1
2. Purpose of Brownfield Plan and Past Use of the Property	4
3. Brownfield Project Description	5
4. Developer Eligible Activities.....	5
5. Captured Taxable Value & Tax Increment Revenues	7
6. Method of Brownfield Plan Financing	7
7. Amount of Note or Bonded Indebtedness Incurred	8
8. Duration of the Brownfield Plan	8
9. Estimated Impact on Taxing Jurisdictions.....	9
10. Legal Description & Site Map.....	10
11. Personal Property	10
12. Displacement of Persons	10
13. Site Remediation Revolving Fund	10
14. Other Information.....	10

FIGURES

Figure 1: Property Location Map

Figure 2: Eligible Property Map

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

ATTACHMENTS

Attachment A: Legal Description of the Property

Attachment B: Letter of Functional Obsolescence

1. Project Summary Sheet

The purpose of this Brownfield Plan (the “Plan”) is to identify eligible activities and cost estimates for redevelopment of the property located at 1000 S. Hosmer Street in Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.

Project Name: Neogen 1000 S. Hosmer Building Redevelopment (the “Project”)

Developer: Neogen Properties VIII, LLC
620 Leshar Place, Lansing MI 48912
James A. Houthoofd
517-372-9200 ext. 2254

Property Location: 1000 S. Hosmer Street, Lansing, Michigan 48912 (the “Property”)

Parcel Information: Parcel ID 33-01-01-22-103-021

Type of Eligible Property: “Functionally Obsolete”

Project Description: A rehabilitation of the existing, functionally obsolete building located at 1000 S. Hosmer Street, south of the I-496 east-bound entrance ramp from Cedar Street. The project will result in a total of 39,687 square feet of new office and warehouse distribution space for Neogen’s Ideal Instruments subsidiary.

Brownfield Eligible activities include demolition, site preparation, infrastructure improvements and preparation of the Brownfield Plan.

Total Capital Investment: Property and Building Improvements: Estimated at \$1,300,000 of which \$254,973 is estimated as eligible for Brownfield Reimbursement.

Estimated Job

Creation/Retention: The redevelopment is anticipated to generate 25 new full-time equivalent (FTE) jobs within 2 years of project completion. In addition, this redevelopment will result in the creation/retention of 15 to 20 temporary construction related jobs.

Duration of Plan: 17 years (starting in 2019)

Use of Captured Taxes / Tax Increment Revenue (TIR):

Uses	
To Reimburse Developer for Eligible Activity Costs	\$ 135,000
To Reimburse LBRA/Lansing Regional Brownfield Coalition (LRBC) for Eligible Activity Costs under EPA Brownfield Assessment Grant	\$ 0
To Reimburse LBRA for Eligible Activity Costs under Local Brownfield Revolving Fund (LBRF)	\$ 8,500
To Reimburse Developer for <u>Contingency</u> (15%) on Eligible Activity Costs*	\$ 18,750
To Reimburse Developer for <u>Interest</u> on Eligible Activity Costs	\$ 38,838
Total Reimbursement to Developer and LBRA	\$ 201,088
To LBRA Plan Administration	\$ 11,172
To LBRA Local Brownfield Revolving Fund (LSBRF)	\$ 11,172
To State Revolving Fund (SRF)	\$ 0
TOTAL CAPTURED TAXES	\$ 223,431

* Brownfield Plan preparation activities are excluded from contingency calculation

Neogen 1000 S. Hosmer Building Redevelopment
Brownfield Plan #71
July 31, 2017

Use of New Taxes:

Uses	
Lansing Operating	\$ 11,152
Ingham County	\$ 1,878
Ingham County Sum	\$ 3,662
Airport Authority	\$ 401
CATA	\$ 1,725
Capital Area District Library	\$ 895
Potter Park Zoo	\$ 235
Lansing Community College	\$ 2,184
Ingham Inter. School District	\$ 2,694
Lansing School District Operating	\$ 103,258
State Education Tax (6 mills)	\$ 34,419
City Debt	\$ 1,492
School Debt	\$ 26,847
TOTAL NEW TAXES	\$ 190,842

2. Purpose of Brownfield Plan and Past Use of the Property

The City of Lansing Brownfield Redevelopment Authority (Authority or “LBRA”), duly established by resolution of the City Council of the City of Lansing, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the LBRA, is to satisfy the requirements for a Brownfield Plan as specified in Act 381

The Plan will allow the LBRA to use tax increment financing to reimburse **Neogen Properties VIII, LLC** (the “Developer”) for the costs of eligible activities required to redevelop the eligible property located at 1000 S. Hosmer Street in the City of Lansing, Michigan, (the “Property”). Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Property is fully defined in the following table and in Attachment A.

Eligible Property		
Address	Tax ID	Basis of Eligibility
1000 S. Hosmer Street	33-01-01-22-103-021	Functionally Obsolete

The Property is located within the boundaries of the City of Lansing and is surrounded by industrial and commercial property. Property layout and boundaries are depicted on Figure 2. The legal description of the Property is included in Attachment A.

The Property consists of a 2.388-acre parcel of land developed with a two-story building, totaling 39,687 square feet. The structure was constructed in 1900, and was used for industrial and commercial purposes for much of the memorable past. Early uses of the building included printing operations followed by steel manufacturing until at least 1972. Between 1990 and 2014 several commercial businesses occupied the Property; however, the building was underutilized and was at least partially vacant during some of that time. Since 2014, the Property has been vacant.

The Property is considered an “eligible property” as defined by Act 381, Section 2 because: (a) the Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); and (c) the Property has

been determined to be “functionally obsolete” as defined in Section 2(s) of Act 381.

On May 23, 2017, the City of Lansing, Assessors Office formally determined the Property is “functionally obsolete” as the term is defined in Section 2(s), of Act 381. The Assessing Office conducted a site inspection and determined the building suffers greater than 50% functional obsolescence. Refer to Attachment B, Letter of Functional Obsolescence.

3. Brownfield Project Description

The Project includes a complete buildout of the existing functionally obsolete building. The redevelopment will result in a total of 39,687 square feet of office and warehouse distribution space for Neogen’s Ideal Instruments subsidiary. Ideal Instruments, Inc. was founded in 1931 and is a manufacturer of precision veterinary drug delivery instruments for the large animal industry. Primary markets include the beef cattle, dairy, swine, poultry and companion animal industries. All of Ideal Instruments’ finished goods are high-tech products shipped to customers and distributors domestically and internationally. This will be a new facility for Ideal Instruments which is currently housed within Neogen’s Lansing Distribution Building at 301 N. Hosmer Street. This Project will allow for future expansion within the existing distribution warehouse.

Total capital investment is estimated at \$1,300,000. Redevelopment activities include demolition of the building interiors, site demolition, site preparation activities and infrastructure improvements.

The Project will result in the revitalization and reuse of one vacant, historically underutilized, functionally obsolete property in the City of Lansing, located immediately south of the I-496 east-bound Cedar Street entrance ramp and east of the Penn Lines Railroad. This Project will result in the creation of 25 new, full time equivalent jobs within 2 years. The Project is also projected to create/leverage 15 to 20 temporary construction related jobs.

4. Developer Eligible Activities

The Developer will be reimbursed with the new local taxes levied by the Project for the costs of eligible activities necessary to support redevelopment of the Property. The activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381 and include demolition, site preparation, infrastructure improvements and preparation of the Brownfield Plan.

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with the new local increment tax revenues generated by the Property redevelopment and captured

by the LBRA, subject to any limitations and conditions described in this Plan and the terms of a Reimbursement Agreement between the Developer and the Authority (the “Reimbursement Agreement”). The total cost of activities eligible for reimbursement from tax increment revenues is projected to be \$223,431.

ELIGIBLE ACTIVITIES

NON-ENVIRONMENTAL

Demolition	\$100,000.00
Site Preparation Activities	\$10,000.00
Infrastructure Improvements	\$25,000.00
Total Non-Environmental Costs	\$135,000.00
Contingency (15%)*	\$18,750.00
Brownfield Plan & Act 381 Work Plan Preparation.....	\$8,500.00
Interest (3%, simple)	\$38,838.00
Total Anticipate TIR Available for Reimbursement	\$201,088.00
LBRA Plan Administration.....	\$11,172.00
LBRA Local Brownfield Revolving Fund	\$11,172.00
State Brownfield Revolving Fund	\$0.00
Total Local TIR Capture.....	\$223,431.00

* Brownfield Plan preparation activities are excluded from contingency calculation

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues captured by the LBRA shall be governed by the terms of a Reimbursement Agreement. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381 of 1996, as amended (MCL 125.2652). The Reimbursement Agreement and this Plan will dictate the total cost of eligible activities subject to payment. As long as the total cost limit described in this Plan is not exceeded, line item costs of eligible activities may be adjusted after the date this Plan is approved by the City of Lansing City Council.

5. Captured Taxable Value and Tax Increment Revenues

The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local only tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2018. Reimbursement of Eligible Activities completed after December 31, 2018 will be evaluated by the LBRA on a case-by-case basis.

The taxable value of the Property at the completion of this Brownfield Plan was \$296,928 which is the initial taxable value for this Plan. The new projected taxable value for 2019 was estimated at \$600,000 upon completion of the Project. Estimated taxable values were based on estimates determined by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2019 through 2035 to reimburse the Developer and the LBRA for the cost of eligible activities, pay for the LBRA's administration of the Plan and make deposits into the LBRA's Local Brownfield Revolving Fund (LBRF). Ten percent of the local taxes generated by the increase in taxable value will be returned to the taxing units.

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Plan will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. Method of Brownfield Plan Financing

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. However, the LBRA and the Developer have entered into an agreement under the LBRA's LBRF to finance the costs associated with the preparation of this Brownfield Plan.

The inclusion of eligible activities and estimates of cost to be reimbursed in this Plan are intended to authorize the LBRA to fund such reimbursements. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities and reimbursement limits described in this Plan.

In addition to reimbursement to the LBRA for its costs associated with the Project under the LBRF, the LBRA will be reimbursed for its costs to administer the Plan by utilizing 5% of the new local taxes captured per year for the duration of the Plan. The LBRA will also deposit 5% of the new local taxes captured per year for the duration of the Plan for deposit into its LBRF. Total deposits into the LBRF will not exceed the sum total equivalent to 5 years of local tax increment revenue.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

Unless amended by the Lansing City Council, the Plan is anticipated to remain in effect until all approved activities in this plan are covered or until the end of the year 2035, whichever occurs first.

9. Estimated Impact on Taxing Jurisdictions

The following table presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Plan. These are estimations based on the residential and commercial components of the proposed redevelopment.

Projected Impact to Taxing Jurisdictions			
Taxing Unit	New Taxes to Taxing Units*	New Taxes for BRA Administration, LBRF Deposits and Developer Reimbursement	Total New Taxes
Lansing Operating	\$ 11,152	\$ 100,367	\$ 111,519
Ingham County	\$ 1,878	\$ 16,899	\$ 18,776
Ingham County Sum	\$ 3,662	\$ 32,961	\$ 36,623
Airport Authority	\$ 401	\$ 3,609	\$ 4,010
CATA	\$ 1,725	\$ 15,525	\$ 17,250
Capital Area District Library	\$ 895	\$ 8,054	\$ 8,949
Potter Park Zoo	\$ 235	\$ 2,117	\$ 2,352
Lansing Community College	\$ 2,184	\$ 19,656	\$ 21,840
Ingham Inter. School District	\$ 2,694	\$ 24,243	\$ 26,937
Lansing School District Operating	\$ 103,258	\$ 0	\$ 0
State Education Tax (6 mills)	\$ 34,419	\$ 0	\$ 0
State Education Tax to SBRF**	\$ 0	\$ 0	\$ 0
City Debt	\$ 1,492	\$ 0	\$ 1,492
School Debt	\$ 26,847	\$ 0	\$ 26,847
Total	\$ 190,842	\$ 223,431	\$ 414,273

* Increased by investment, but not captured for TIF reimbursement

** State Brownfield Revolving Fund

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

10. Legal Description & Site Map

The Property location and boundaries are shown on Figures 1 and 2. The legal description of the Property is provided in Attachment A.

11. Personal Property

This Brownfield Plan will capture incremental tax revenues resulting from personal property to the extent they are available.

12. Displacement of Persons

No persons will be displaced as a result of this project.

13. LBRA Local Brownfield Revolving Fund

As stated in Section 6, LBRF funds were used to finance the costs associated with the preparation of this Brownfield Plan. Additionally, the LBRA will capture 5% of the new local taxes per year until the Developer's costs have been fully reimbursed for deposit into the LBRF. The LBRA will then capture all available tax increment revenues for up to an additional 5 years for deposit into the LBRF as permitted by Act 381. Total deposits into the LBRF will not exceed the sum total equivalent to 5 years of local tax increment revenue.

14. Other Information

The LBRA and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.

FIGURES

Figure 1: Property Location Map

Figure 2: Property Boundary Map

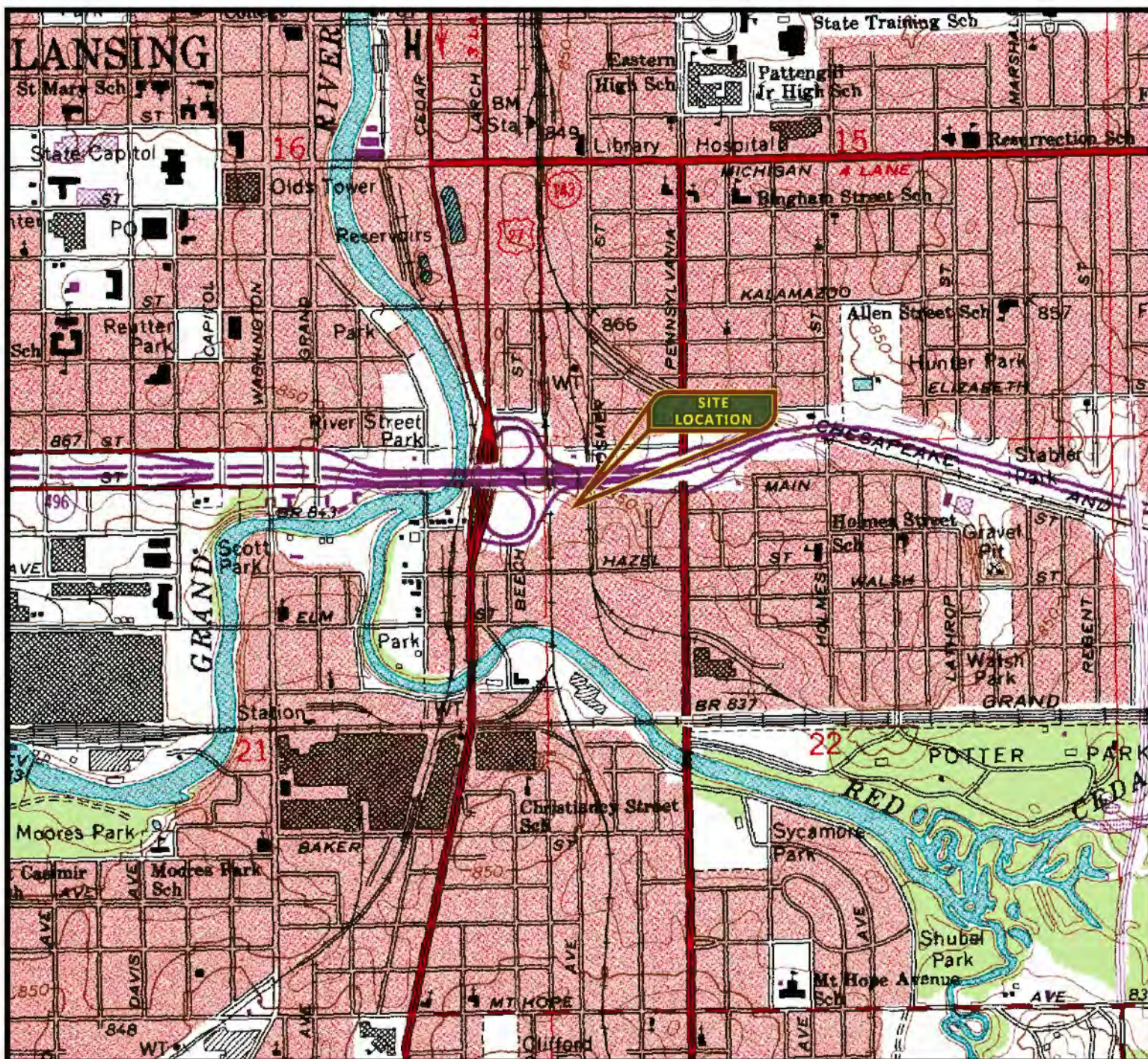


FIGURE 1 PROPERTY LOCATION

1000 S. HOSMER STREET
LANSING, MICHIGAN 48912

INGHAM COUNTY
T. 04 N., R 02 W., Section 22

PROJECT NUMBER: 17-1758

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

TRI TERRA



1000 0 1000 2000 ft



1:16,000



I-496 EASTBOUND

PENN LINES RAILROAD

33-01-01-22-103-021
1000 S. Hosmer Street

Approximate Property Boundary

Corporate Office Interiors
735 E. Hazel Street

Lansing Building Maintenance
621 E. Hazel Street

Michigan Bell Telephone
815 W. Hazel Street

S. HOSMER STREET

Aerial Image 7/14/2015



TRI TERRA

FIGURE 2

Eligible Property Map

PROJECT NUMBER: 17-1758

1000 S. HOSMER STREET
LANSING, MICHIGAN 48912

DIAGRAM CREATED BY: KB

DATE: 7/11/2017

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

Table 1
Brownfield Eligible Activities
1000 S. Hosmer Street
Lansing, MI
July 31, 2017

					REIMBURSEMENT ALLOCATION		
ELIGIBLE ACTIVITIES	NO. OF UNITS	UNIT TYPE	UNIT RATE	ESTIMATED TOTAL COST	DEQ ACTIVITIES	MSF ACTIVITIES	LOCAL-ONLY ACTIVITIES
MSF ELIGIBLE ACTIVITIES							
Demolition							
Subtotal Demolition Activities				\$ 100,000		\$ -	\$ 100,000
Site Preparation							
Subtotal Site Preparation Activities				\$ 10,000		\$ -	\$ 10,000
Infrastructure Improvements							
Subtotal Infrastructure Improvement Activities				\$ 25,000		\$ -	\$ 25,000
MSF ELIGIBLE ACTIVITIES SUB-TOTAL				\$ 135,000	\$ -	\$ -	\$ 135,000
MSF AND DEQ ELIGIBLE ACTIVITIES SUB-TOTAL				\$ 135,000	\$ -	\$ -	\$ 135,000
Contingency (15%)				\$ 18,750	\$ -	\$ -	\$ 18,750
Brownfield Plan & Act 381 Work Plan Preparation				\$ 8,500		\$ -	\$ 8,500
Interest (3%, simple)				\$ 38,838	\$ -	\$ -	\$ 38,838
TOTAL ELIGIBLE COST FOR REIMBURSEMENT:				\$ 201,088	\$ -	\$ -	\$ 201,088
State Brownfield Revolving Fund				\$ -			
BRA Administrative Fees				\$ 11,172			
Local Brownfield Revolving Fund (LBRF)				\$ 11,172			
GRAND TOTAL				\$ 223,431			
					0.00%	0.00%	100.00%

NOTES:

These costs and revenue projections should be considered approximate estimates based on expected conditions and available information. It cannot be guaranteed that the costs and revenue projections will not vary from these estimates. Costs for preparation of Phase I ESA, Phase II ESA, Baseline Environmental Assessment, Brownfield Plan and Act 381 Work Plan are excluded from contingency calculation.

Table 2
Tax Increment Revenue Capture Estimates
1000 S. Hosmer Street
Lansing, MI
July 31, 2017

Estimated Taxable Value (TV) Increase Rate:		1% per year									
Plan Year	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	
	1	2	3	4	5	6	7	8	9		
Base TV	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	\$ 296,928	
Estimated New TV	\$ 296,928	\$ 600,000	\$ 606,000	\$ 612,060	\$ 618,181	\$ 624,362	\$ 630,606	\$ 636,912	\$ 643,281	\$ 649,714	
Incremental Difference (New TV - Base TV)	\$ -	\$ 303,072	\$ 309,072	\$ 315,132	\$ 321,253	\$ 327,434	\$ 333,678	\$ 339,984	\$ 346,353	\$ 352,786	

School Capture	Millage Rate																		
School Operating	0.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State Education Tax (SET)	0.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
School Total:	0.0000	0.00%	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	-

Local Capture		Millage Rate																				
Lansing Operating	19.4400	\$	-	\$	5,892	\$	6,008	\$	6,126	\$	6,245	\$	6,365	\$	6,487	\$	6,609	\$	6,733	\$	6,858	
Ingham County	3.2731	\$	-	\$	992	\$	1,012	\$	1,031	\$	1,051	\$	1,072	\$	1,092	\$	1,113	\$	1,134	\$	1,155	
Ingham County Sum	6.3842	\$	-	\$	1,935	\$	1,973	\$	2,012	\$	2,051	\$	2,090	\$	2,130	\$	2,171	\$	2,211	\$	2,252	
Airport Authority	0.6990	\$	-	\$	212	\$	216	\$	220	\$	225	\$	229	\$	233	\$	238	\$	242	\$	247	
CATA	3.0070	\$	-	\$	911	\$	929	\$	948	\$	966	\$	985	\$	1,003	\$	1,022	\$	1,041	\$	1,061	
Capital Area District Library	1.5600	\$	-	\$	473	\$	482	\$	492	\$	501	\$	511	\$	521	\$	530	\$	540	\$	550	
Potter Park Zoo	0.4100	\$	-	\$	124	\$	127	\$	129	\$	132	\$	134	\$	137	\$	139	\$	142	\$	145	
Lansing Community College	3.8072	\$	-	\$	1,154	\$	1,177	\$	1,200	\$	1,223	\$	1,247	\$	1,270	\$	1,294	\$	1,319	\$	1,343	
Ingham Intermediate School District	4.6956	\$	-	\$	1,423	\$	1,451	\$	1,480	\$	1,508	\$	1,538	\$	1,567	\$	1,596	\$	1,626	\$	1,657	
Local Total:	43.2761	100.00%	\$	-	\$	13,116	\$	13,375	\$	13,638	\$	13,903	\$	14,170	\$	14,440	\$	14,713	\$	14,989	\$	15,267
Total Capturable Taxes:	43.2761	100.00%	\$	-	\$	13,116	\$	13,375	\$	13,638	\$	13,903	\$	14,170	\$	14,440	\$	14,713	\$	14,989	\$	15,267

Non-Capturable Millages - New Tax Revenue	Millage Rate																		
Lansing Debt	0.2600	\$	-	\$	79	\$	80	\$	82	\$	84	\$	85	\$	87	\$	88	\$	90
Lansing School Debt	4.6800	\$	-	\$	1,418	\$	1,446	\$	1,475	\$	1,503	\$	1,532	\$	1,562	\$	1,591	\$	1,621
Total Non-Capturable Taxes:	4.9400																		

Notes:

Table 2
Tax Increment Revenue Capture Estimates
1000 S. Hosmer Street
Lansing, MI
July 31, 2017

Estimated Taxable Value (TV) Increase Rate:																
	Plan Year	2028 10	2029 11	2030 12	2031 13	2032 14	2033 15	2034 16	2035 17							
Base TV	\$	296,928	\$	296,928	\$	296,928	\$	296,928	\$	296,928	\$	296,928	\$	296,928		
Estimated New TV	\$	656,211	\$	662,773	\$	669,401	\$	676,095	\$	682,856	\$	689,685	\$	696,581	\$	703,547
Incremental Difference (New TV - Base TV)	\$	359,283	\$	365,845	\$	372,473	\$	379,167	\$	385,928	\$	392,757	\$	399,653	\$	132,700

School Capture		Millage Rate													
School Operating	0.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State Education Tax (SET)	0.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
School Total:	0.0000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-

Local Capture		Millage Rate															
Lansing Operating	19.4400	\$	6,984	\$	7,112	\$	7,241	\$	7,371	\$	7,502	\$	7,635	\$	7,769	\$	2,580
Ingham County	3.2731	\$	1,176	\$	1,197	\$	1,219	\$	1,241	\$	1,263	\$	1,286	\$	1,308	\$	434
Ingham County Sum	6.3842	\$	2,294	\$	2,336	\$	2,378	\$	2,421	\$	2,464	\$	2,507	\$	2,551	\$	847
Airport Authority	0.6990	\$	251	\$	256	\$	260	\$	265	\$	270	\$	275	\$	279	\$	93
CATA	3.0070	\$	1,080	\$	1,100	\$	1,120	\$	1,140	\$	1,160	\$	1,181	\$	1,202	\$	399
Capital Area District Library	1.5600	\$	560	\$	571	\$	581	\$	592	\$	602	\$	613	\$	623	\$	207
Potter Park Zoo	0.4100	\$	147	\$	150	\$	153	\$	155	\$	158	\$	161	\$	164	\$	54
Lansing Community College	3.8072	\$	1,368	\$	1,393	\$	1,418	\$	1,444	\$	1,469	\$	1,495	\$	1,522	\$	505
Ingham Intermediate School District	4.6956	\$	1,687	\$	1,718	\$	1,749	\$	1,780	\$	1,812	\$	1,844	\$	1,877	\$	623
Local Total:	43.2761	\$	15,548	\$	15,832	\$	16,119	\$	16,409	\$	16,701	\$	16,997	\$	17,295	\$	5,743
Total Capturable Taxes:	43.2761	\$	15,548	\$	15,832	\$	16,119	\$	16,409	\$	16,701	\$	16,997	\$	17,295	\$	5,743

Non-Capturable Millages - New Tax Revenue		Millage Rate															
Lansing Debt	0.2600	\$	93	\$	95	\$	97	\$	99	\$	100	\$	102	\$	104	\$	35
Lansing School Debt	4.6800	\$	1,681	\$	1,712	\$	1,743	\$	1,775	\$	1,806	\$	1,838	\$	1,870	\$	621
Total Non-Capturable Taxes:		4.9400															

Table 3
Tax Increment Revenue Reimbursement Allocation Table
1000 S. Hosmer Street
Lansing, MI
July 31, 2017

Developer/LBRA Projected Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	0.0%	\$ -		\$ -
Local	100.0%	\$ -	\$ 201,088	\$ -
TOTAL		\$ -	\$ 201,088	\$ -
DEQ	0.0%	\$ -		
MSF	0.0%	\$ -		

Estimated Total
Years of Plan:17

Administrative Fees & Loan Funds*	
State Brownfield Revolving Fund	\$ -
BRA Administrative Fees	\$ 11,172
Local Brownfield Revolving Fund	\$ 11,172

* During the life of the Plan

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
		1	2	3	4	5	6	7	8	9	10	11
Available Tax Increment Revenue (TIR)												
Total State Tax Capture Available	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capture for State Brownfield Revolving Fund (3 mills of SET) (25-Yrs)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State TIR Available for Reimbursement to Developer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local Tax Capture Available	\$ -	\$ 13,116	\$ 13,375	\$ 13,638	\$ 13,903	\$ 14,170	\$ 14,440	\$ 14,713	\$ 14,989	\$ 15,267	\$ 15,548	\$ 15,832
Local Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$ -	\$ 1,312	\$ 1,338	\$ 1,364	\$ 1,390	\$ 1,417	\$ 1,444	\$ 1,471	\$ 1,499	\$ 1,527	\$ 1,555	\$ 1,583
Capture for BRA Administrative Fees (5% of available Local TIR)	\$ -	\$ 590	\$ 602	\$ 614	\$ 626	\$ 638	\$ 650	\$ 662	\$ 674	\$ 687	\$ 700	\$ 712
Capture for Local Brownfield Revolving Fund (LBRF) (5% of available Local TIR)	\$ -	\$ 590	\$ 602	\$ 614	\$ 626	\$ 638	\$ 650	\$ 662	\$ 674	\$ 687	\$ 700	\$ 712
Local TIR Available for Reimbursement to Developer	\$ -	\$ 10,624	\$ 10,834	\$ 11,047	\$ 11,261	\$ 11,478	\$ 11,697	\$ 11,918	\$ 12,141	\$ 12,366	\$ 12,594	\$ 12,824
Total State & Local TIR Available for Reimbursement to Developer	\$ -	\$ 10,624	\$ 10,834	\$ 11,047	\$ 11,261	\$ 11,478	\$ 11,697	\$ 11,918	\$ 12,141	\$ 12,366	\$ 12,594	\$ 12,824

DEVELOPER and LBRA	Beginning Balance																	
	\$ 201,088	\$ 201,088	\$ 190,464	\$ 179,630	\$ 168,584	\$ 157,323	\$ 145,845	\$ 134,148	\$ 122,230	\$ 110,090	\$ 97,723	\$ 85,129	\$ 72,305					
MSF Eligible Activities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
DEQ Eligible Activities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
State Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
LOCAL-ONLY Activities	\$ 201,088	\$ 201,088	\$ 190,464	\$ 179,630	\$ 168,584	\$ 157,323	\$ 145,845	\$ 134,148	\$ 122,230	\$ 110,090	\$ 97,723	\$ 85,129	\$ 72,305					
Local-Only Tax Reimbursement	\$ 201,088	\$ -	\$ 10,624	\$ 10,834	\$ 11,047	\$ 11,261	\$ 11,478	\$ 11,697	\$ 11,918	\$ 12,141	\$ 12,366	\$ 12,594	\$ 12,824					
TOTAL ANNUAL DEVELOPER/LBRA REIMBURSEMENT	\$ -	\$ 10,624	\$ 10,834	\$ 11,047	\$ 11,261	\$ 11,478	\$ 11,697	\$ 11,918	\$ 12,141	\$ 12,366	\$ 12,594	\$ 12,824						

Table 3
Tax Increment Revenue Reimbursement Allocation Table
1000 S. Hosmer Street
Lansing, MI
July 31, 2017

	2030		2031		2032		2033		2034		2035	TOTALS
	12		13		14		15		16		17	
Available Tax Increment Revenue (TIR)												
Total State Tax Capture Available	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Capture for State Brownfield Revolving Fund (3 mills of SET) (25-Yrs)	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State TIR Available for Reimbursement to Developer	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Total Local Tax Capture Available	\$	16,119	\$	16,409	\$	16,701	\$	16,997	\$	17,295	\$	5,743
Local Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$	1,612	\$	1,641	\$	1,670	\$	1,700	\$	1,730	\$	574
Capture for BRA Administrative Fees (5% of available Local TIR)	\$	725	\$	738	\$	752	\$	765	\$	778	\$	258
Capture for Local Brownfield Revolving Fund (LBRF) (5% of available Local TIR)	\$	725	\$	738	\$	752	\$	765	\$	778	\$	258
Local TIR Available for Reimbursement to Developer	\$	13,057	\$	13,291	\$	13,528	\$	13,768	\$	14,009	\$	4,652
Total State & Local TIR Available for Reimbursement to Developer	\$	13,057	\$	13,291	\$	13,528	\$	13,768	\$	14,009	\$	4,652
DEVELOPER and LBRA												
	\$	59,248	\$	45,957	\$	32,429	\$	18,661	\$	4,652	\$	0
MSF Eligible Activities	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State Tax Reimbursement	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Local Tax Reimbursement	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
DEQ Eligible Activities	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
State Tax Reimbursement	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Local Tax Reimbursement	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
LOCAL-ONLY Activities	\$	59,248	\$	45,957	\$	32,429	\$	18,661	\$	4,652	\$	0
Local-Only Tax Reimbursement	\$	13,057	\$	13,291	\$	13,528	\$	13,768	\$	14,009	\$	4,652
TOTAL ANNUAL DEVELOPER/LBRA REIMBURSEMENT	\$	13,057	\$	13,291	\$	13,528	\$	13,768	\$	14,009	\$	4,652

Attachment A

Legal Description of the Property

ATTACHMENT A

Legal Description of the Property
1000 S. Hosmer Street
Lansing, MI

<u>Tax ID</u>	<u>Property Address</u>	<u>Legal Description</u>
33-01-01-22-103-021	1000 S. Hosmer Street	Located in the City of Lansing, County of Ingham, State of Michigan, and is described as follows: All of Block No. 3 except Outlot B, Plat of the Manufacturer's Addition No. 1, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 4, page(s) 1, Ingham County Records and Lot No. 2, except for the south 10 feet thereof, of Assessor's Plat No. 26, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 10, page(s) 31, Ingham County Records. Commonly known as 1000 S. Hosmer Street, Lansing, Michigan 48917.

Attachment B

Letter of Functional Obsolescence



Virg Bernero, Mayor

CITY ASSESSORS OFFICE
Sharon L Frischman, Assessor

3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4020
FAX: (517) 483-4101
www.lansingmi.gov/pubserv



Address: 1000 S Hosmer St.

Parcel No.: 33-01-01-16-157-081

RE: Statement of Obsolescence

This property has been reviewed and inspected by the City of Lansing Assessing Department. The building at this location is a warehouse building that has different years of construction. The ceiling heights are different for each addition. The exterior is brick, block and metal siding.

The heating and electrical systems are out of date and need modernization.
The original structure is supported by wooden beams that may not be adequate.

The second floor stage area is accessed by stairs only. The stairs would be considered somewhat narrow for commercial use. One set of stairs is placed in the middle of the building, reducing work area.

I have determined that this (these) buildings suffer from more than 50% functional obsolescence both together and separately.

Sharon L Frischman, MMAO (4), MCPPE, MCGA

Date: 5/23/17

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #71
NEOGEN 1000 SOUTH HOSMER BUILDING REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #71 – Neogen 1000 South Hosmer Building Redevelopment Project (the 'Plan'); and

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

WHEREAS, the Lansing City Council, before and during its public hearing on **(INSERT DATE)** reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$1,300,000,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on August 4, 2017, unanimously recommended approval of the Plan, for this Project;

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

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

Section 13 of the Act;

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

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #71 – Neogen 1000 South Hosmer Building Redevelopment Project'.

THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution Recommending Approval of Plan #71 Neogen 1000 Hosmer Building Redevelopment Project

At a meeting of the Board of Directors of the Lansing Brownfield Redevelopment Authority (LBRA) Lansing, Michigan, held on the 4th day of August, 2017, at 8:30 a.m., pursuant to notice duly given:

PRESENT: Members: James Butler III, Pierre LaVoie, Mayor Virg Bernero, Shelley Davis, Calvin Jones

ABSENT: Members: Andrea Ragan, Blake Johnson, Baldomero Garcia, Kimberly Coleman

The following preamble and resolution was offered by;

Member: Davis, and supported by;

Member: Mayor Virg Bernero

WHEREAS, The LBRA staff has worked closely with Neogen Properties VIII, LLC (Developer) to draft Brownfield Plan #71 (Plan); and

WHEREAS, The LBRA staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA staff recommends approval of the Plan:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANSING BROWNFIELD REDEVELOPMENT AUTHORITY, AS FOLLOWS:

1. The Brownfield Plan described as Brownfield Plan #71 – Neogen 1000 Hosmer Building Redevelopment Project in the form filed herewith is hereby approved by the Lansing Brownfield Redevelopment Authority and recommended for

consideration by the City Council of the City of Lansing pursuant to Act 381 of Michigan Public Acts of 1996, as amended.

2. The LBRA Board hereby requests that the Lansing City Council, after required notification as specified by the Act, hold a public hearing in consideration of this matter, and subsequently approve the Plan.

YEAS: Five (5)

NAYS: Zero (0)

ABSTENTIONS: Zero (0)

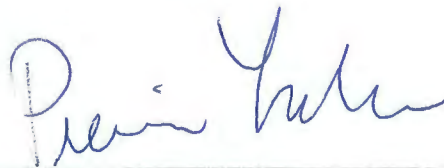
ABSENT: Four (4)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a meeting of the Brownfield Redevelopment Authority held on the 4th day of August, 2017, and said resolution is on file in the office of the Lansing Brownfield Redevelopment Authority and is available to the public. Public notice of the said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan 1976, including in the case of a special or re-scheduled meeting, notice by publication or posting of at least eighteen (18) hours prior to the time set for the meeting. In addition, said meeting was held in full compliance with the Board's By-Laws.

IN WITNESS WHEREOF, I have hereunto affixed my official signature.



Pierre LaVoie, Secretary

**ECONOMIC DEVELOPMENT CORPORATION
LANSING CITY TREASURER APPROVAL FORM
BUSINESS**

Business Name: Neogen Corporation
Business Contact Person: Mr. Steven J. Quinlan
Phone Number: 517-372-9200

Project Location: 1000 South Hosmer Street

Type of EDC Service: Brownfield Redevelopment Plan

EDC Contact Person Name: Eric Pratt

Email: eric@purelansing.com Phone Number: 517-643-1564

Due Date: As soon as possible

Approval:

Cheryl Fox
City Treasurer
✓
Deputy



OFFICE OF MAYOR VIRG BERNERO
124 W. MICHIGAN AVENUE – NINTH FLOOR
LANSING, MI 48933

AGREEMENT IN CONSIDERATION OF DEVELOPMENT INCENTIVES

THIS AGREEMENT in Consideration of Development Incentives (“Agreement”) is made and entered this 16th day of August, 2017, by and between the City of Lansing, Michigan, a Michigan municipal corporation (“City”), and **NEOGEN PROPERTIES VIII, LLC**, a Michigan Limited Liability Corporation (“Applicant”), (collectively the “Parties”);

I. STATEMENT OF PURPOSE:

The City of Lansing welcomes new investment and the creation of new jobs. To achieve these goals, the City offers a variety of economic incentives that are designed to facilitate the expansion of existing businesses and the location of new businesses within the City, as well as the rehabilitation of obsolete structures and the reuse of environmentally contaminated sites.

Economic incentives typically do not provide City funds to developers or businesses, but rather encourage new investment and job creation in the City that would not have occurred without the incentive. The purpose of this Agreement is to establish performance expectations, reporting requirements and preferences for Lansing-based firms, resident employees and union employees in hiring, contracting, subcontracting and procurement related to the acceptance of economic incentives by the Applicant.

Economic incentives are beneficial to both the City and the Applicant. The approval of incentives must be a transparent and public process that produces a clear agreement between the Parties regarding the responsibilities of both the City and the Applicant. This public process does not end with the approval of the incentive, but continues until the commitments made by the Applicant under this Agreement are met.

II. DEFINITIONS

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

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

"Lansing-based firm" means an incorporated business entity that owns or leases an office, warehouse, distribution center, or wholesale or retail store located within the corporate limits of the City of Lansing.

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

III. RECITALS:

A. APPLICANT/PROJECT INFORMATION

Name of Project: Neogen 1000 Hosmer Building Redevelopment

Location of Project (provide attached map):

Business Name of Applicant (if applicable): Neogen Properties VIII, LLC

Name of Parent Company (if applicable): Neogen Corporation

List Managing Partner and all other Partners, including percentage ownership interest of each partner: **(Please confirm)**

<u>Neogen Corporation</u>	<u>100</u> %
<u></u>	<u></u> %
<u></u>	<u></u> %
<u></u>	<u></u> %

A rehabilitation of the existing, functionally obsolete building located at 1000 S. Hosmer Street, south of the I-496 east-bound entrance ramp from Cedar Street. The project will result in a total of 39,687 square feet of new office and warehouse distribution space for Neogen's Ideal Instruments subsidiary. Ideal Instruments, Inc. was founded in 1931 and is a manufacturer of precision veterinary drug delivery instruments for the large animal industry. Primary markets include the beef cattle, dairy, swine, poultry and companion animal industries. All of Ideal Instruments' finished goods are high-tech products shipped to customers and distributors domestically and internationally. This will be a new facility for Ideal Instruments which is currently housed within Neogen's Lansing Distribution Building at 301 N. Hosmer Street. This Project will allow for future expansion within the existing distribution warehouse.

728 E. Shiawassee – Ncogen has developed this property for laboratories and office space. This created 25 new jobs and is now complete.

<u>Brownfield Tax Increment Financing (Local Only)</u>	<u>17</u> Years
_____	_____ Years
_____	_____ Years
_____	_____ Years

None

This Project is Self-Funded

Estimated total investment in real and personal property, including acquisition and construction costs, upon Project Completion:

\$1,300,000

Estimated average hourly wage or annual salary of new, permanent employees *(if applicable)*:

\$ 35,000 / yr.

**B. APPLICANT ACCEPTANCE OF NOTICE AND REPORTING REQUIREMENTS
AND LOCAL PREFERENCES IN HIRING, PROCUREMENT OF GOODS AND
SERVICES, CONTRACTING AND SUBCONTRACTING**

(initial spaces below to indicate acceptance)

SJQ

Applicant agrees to notify the LEDC and City Assessor of any and all partnership changes during the term of any incentives approved for the Project.

SJQ

Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to consider and hire as many Lansing residents and Lansing-based firms, including but not limited to consultants, suppliers, contractors and sub-contractors, as reasonably possible.

SJQ

Applicant agrees, and may be required to provide written documentation at the request of the LEDC, to make good faith efforts to hire contractors and sub-contractors that employ union labor when economically feasible.

SJQ

Applicant agrees that all employees, contractors and sub-contractors related to this Project will pay all City individual income tax.

SJQ

Applicant agrees to report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

SJQ

Applicant agrees that all contractors and sub-contractors will report annually to the City Treasurer all gross individual income taxes paid and current residential addresses of all employees.

C. LEDC STAFF/ADMINISTRATION RECOMMENDATION

Name of Lead Staff Person: Eric Pratt

Revenue currently paid to the City by the site or project: \$ TBA

Estimated total revenue to the City upon Project Completion: \$ TBA

Estimated total value of City Incentive(s): \$ TBA

Estimated total new net revenue to the City: \$ TBA

Staff Comments (*indicate reasons for providing Incentive and describe any additional value to the City as a result of approval*):

The Developer is taking a completely vacant historic building and spending over \$ 1,300,000 to renovated a local landmark and encourage the full utilization of the building.

Project Timeline: The project will commence with the approval of Lansing Economic Development Corporation Business Financing Assistance Program Loan by the City Council and be completed by December 31, 2018

Have all appropriate City Incentive fees been received? YES NO

Staff Recommendation: APPROVE DENY MODIFY

(*if DENY or MODIFY please explain in space provided below*)

Administration Recommendation: APPROVE DENY MODIFY

(*if DENY or MODIFY please explain in space provided below*)

D. ADDITIONS:

1. Applicant, in seeking local legislative approval, has made certain representations to the City as more fully set forth herein.
2. The Applicant has applied for Incentive for the purpose of [insert project description] ("Project"). The Project is expected to hire at least 25 new or retain at least _____ full-time equivalent employees (FTE) and requiring a total investment in real property of at least \$1,300,000 and personal property of at least \$500,000 (**Please provide an estimate of the value of new personal property**) when completed.
3. The Applicant has supplied to the LEDC all application and supporting documentation, including a list of all partners of the Applicant with an ownership interest in the Project, which in turn has been forwarded to the City prior to the approval of the Incentive.
4. The Applicant has provided to the LEDC detailed information including wage and benefit information for the Project and new, permanent full-time equivalent employees (FTE) expected to be hired or retained as a result of the Project, which in turn has been forwarded to the City prior to approval of the Incentive.
5. The Applicant and the City desire to enter into an agreement whereby the Applicant and City specify and agree on the Project performance measures under which the Incentive is granted, and some of the conditions under which such Incentive can be modified or revoked by the City and/or State of Michigan. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.
6. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any property taxes owed to the City for all properties in which the applicant owns a twenty-five percent (25%) or more interest.
7. The Lansing City Treasurer has verified in writing the Applicant, if an employer in the City, is in compliance with all required City wage withholding and income reporting requirements for all of their employees.
8. The Lansing City Treasurer has verified in writing the Applicant is not delinquent and/or late on any corporate or other business income taxes owed the City, if any.
9. The LEDC has verified that all application fees due have been paid in full by the Applicant.

IV. AGREEMENT:

NOW, THEREFORE, in consideration of the recitals and mutual covenants and agreements herein contained and pursuant to MCL Public Act 146 of 2000 (the "Act"), as amended, the Parties agree as follows:

A. Reliance on Recitals

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

B. Project Area

The location of the Project is commonly known as 1000 South Hosmer Street ("Project Area") **(If the parcels has a new property address and / or legal description, then please provide)** and legally described as follows:

LOCATED IN THE CITY OF LANSING, COUNTY OF INGHAM, STATE OF MICHIGAN, AND IS DESCRIBED AS FOLLOWS:

ALL OF BLOCK NO. 3 EXCEPT OUTLOT B, PLAT OF THE MANUFACTURER'S ADDITION NO. 1, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 4, PAGE(S) 1, INGHAM COUNTY RECORDS AND LOT NO. 2, EXCEPT FOR THE SOUTH 10 FEET THEREOF, OF ASSESSOR'S PLAT NO. 26, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 10, PAGE(S) 31, INGHAM COUNTY RECORDS.

COMMONLY KNOWN AS 1000 S. HOSMER STREET, LANSING, MICHIGAN 48917.

C. Project Timeframe.

The Applicant and City agree the City's approval of the Incentive is based upon completion of the Project within a specific time period ("Project Timeframe"). The Project Timeframe starts August 1, 2017 and ends December 31, 2018.

D. Project Completion

The Applicant and the City agree that for the Project to be considered complete, the Applicant must perform all of the following in the Project Area within the Project Timeframe ("Project Completion"):

1. Hire at least 25 new, permanent full-time equivalent employees (FTE) and/or retain at least 25 full-time equivalent employees (FTE).

2. Purchase and/or locate within the Project Area, personal property with a fair market value of at least \$500,000 __. **(Please provide an estimate)** This personal property may not be moved to the Project Area from another location within the City of Lansing.
3. Make at least \$1,300,000 of improvements to the real property. Improvements include only hard costs, and exclude architectural and engineering costs.
4. Obtain all necessary building permits and site plan approvals, including payment of all required fees, plus final inspections including a Certificate of Occupancy from the City of Lansing and all other appropriate authorities and agencies.
5. Upon Project Completion, the applicant will provide to the LEDC, upon request, any and all appropriate financial records that are referenced as part of this Agreement.
6. Project Completion must be performed by December 31, 2018.

E. Project Completion Progress Reports

The Applicant shall file an annual report with the LEDC on the Applicant's progress toward achieving Project Completion. Reports shall be submitted in compliance with all LEDC reporting requirements (on-line, not of a proprietary nature but based on information contained in this agreement). Applicant understands and agrees that the information submitted to the LEDC will be available for public viewing, unless prior approval is requested and granted for specific confidential business information that is not subject to disclosure under the Freedom of Information Act (Public Act 442 of 1976, being MCL 15.231 et. seq., as amended). Non-compliance with reporting requirements may result in the modification or revocation of the Incentive.

Lack of performance and compliance with this agreement, may be considered as relevant information in consideration of the approval of all future incentive applications to the LEDC or City by the Applicant or any person or entity with (25%) or more ownership in the Project.

F. Verification of Project Completion

No later than thirty (30) days after the end of the Project Timeframe, the Applicant shall provide in writing to the LEDC a Final Project Completion Report ("Final Report on-line") with proof of Project Completion. Acceptable forms of proof may include, as directed by LEDC, proof of employment, proof of paid invoices, executed and filed tax documentation, final financing documents and similar material which confirm original financial data, engineering and architectural "as-built" drawings, photographs, and other like evidence of completion of the Project in the Project Area. If at any time during the Project Timeframe the Applicant completes the Project as agreed upon in Section (4), the Applicant may submit the Final Project Completion Report to the LEDC on line.

G. Consideration of Applicant's Compliance with the Agreement.

Within 60 days of receiving the Final Report, or 90 days after the end of the Project Timeframe, the LEDC shall make a preliminary determination if the Applicant has achieved Project Completion. In the event the preliminary determination concludes the Project was completed per this Agreement, written notification of such finding shall be sent from the LEDC to the Applicant and the City of Lansing Finance Director. In the event the LEDC makes the determination the Applicant did not complete the project per this Agreement, the LEDC will forward in writing its findings and a recommended course of action to the Applicant and the City of Lansing Finance Director. Prior to any action that might lead to the modification or revocation of all or part of the Incentive, the City shall offer the Applicant the reasonable opportunity to appear before the Council and be heard. In the event of the revocation of all or part of the Applicant's Incentive, the City may consider the breach of contract when contemplating the approval of all future Incentive applications to the City by the Applicant or any partners listed as required in the Recitals.

H. Failure of Applicant to Pay Tax Applicable to Personal Property

If any property tax applicable to the personal property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may seize and sell the personal property to pay the tax, expenses of sale, and interest on the tax, or may commence civil litigation to recover the amount of tax and interest thereon, in accordance with Michigan law.

I. Failure of Applicant to Pay Tax Applicable to Real Property

If any property tax applicable to the real property that makes up the project is not paid within the time permitted by law for payment without penalty during the life of the Incentive being granted by this Agreement, the City may place a lien on the real property. The City may enforce the lien in the same manner as provided by law for the foreclosure in the circuit courts of mortgage liens upon real property, in accordance with Michigan law.

J. City's Rights under Act

Nothing in this Agreement shall supersede the City's ability to request the State Tax Commission to revoke the Incentive as otherwise provided, or as may hereafter be provided, under the Act, as amended. Nothing in this Agreement supersedes or diminishes any rights of the City or the State established by Federal, State, or Local law or regulations.

K. Ambiguity

If this Agreement or any of its terms and conditions is determined to be ambiguous, this Agreement and all its terms and conditions shall be considered as if drafted by both parties.

L. Rights and Remedies Cumulative

The Parties shall have all the rights and remedies available at law, in equity or in this Agreement to enforce the rights and obligations under this Agreement. All remedies shall be cumulative and none will be exclusive of any other. The exercise by either party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any

other such remedies for the same default or breach or of any of its remedies for any other default or breach by the other party. No waiver made by either such party with respect to the performance, or manner or time thereof, or any obligation under the Agreement shall be considered a waiver of any rights of the party making the waiver with respect to the particular obligation of the other party or condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the party making the waiver or any other obligations of the other party.

M. Right In Third Parties

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

N. Severability

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

O. Subsequent Waivers

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

P. Termination

This Agreement terminates upon the end of the life of the incentive.

Q. Authority.

The Applicant's execution, delivery and performance of this Agreement have been duly authorized. The Applicant's representative executing this Agreement does so with requisite authority to fully and completely bind the Applicant.

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

WITNESSES:

James Affault

Approved as to form:

Brandon Waddell

City Attorney

NEOGEN PROPERTIES VIII, LLC

By: Steven J. Quinlan
Steven J. Quinlan

Its: Vice President and Chief
Financial Officer

CITY OF LANSING:

By: _____
Virg Bernero

Its: Mayor

**LANSING ECONOMIC
DEVELOPMENT CORPORATION:**

By: _____
Karl R. Dorshimer

Its: Authorized Representative

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

City
Controller

RESOLUTION #2017-__
NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
COMBINED SEWER OVERFLOW CONTROL PROJECT

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality has required, consistent with National Pollutant Discharge Elimination System (NPDES) Permit No. MI00234000, the City of Lansing (the "City") to abate combined sewer overflows from its combined sewer collection system; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") enables a City to issue and sell bonds to finance construction of improvements required by a permit or order issued by the State of Michigan Department of Environmental Quality; and

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.50% and in an aggregate amount not to exceed \$13,000,000 for the purpose of financing a combined sewer overflow (CSO) control / sewer separation project, the CSO 034C Project; as further described in plans on file with the City related to the Wet Weather Control Program State Revolving Fund Project Plan, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury (ii) be granted qualified status as provided in Act 34, Public Acts of Michigan, 2001, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before November 15, 2017, in the LANSING CITY PULSE, or other newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.
2. Said Notice of Intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$13,000,000 for the purpose of financing the CSO 034C Project as further described in plans on file with the City (the "Improvements"), related to Wet Weather Control Program State Revolving Fund Project Plan and required by the ACO. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.50%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Chris Swope,
City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the Bonds.

4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Wet Weather Control Program Improvements

with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

- (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
- (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$13,000,000, which may be issued in one or more series.
- (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

5. Either the Finance Director or the Public Service Director are authorized to request qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.

6. Dykema Gossett, P.L.L.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

7. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____

RESOLUTION #2017-__
NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
COMBINED SEWER OVERFLOW CONTROL PROJECT

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality has required, consistent with National Pollutant Discharge Elimination System (NPDES) Permit No. MI00234000, the City of Lansing (the "City") to abate combined sewer overflows from its combined sewer collection system; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") enables a City to issue and sell bonds to finance construction of improvements required by a permit or order issued by the State of Michigan Department of Environmental Quality; and

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.50% and in an aggregate amount not to exceed \$13,000,000 for the purpose of financing a combined sewer overflow (CSO) control / sewer separation project, the CSO 034C Project; as further described in plans on file with the City related to the Wet Weather Control Program State Revolving Fund Project Plan, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury (ii) be granted qualified status as provided in Act 34, Public Acts of Michigan, 2001, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before November 15, 2017, in the LANSING CITY PULSE, or other newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.
2. Said Notice of Intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$13,000,000 for the purpose of financing the CSO 034C Project as further described in plans on file with the City (the "Improvements"), related to Wet Weather Control Program State Revolving Fund Project Plan and required by the ACO. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.50%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Chris Swope,
City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the Bonds.
4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Wet Weather Control Program Improvements

with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

- (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
- (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$13,000,000, which may be issued in one or more series.
- (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

5. Either the Finance Director or the Public Service Director are authorized to request qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.

6. Dykema Gossett, P.L.L.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

7. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-4-2017: Special Land Use Permit, 735 E. Hazel Street - Residential land use in the
“I” Heavy Industrial district

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

SLU-4-2017

Residential Use in the “I” Heavy Industrial District

735 E. Hazel Street

WHEREAS, Funk Zone Investors, LLC has requested a special land use permit to permit the conversion of the building at 735 E. Hazel Street into residential apartments, up to 160 units; and

WHEREAS, the property is zoned “I” Heavy Industrial District, where residential use is permitted subject to obtaining a special land use permit; and

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

WHEREAS, the Planning Board held a public hearing on October 3, 2017, at which the applicant’s representative and three area residents spoke in favor of the request; and

WHEREAS, the Planning Board, at its October 3, 2017 meeting, voted (5-0) to recommend approval of SLU-4-2017, a special land use permit to allow the conversion of the building at 735 E. Hazel Street into residential apartments (maximum of 160 units); and

WHEREAS, the City Council held a public hearing regarding SLU-4-2017 on 2017; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-4-2017, a special land use permit to allow the conversion of the building at 735 E. Hazel Street into residential apartments (maximum of 160 units).

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

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

1. The proposed residential use is compatible with the essential character of the surrounding area, as designed.
2. The proposed residential use will not change the essential character of the surrounding area.

3. The proposed residential use will not interfere with the general enjoyment of adjacent properties.
4. The proposed residential use will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed residential use will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed Special Land Use may be adequately served by public services and utilities or upgraded at the sole expense of the developer.
7. Should the proposed Special Land Use place any demands on public services and facilities in excess of current capacities, it will be at the sole expense of the developer to make the upgrades necessary to accommodate the proposed development.
8. The proposed residential use is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed residential use will comply with the requirements of the “I” Heavy Industrial District.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

Act-1-2017, R.E. Olds Transportation Museum, Sale of approximately 01.43 acres.

STAFF REPORT

APPLICANT/OWNER: City of Lansing
124 W. Michigan Ave.
Lansing, MI 48933

REQUESTED ACTION:

Authorization requested to Convey the property to the R.E. Olds Transportation Museum, which has been operating in that building since the opening of the Museum in May, 1981.

EXISTING LAND USE: RE Olds Transportation Museum

EXISTING ZONING: "H" Light industrial

SIZE & SHAPE: Roughly triangular in shape, approx. 1.43 acres

SURROUNDING LAND USE: N: Impression 5 Museum
S: Rivertrail, Grand River
E: Museum Drive (A.K.A. Mill Street), LBWL Dye
Water Conditioning Plant
W: Rivertrail, Grand River.

SURROUNDING ZONING: N and W: "G-1" Business District
E: "H" Light Industrial District.
W and S: Grand River (Unzoned)

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the area as Downtown Mixed-Use Center-Core.

AGENCY RESPONSES:

Board of Water and Light: The BWL has no comment.

Building Safety Office: No response received.

City Attorney: No response received.

Fire Marshall:

The Fire Marshal Office has no issue with the conveyance of this property. The new owner/occupant is required to submit to the Office of Building Safety and the Fire Marshal any plans pertaining to its change of use and occupancy.

Parks and Recreation:

This project is not located on parkland. The proposal reserves City control of the Grand River frontage.

Public Service – Engineering:

Public Service - Engineering has reviewed Act 1-2017 240 Museum Drive and has the following comments.

1. Mill Street/Museum Drive right-of-way is on the east side of the property. The right-of-way has not been vacated. A significant portion of the right-of-way is no longer being used for road purposes. However, there is no Council resolution closing the right-of-way for road purposes. It is being used for utility and for recreation purposes. Since the right-of-way is along the Grand River, a water of the State of Michigan, the right-of-way cannot be vacated by Council. Any vacation of the right-of-way along or to the Grand River will need to be through circuit court.
2. Since the Mill Street right-of-way is still considered public right-of-way, it is recommended it be decertified for highway purposes. This will eliminate potential development on a “paper” street.
3. RE Olds Transportation Museum uses the area south of the building for loading/unloading of exhibits, trash collection, and overflow parking. To reach this area from Museum Drive, the Museum utilizes the River Trail stub. The mixing of vehicles and River Trail users is problematic and needs to be addressed.
4. The east face of the building is constructed on the west right-of-way line of the Mill Street/Museum Drive right-of-way. Some of the historic sewer maps indicate that the building is encroaching into the right-of-way. Michigan Building Code Chapter 32 does allow some leeway with building encroachments. It is recommended that the sale of the building does not grant more rights to the public right-of-way than what is allowed in the Building Code.
5. The building’s AC unit encroaches into the public right-of-way. This will either need to be removed or be granted a license to use the right-of-way.
6. In order to reduce storm runoff from the roof drains, which formerly discharged to the ground, an 8 inch diameter storm sewer was constructed for the building’s east side roof drains to discharge into. This storm drain was constructed in the public right-of-way. If the building is sold, this 8-inch storm sewer should be a public storm sewer.
7. The River Trail is constructed on the west side of the property along the Grand River. Public Service does not have an easement for the River Trail in its records, and it likely that none exist, since the city owns the property. It is recommended that an easement or property be retained for the River Trail.
8. At the south end of the property, a sanitary sewer siphon on the City’s Central Interceptor crosses the Grand River. An easement should be retained for siphon and for the necessary area maintenance and construction staging. If an easement is retained for the River Trail, this should be adequate to provide access and staging for the siphon.
9. Also located at the south part of the property is a 12” storm sewer. This storm sewer

- provides drainage to the Mill Street/Museum Drive right-of-way. A 30-foot wide easement centered on the storm sewer would be adequate to protect the storm sewer.
10. Under the south portion of the RE Olds Transportation Museum building is an 18" storm sewer. This storm sewer provides drainage for the Mill Street/Museum Drive right-of-way. It also provides an outlet for the roof drains for the building. A 20-foot easement will be needed to protect the storm sewer.
 11. At the north end of the property, a 36" storm sewer runs under the parking lot. This storm sewer services Museum Drive, Cedar Street, Larch Street and Prospect Street. The north 20 feet of the property should be reserved as a storm sewer easement. Since the BWL has a power line on the north property line, there may be an existing utility easement.
 12. Please note – some or all of the recommended easements may exist. It is that there are no easements for these sewers located in Public Service's easement data base. As City-owned property, an easement might not have been acquired.
 13. It should be noted the open land to the south of the building used to have a building and a rail spur.
 14. The drinking fountain is located in and is serviced from the Mill Street right-of-way.

Public Service, Transportation:

The Transportation and Non-Motorized section has the following comments regarding the potential sale of this parcel:

- 1) The river bank is eroding along a number of sections of the River Trail, requiring bank stabilization or relocation of the trail. A sufficient distance should be retained behind the existing trail to allow relocation in the future if necessary.
- 2) If this bench/ table are at the west end of the parking lot is currently being used for public purposes, this area should be retained.
- 3) With this, and other sale of City property which is made for a specific purpose, a reverter or right of first refusal clause should be written into any sale agreement that would allow the City to regain ownership of the parcel if the museum were to sell the parcel.

ANALYSIS

Most of the agency responses were received in March, 2017. Since then, most of the agencies' concerns have been addressed.

Location:

The property is located on the west side of Museum Drive (A.K.A Mill Street), east of the Grand River and the RiverTrail. The property abuts the west line of Museum Drive, and some air conditioning units and brick planters extend into the Museum Dr. right of way (ROW). All of the property is in the Grand River floodway.

Character:

The museum has the character of an older, single-story industrial building. It is decorated on several sides with public art, and the property also features a state historical marker commemorating R.E. Olds.

Extent:

The property consists primarily of the building, accessory parking, and a front lawn. The legal description excludes:

- the RiverTrail and all river frontage,
- the bench/ table at the west end of the parking lot,
- and the sanitary sewer siphon on the City's Central Interceptor

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation:

Finding:

- The property need not be under City ownership to house a transportation museum.
- The draft purchase agreement contains a reverter clause, which also ensures continued use as a transportation museum.
- The property consists primarily of the building, accessory parking, and a front lawn. The legal description excludes:
 - the RiverTrail and all river frontage,
 - the bench/ table at the west end of the parking lot,
 - and the sanitary sewer siphon on the City's Central Interceptor
- The purchaser has the obligation to relocate the eighteen (18) inch storm drain traversing beneath the southern section of the building located on the property, and/or accommodate storm sewer improvements as determined by the Public Service Department.
- The property is located in the Grand River floodway.
- Any effect on the location, character, and extent of the property is likely to be negligible.

Recommendation:

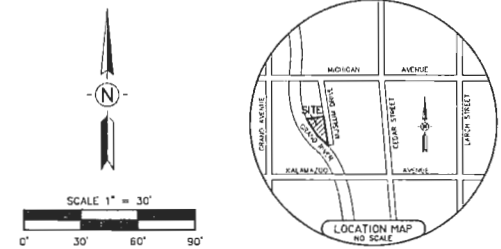
Approval of the conveyance of the building and grounds at 240 Museum Drive. Further recommendations:

- Reserving a 20' easement at the north end of the property for the 36" storm sewer that runs under the parking lot, and
- Vacating the west 12' of the Mill St. ROW adjacent to the building.

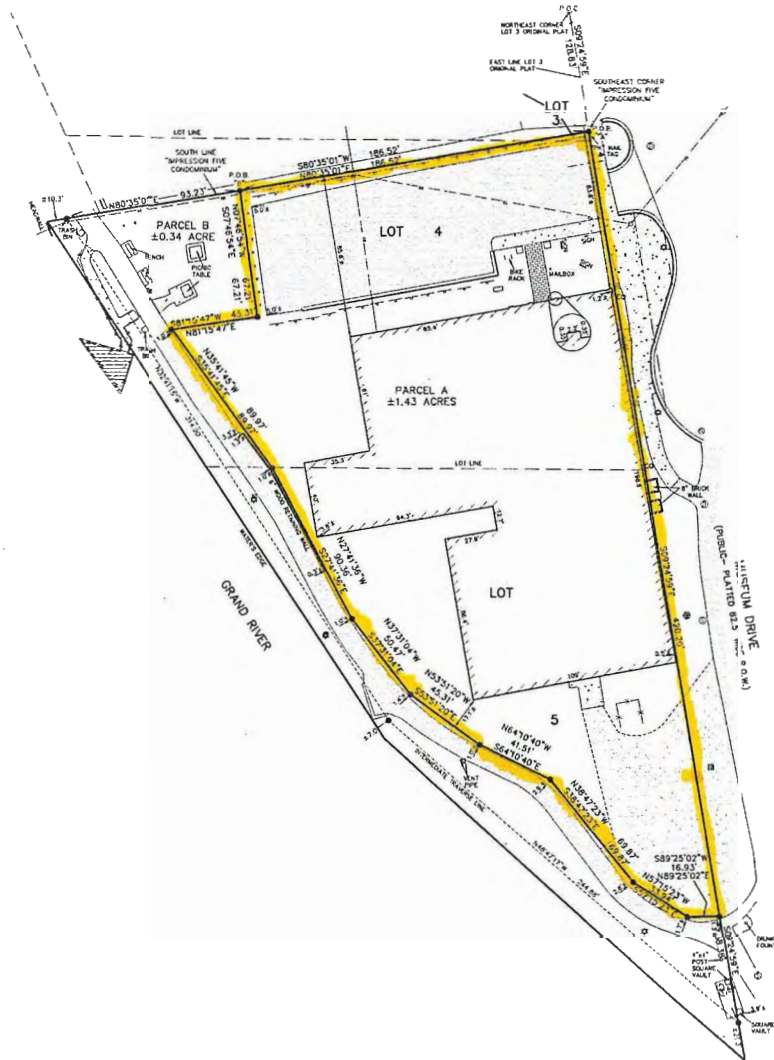
LOT SURVEY

FOR: R.E. OLDS TRANSPORTATION MUSEUM

"240 MUSEUM DRIVE, LANSING, MI 48933"



- LEGEND**
- SET 1/2" BAR WITH CAP UNLESS NOTED
 - FOUND IRON AS NOTED
 - DEED LINE
 - DISTANCE NOT TO SCALE
 - FENCE
 - GUARDRAIL
 - OVERHEAD WIRES
 - ASPHALT
 - CONCRETE
 - GRAVEL
 - BRICK
 - SANITARY MANHOLE
 - DRAINAGE MANHOLE
 - ELECTRIC MANHOLE
 - TELEPHONE MANHOLE
 - CATCHBASIN
 - MANHOLE
 - SANITARY CLEANOUT
 - FIRE HYDRANT
 - VALVE
 - UTILITY POLE
 - LIGHT POLE
 - GUY POLE
 - UTILITY PEDESTAL
 - GUY WIRE
 - TRANSFORMER
 - ELECTRIC METER
 - GAS METER
 - WATER METER
 - SIGN
 - POST
 - DISTANCE TO SURVEY LINE



LEGAL DESCRIPTION:

PARENT PARCEL:

Commencing on the Western line of Museum Drive 128 5/8 feet South from the Northeast corner of Lot 3, thence Southerly along the Western line of Museum Drive to the Grand River, thence West along the river to the intersection with a line running Southwesterly from the beginning of right angles to Museum Drive, Easterly to the beginning, Block 239 Original Plat, City of Lansing, Ingham County, Michigan.

PROPOSED PARCEL A:

A parcel of land being part of Lots 3, 4 and 5, Block 239, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Ingham County Records, the surveyed parcel more particularly described as: Commencing at the Northeast corner of said Lot 3, thence S09°24'59"E along the East line of said Lot 3 a distance of 124.83 feet to the Southeast corner of Impression Five Condominium per Ingham County subdivision plan No. 132 recorded in Liber 2507, Page 604, Ingham County, Michigan, records, and the point of beginning of this description, thence S09°24'59"E continuing along said East line of said Lots 3, 4, and 5 a distance of 420.20 feet; thence S87°25'02"W 16.33 feet; thence N87°15'22"W 33.04 feet; thence N38°47'23"W 63.87 feet; thence N84°10'40"W 41.51 feet; thence N53°51'20"W 43.31 feet; thence N27°31'04"W 50.47 feet; thence N27°41'36"W 50.36 feet; thence N35°41'45"W 69.97 feet; thence N81°55'47"E 45.31 feet; thence N07°48'54"W 67.21 feet to the South line of said Impression Five Condominium; thence N80°35'01"E along said South condominium line 186.52 feet to the point of beginning, said parcel containing 1.43 acres, more or less, said parcel subject to easements and restrictions if any.

PROPOSED PARCEL B:

A parcel of land being part of Lots 3, 4 and 5, Block 239, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Ingham County Records, the surveyed parcel more particularly described as: Commencing at the Northeast corner of said Lot 3, thence S09°24'59"E along the East line of said Lot 3 a distance of 124.83 feet to the Southeast corner of Impression Five Condominium per Ingham County subdivision plan No. 132 recorded in Liber 2507, Page 604, Ingham County, Michigan, records, thence S89°30'01"W along the South line of said condominium 186.52 feet to the point of beginning of this description, thence S07°46'54"E 67.21 feet; thence S81°55'47"W 45.31 feet; thence S35°41'45"E 69.97 feet; thence S27°41'36"E 50.36 feet; thence S37°31'04"E 50.47 feet; thence S53°51'20"E 43.31 feet; thence S84°10'40"E 41.51 feet; thence S59°47'23"E 63.87 feet; thence S57°15'22"W 33.04 feet; thence N87°25'02"E 16.33 feet to the East line of said Lot 5, thence S09°24'59"E along said East line 58.38 feet to an intermediate traverse line along the Grand River at a point approximately N09°24'59"W 21.3 feet from the water's edge; thence N48°47'17"W along said traverse line 244.88 feet to a point approximately 7.0 feet from the water's edge; thence N32°41'15"W continuing along said traverse line 314.80 feet to said South line of Impression Five Condominium extended at a point approximately N80°35'01"E 10.3 feet from the water's edge; thence N80°35'01"E along said condominium line and said line extended 32.3 feet to the point of beginning, said parcel containing 0.34 acre, more or less, lying Northwesterly of the intermediate traverse line; said parcel extends beyond said traverse line to the Easterly bank of the Grand River; said parcel subject to all easements and restrictions if any.

SURVEYOR'S NOTES:

- This plan was made at the direction of the parties named herein and is intended solely for their immediate use. Survey prepared from fieldwork performed in October & November 2016.
- All bearings and distances on the survey are record and measured unless otherwise noted. Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing CORS.
- All dimensions are in feet and decimals thereof.
- No building line dimensions are to be used for establishing the property lines.
- Utility information as shown was obtained from field observations only and is subject to verification in the field by the appropriate authorities prior to use for construction.
- Easements, if any, not shown herein.
- Water's Edge location measured on October 25, 2016.

I hereby certify any to the parties named herein that we have surveyed, at the direction of said parties, the above described lot, and that we have found or not, as noted herein, permanent markers in all corners of said lot, and that all relative measurements of a permanent nature upon said lot are or were on the survey. Said lot is subject to all easements and restrictions of record.

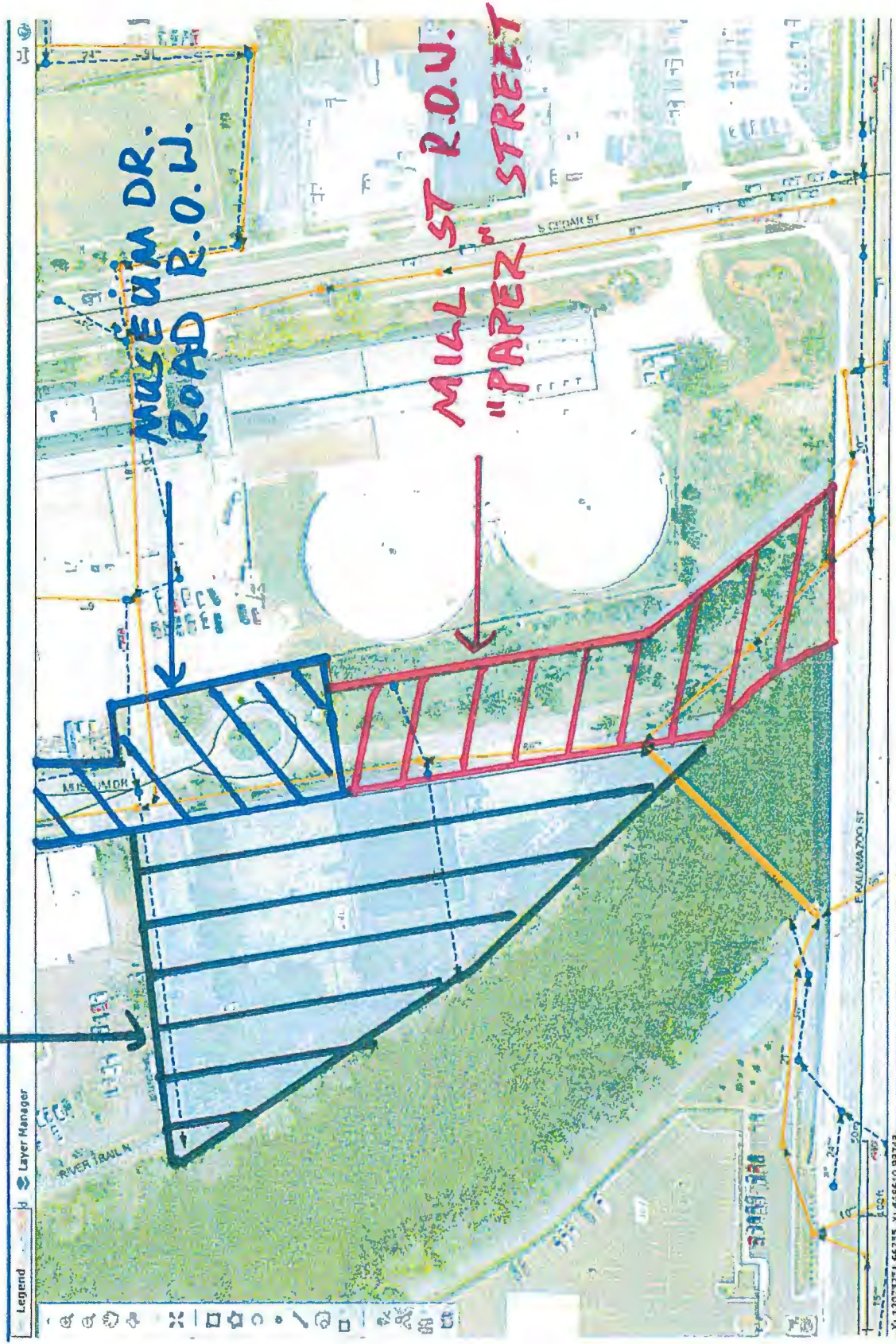


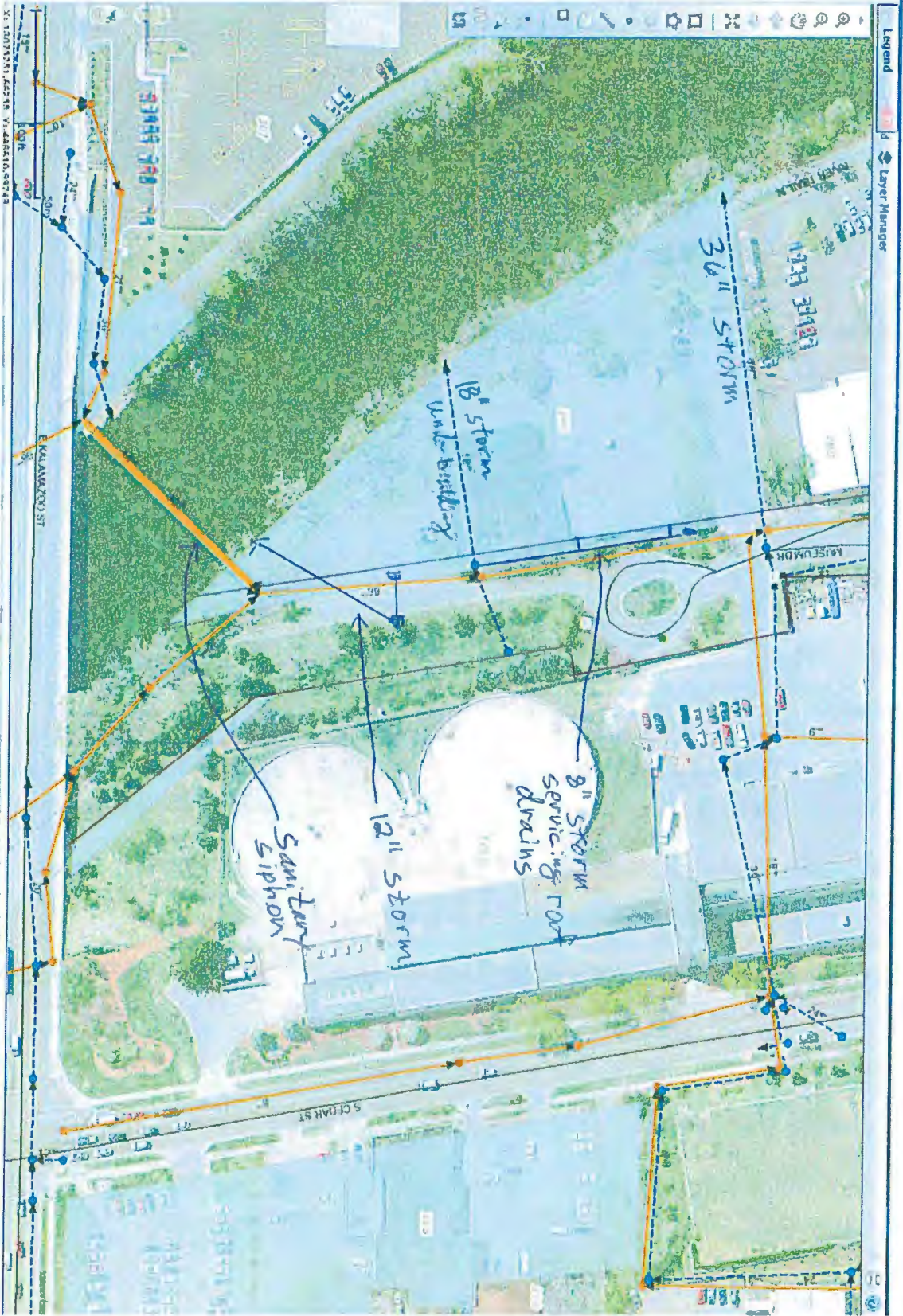
ERICK R. FREESTON
PROFESSIONAL SURVEYOR NO. 53497

REVISIONS	COMMENTS	DATE
1	ORIGINAL	11/14/16

KEBS, INC. ENGINEERING AND LAND SURVEYING 2118 HASLETT ROAD, HASLETT, MI 48840 PH: 517-336-0151 FAX: 517-336-8047 WWW.KEBSINC.COM	DRAWN BY: SLH CHECKED BY: HAW SHIFT: 1 OF 1	SECTION: 6, T4N, R2W JOB NUMBER: 91198.LOT
--	---	---

240 MUSEUM DRIVE







A.C. UNIT
ENCROACHING
THE R.O.D.W.

River Trail Link

RESOLUTION #2017-__

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-1-2017, Sale of R.E. Olds Transportation Museum

WHEREAS, the City of Lansing is the owner of real property commonly known as the R. E. Olds Transportation Museum located at 240 Museum Drive, Lansing, Michigan; and

WHEREAS, the property is roughly triangular in shape, approx. 1.43 acres in size; and

WHEREAS, sale of the Property is in the best interest of the City because the City will no longer incur the expenses associated with maintaining the Property; and

WHEREAS, the Property is not located on dedicated parkland; and

WHEREAS, on October 3, 2017, the Planning Board reviewed the location, character, and extent of the proposal in accordance with is Act 33 Review procedures, and found that:

- the property need not be under City ownership to house a transportation museum,
- the draft purchase agreement contains a reverter clause, which also ensures continued use as a transportation museum,
- the property consists primarily of the building, accessory parking, and a front lawn. The legal description excludes:
 - the RiverTrail and all river frontage,
 - the bench/ table at the west end of the parking lot,
 - and the sanitary sewer siphon on the City's Central Interceptor,
- the purchaser has the obligation to relocate the eighteen (18) inch storm drain traversing beneath the southern section of the building located on the property, and/or accommodate storm sewer improvements as determined by the Public Service Department,
- the property is located in the Grand River floodway,
- any effect of the transaction on the location, character, and extent of the property is likely to be negligible; and

WHEREAS, on October 3, 2017, the Planning Board voted unanimously (7-0), to recommend the conveyance the R.E. Olds Transportation Museum at 240 Museum Drive to enable the continuation of the property's function as a museum under private ownership, and to further recommend the vacation of City vacate the west 12 feet of the Museum Drive (Mill Street) right-of-way adjacent to the building to accommodate roof drain's, the building's HVAC, and landscaping; and

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

WHEREAS, the Purchase Agreement between the City of Lansing and R.E. Olds Transportation Museum was placed on file at the City Clerk's Office on October 6, 2017 in accordance with Section 8-403 of the Lansing City Charter;

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-1-2017, the conveyance of the property at 240 Museum Drive, legally described as:

A parcel of land being part of Lots 3, 4 and 5, Block 239, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Ingham County Records, the surveyed parcel more particularly described as: Commencing at the Northeast corner of said Lot 3; thence S09°24'59"E along the East line of said Lot 3 a distance of 124.83 feet to the Southeast corner of Impression Five Condominium per Ingham County subdivision plan No. 132 recorded in Liber 2907, Page 604, Ingham County, Michigan, records, and the point of beginning of this description; thence S09°24'59"E continuing along said East line of said Lots 3, 4, and 5 a distance of 420.20 feet; thence S89°25'02"W 16.93 feet; thence N57°15'23"W 33.94 feet; thence N38°47'23"W 69.87 feet; thence N64°10'40"W 41.51 feet; thence N53°51'20"W 45.31 feet; thence N37°31'04"W 50.47 feet; thence N27°41'36"W 90.36 feet; thence N35°41'45"W 89.97 feet; thence N81°15'47"E 45.31 feet; thence N07°46'54"W 67.21 feet to the South line of said Impression Five Condominium; thence N80°35'01"E along said South condominium line 186.52 feet to the point of beginning; said parcel containing 1.43 acres, more or less; said parcel subject to all easements and restrictions if any, as proposed,

to the R.E. Olds Transportation Museum, for the sum of Two Dollars (\$2.00),

but reserving a 30' easement at the north end of the property for the 36" storm sewer that runs under the parking lot, legally described as the northerly 30 feet of Parcel A paralleling the north property line of Parcel A described as commencing at the northeast corner of Parcel A, thence S80°35'01"W 186.52 feet.

BE IT FURTHER RESOLVED, that the City hereby vacates the west 12 feet of the Museum Drive (Mill Street) right-of-way adjacent to the building located on Parcel A, being further described as:

the 12 feet adjacent to the west right-of-way line of Museum Drive (Mill Street) commencing at point 83.6 feet S09°24'59"E of the northeast corner of Parcel A and continuing 198.6 feet along the west right-of-way line to the southeast corner of the building, reserving an utility easement for sewer construction, a construction easement for Museum Drive, and a sidewalk/River Trail easement.

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

STAFF REPORT

APPLICANT/OWNER: City of Lansing
124 W. Michigan Ave.
Lansing, MI 48933

REQUESTED ACTION:

Authorization requested to Convey the property to the R.E. Olds Transportation Museum, which has been operating in that building since the opening of the Museum in May, 1981.

EXISTING LAND USE: RE Olds Transportation Museum

EXISTING ZONING: "H" Light industrial

SIZE & SHAPE: Roughly triangular in shape, approx. 1.43 acres

SURROUNDING LAND USE: N: Impression 5 Museum
S: Rivertrail, Grand River
E: Museum Drive (A.K.A. Mill Street), LBWL Dye
Water Conditioning Plant
W: Rivertrail, Grand River.

SURROUNDING ZONING: N and W: "G-1" Business District
E: "H" Light Industrial District.
W and S: Grand River (Unzoned)

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the area as Downtown Mixed-Use Center-Core.

AGENCY RESPONSES:

Board of Water and Light: The BWL has no comment.

Building Safety Office: No response received.

City Attorney: No response received.

Fire Marshall:

The Fire Marshal Office has no issue with the conveyance of this property. The new owner/occupant is required to submit to the Office of Building Safety and the Fire Marshal any plans pertaining to its change of use and occupancy.

Parks and Recreation:

This project is not located on parkland. The proposal reserves City control of the Grand River frontage.

Public Service – Engineering:

Public Service - Engineering has reviewed Act 1-2017 240 Museum Drive and has the following comments.

1. Mill Street/Museum Drive right-of-way is on the east side of the property. The right-of-way has not been vacated. A significant portion of the right-of-way is no longer being used for road purposes. However, there is no Council resolution closing the right-of-way for road purposes. It is being used for utility and for recreation purposes. Since the right-of-way is along the Grand River, a water of the State of Michigan, the right-of-way cannot be vacated by Council. Any vacation of the right-of-way along or to the Grand River will need to be through circuit court.
2. Since the Mill Street right-of-way is still considered public right-of-way, it is recommended it be decertified for highway purposes. This will eliminate potential development on a “paper” street.
3. RE Olds Transportation Museum uses the area south of the building for loading/unloading of exhibits, trash collection, and overflow parking. To reach this area from Museum Drive, the Museum utilizes the River Trail stub. The mixing of vehicles and River Trail users is problematic and needs to be addressed.
4. The east face of the building is constructed on the west right-of-way line of the Mill Street/Museum Drive right-of-way. Some of the historic sewer maps indicate that the building is encroaching into the right-of-way. Michigan Building Code Chapter 32 does allow some leeway with building encroachments. It is recommended that the sale of the building does not grant more rights to the public right-of-way than what is allowed in the Building Code.
5. The building’s AC unit encroaches into the public right-of-way. This will either need to be removed or be granted a license to use the right-of-way.
6. In order to reduce storm runoff from the roof drains, which formerly discharged to the ground, an 8 inch diameter storm sewer was constructed for the building’s east side roof drains to discharge into. This storm drain was constructed in the public right-of-way. If the building is sold, this 8-inch storm sewer should be a public storm sewer.
7. The River Trail is constructed on the west side of the property along the Grand River. Public Service does not have an easement for the River Trail in its records, and it likely that none exist, since the city owns the property. It is recommended that an easement or property be retained for the River Trail.
8. At the south end of the property, a sanitary sewer siphon on the City’s Central Interceptor crosses the Grand River. An easement should be retained for siphon and for the necessary area maintenance and construction staging. If an easement is retained for the River Trail, this should be adequate to provide access and staging for the siphon.
9. Also located at the south part of the property is a 12” storm sewer. This storm sewer

- provides drainage to the Mill Street/Museum Drive right-of-way. A 30-foot wide easement centered on the storm sewer would be adequate to protect the storm sewer.
10. Under the south portion of the RE Olds Transportation Museum building is an 18" storm sewer. This storm sewer provides drainage for the Mill Street/Museum Drive right-of-way. It also provides an outlet for the roof drains for the building. A 20-foot easement will be needed to protect the storm sewer.
 11. At the north end of the property, a 36" storm sewer runs under the parking lot. This storm sewer services Museum Drive, Cedar Street, Larch Street and Prospect Street. The north 20 feet of the property should be reserved as a storm sewer easement. Since the BWL has a power line on the north property line, there may be an existing utility easement.
 12. Please note – some or all of the recommended easements may exist. It is that there are no easements for these sewers located in Public Service's easement data base. As City-owned property, an easement might not have been acquired.
 13. It should be noted the open land to the south of the building used to have a building and a rail spur.
 14. The drinking fountain is located in and is serviced from the Mill Street right-of-way.

Public Service, Transportation:

The Transportation and Non-Motorized section has the following comments regarding the potential sale of this parcel:

- 1) The river bank is eroding along a number of sections of the River Trail, requiring bank stabilization or relocation of the trail. A sufficient distance should be retained behind the existing trail to allow relocation in the future if necessary.
- 2) If this bench/ table are at the west end of the parking lot is currently being used for public purposes, this area should be retained.
- 3) With this, and other sale of City property which is made for a specific purpose, a reverter or right of first refusal clause should be written into any sale agreement that would allow the City to regain ownership of the parcel if the museum were to sell the parcel.

ANALYSIS

Most of the agency responses were received in March, 2017. Since then, most of the agencies' concerns have been addressed.

Location:

The property is located on the west side of Museum Drive (A.K.A Mill Street), east of the Grand River and the RiverTrail. The property abuts the west line of Museum Drive, and some air conditioning units and brick planters extend into the Museum Dr. right of way (ROW). All of the property is in the Grand River floodway.

Character:

The museum has the character of an older, single-story industrial building. It is decorated on several sides with public art, and the property also features a state historical marker commemorating R.E. Olds.

Extent:

The property consists primarily of the building, accessory parking, and a front lawn. The legal description excludes:

- the RiverTrail and all river frontage,
- the bench/ table at the west end of the parking lot,
- and the sanitary sewer siphon on the City's Central Interceptor

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation:

Finding:

- The property need not be under City ownership to house a transportation museum.
- The draft purchase agreement contains a reverter clause, which also ensures continued use as a transportation museum.
- The property consists primarily of the building, accessory parking, and a front lawn. The legal description excludes:
 - the RiverTrail and all river frontage,
 - the bench/ table at the west end of the parking lot,
 - and the sanitary sewer siphon on the City's Central Interceptor
- The purchaser has the obligation to relocate the eighteen (18) inch storm drain traversing beneath the southern section of the building located on the property, and/or accommodate storm sewer improvements as determined by the Public Service Department.
- The property is located in the Grand River floodway.
- Any effect on the location, character, and extent of the property is likely to be negligible.

Recommendation:

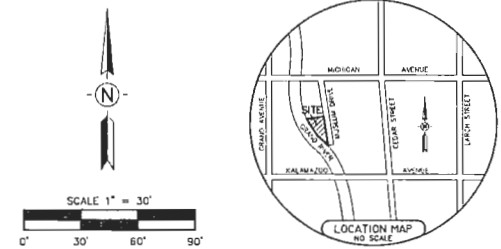
Approval of the conveyance of the building and grounds at 240 Museum Drive. Further recommendations:

- Reserving a 20' easement at the north end of the property for the 36" storm sewer that runs under the parking lot, and
- Vacating the west 12' of the Mill St. ROW adjacent to the building.

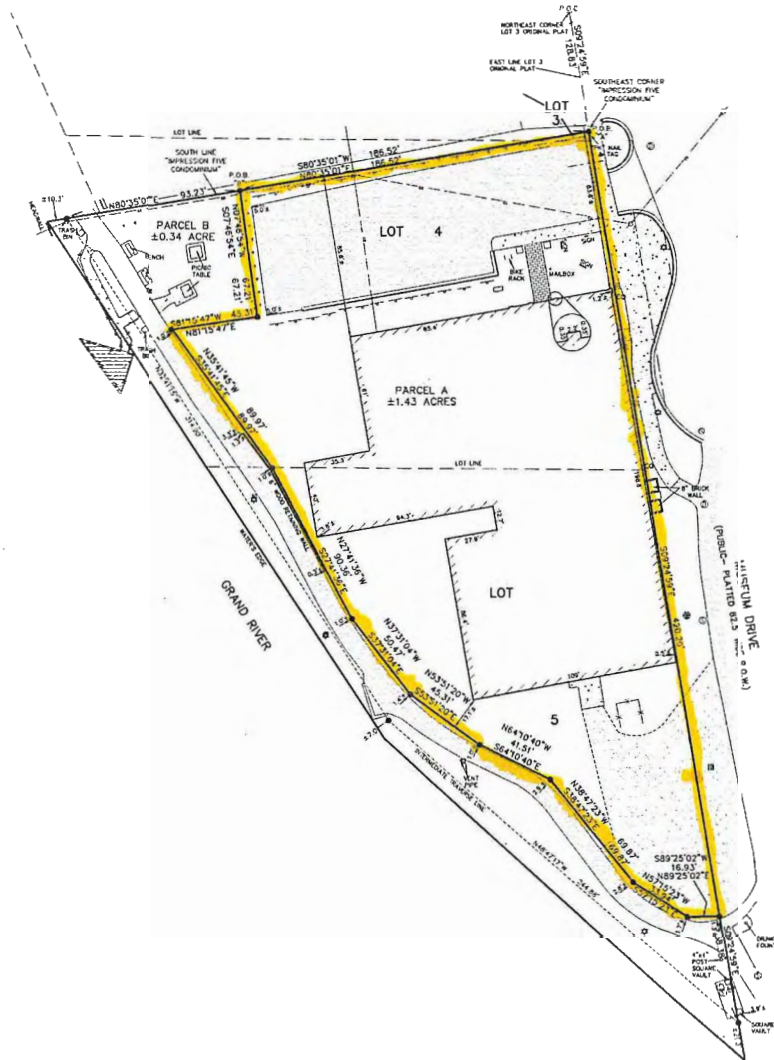
LOT SURVEY

FOR: R.E. OLDS TRANSPORTATION MUSEUM

"240 MUSEUM DRIVE, LANSING, MI 48933"



- LEGEND**
- = SET 1/2" BAR WITH CAP UNLESS NOTED
 - = FOUND IRON AS NOTED
 - = DEED LINE
 - - - = DISTANCE NOT TO SCALE
 - = FENCE
 - = GUARDRAIL
 - = OVERHEAD WIRES
 - = ASPHALT
 - = CONCRETE
 - = GRAVEL
 - = BRICK
 - = SANITARY MANHOLE
 - = DRAINAGE MANHOLE
 - = ELECTRIC MANHOLE
 - = TELEPHONE MANHOLE
 - = CATCHBASIN
 - = MANHOLE
 - = SANITARY CLEANOUT
 - = FIRE HYDRANT
 - = VALVE
 - = UTILITY POLE
 - = LIGHT POLE
 - = GUY POLE
 - = UTILITY PEDESTAL
 - = GUY WIRE
 - = TRANSFORMER
 - = ELECTRIC METER
 - = GAS METER
 - = WATER METER
 - = SIGN
 - = POST
 - = DISTANCE TO SURVEY LINE



LEGAL DESCRIPTION:

PARENT PARCEL:

Commencing on the Western line of Museum Drive 128 5/8 feet South from the Northeast corner of Lot 3, thence Southerly along the Western line of Museum Drive to the Grand River, thence West along the river to the intersection with a line running Southwesterly from the beginning of right angles to Museum Drive, East to the beginning, Block 239 Original Plat, City of Lansing, Ingham County, Michigan.

PROPOSED PARCEL A:

A parcel of land being part of Lots 3, 4 and 5, Block 239, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Ingham County Records, the surveyed parcel more particularly described as: Commencing at the Northeast corner of said Lot 3, thence S09°24'59"E along the East line of said Lot 3 a distance of 124.83 feet to the Southeast corner of Impression Five Condominium per Ingham County subdivision plan No. 122 recorded in Liber 2907, Page 604, Ingham County, Michigan, records, and the point of beginning of this description, thence S09°24'59"E continuing along said East line of said Lots 3, 4, and 5 a distance of 420.20 feet; thence S87°25'02"W 16.33 feet; thence N87°15'22"W 33.04 feet; thence N38°47'23"W 63.87 feet; thence N84°10'40"W 41.51 feet; thence N53°51'20"W 43.31 feet; thence N27°31'04"W 50.47 feet; thence N27°41'36"W 50.36 feet; thence N35°41'45"W 89.97 feet; thence N81°55'47"E 45.31 feet; thence N07°48'54"W 67.21 feet to the South line of said Impression Five Condominium; thence N80°35'01"E along said South condominium line 186.52 feet to the point of beginning, said parcel containing 1.43 acres, more or less, said parcel subject to easements and restrictions if any.

PROPOSED PARCEL B:

A parcel of land being part of Lots 3, 4 and 5, Block 239, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Ingham County Records, the surveyed parcel more particularly described as: Commencing at the Northeast corner of said Lot 3, thence S09°24'59"E along the East line of said Lot 3 a distance of 124.83 feet to the Southeast corner of Impression Five Condominium per Ingham County subdivision plan No. 122 recorded in Liber 2907, Page 604, Ingham County, Michigan, records, thence S89°30'01"W along the South line of said condominium 186.52 feet to the point of beginning of this description, thence S07°46'54"E 67.21 feet; thence S81°55'47"W 45.31 feet; thence S35°41'45"E 89.97 feet; thence S27°41'36"E 50.36 feet; thence S37°31'04"E 50.47 feet; thence S53°51'20"E 43.31 feet; thence S84°10'40"E 41.51 feet; thence S59°47'23"E 63.87 feet; thence S57°15'22"W 33.04 feet; thence N87°25'02"E 16.33 feet to the East line of said Lot 5; thence S09°24'59"E along said East line 58.38 feet to an intermediate traverse line along the Grand River at a point approximately N09°24'59"W 21.3 feet from the water's edge; thence N48°47'17"W along said traverse line 244.88 feet to a point approximately 7.0 feet from the water's edge; thence N32°41'15"W continuing along said traverse line 314.80 feet to said South line of Impression Five Condominium extended at a point approximately N80°35'01"E 10.3 feet from the water's edge; thence N80°35'01"E along said condominium line and said line extended 32.3 feet to the point of beginning, said parcel containing 0.34 acre, more or less, lying Northwesterly of the intermediate traverse line; said parcel extends beyond said traverse line to the Eastern bank of the Grand River; said parcel subject to all easements and restrictions if any.

SURVEYOR'S NOTES:

- This plan was made at the direction of the parties named herein and is intended solely for their immediate use. Survey prepared from fieldwork performed in October & November 2016.
- All bearings and distances on the survey are record and measured unless otherwise noted. Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing CORS.
- All dimensions are in feet and decimals thereof.
- No building line dimensions are to be used for establishing the property lines.
- Utility information as shown was obtained from field observations only and is subject to verification in the field by the appropriate authorities prior to use for construction.
- Easements, if any, not shown herein.
- Water's Edge location measured on October 25, 2016.

I hereby certify that to the best of my knowledge and belief, the above described lot, and that we have found or not, as noted herein, permanent markers in all corners of said lot, and that all relative measurements of a permanent nature upon said lot are or were on the survey. Said lot is subject to all easements and restrictions of record.

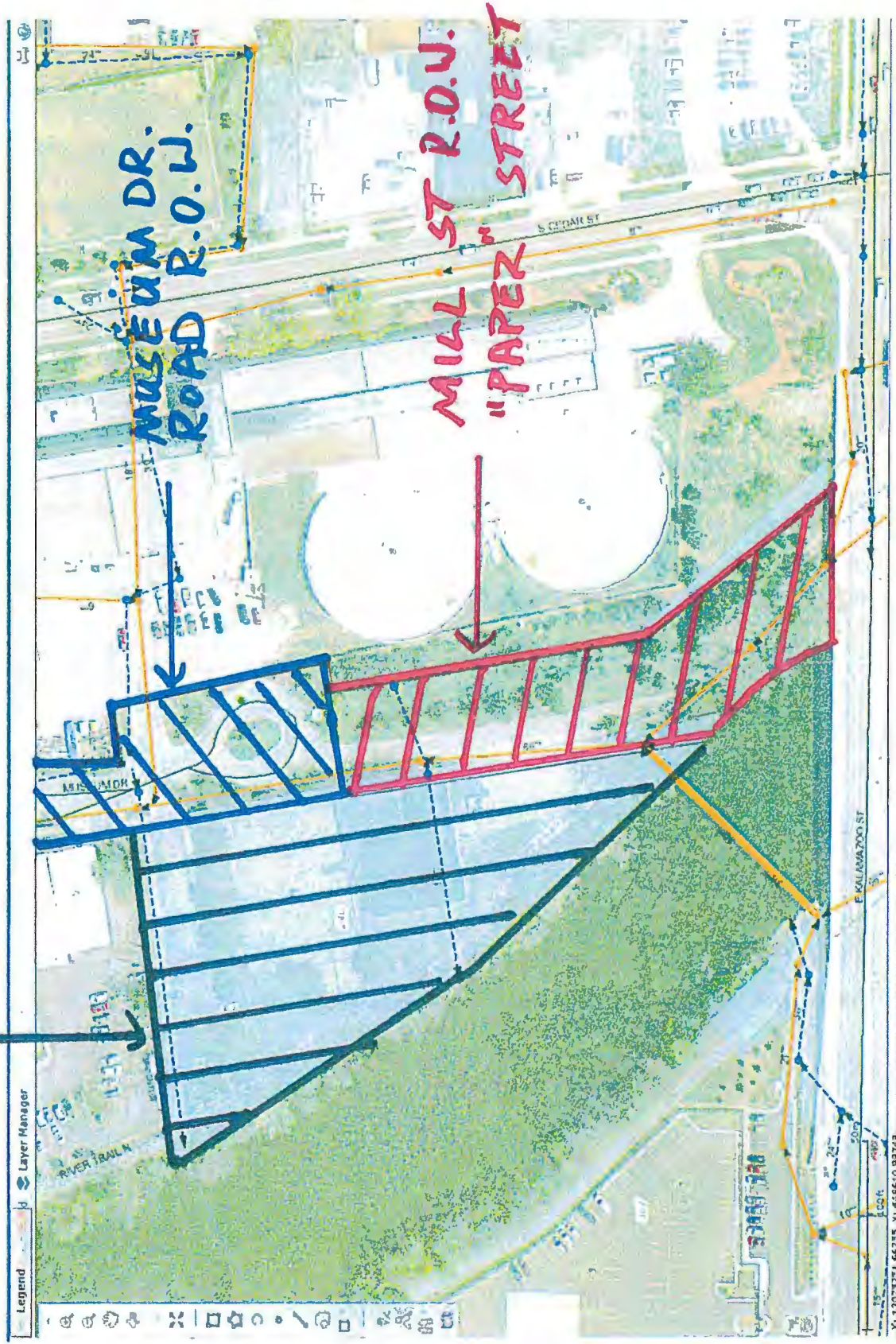


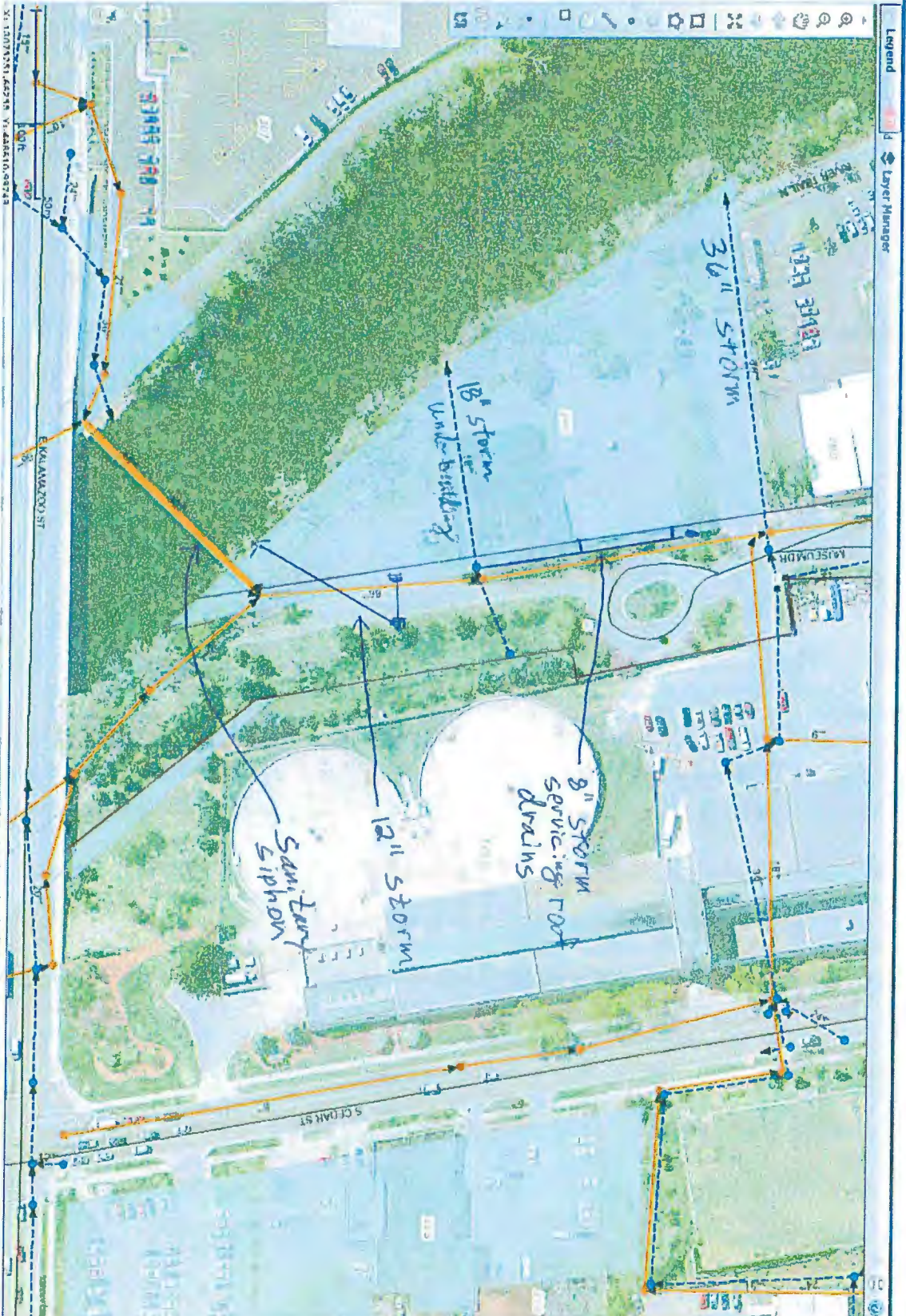
ERICK R. FREESTON
PROFESSIONAL SURVEYOR NO. 53497

REVISIONS	COMMENTS	DATE
1	ORIGINAL	11/14/16

KEBS, INC. ENGINEERING AND LAND SURVEYING 2118 HAZLETT ROAD, HAZLETT, MI 48840 PH: 517-336-0151 FAX: 517-336-8047 WWW.KEBSINC.COM Lansing Office PH: 269-781-9800	DRAWN BY: SLH CHECKED BY: HAW SHIFT: 1 OF 1	SECTION: 6, T4N, R2W JOB NUMBER: 91198.LOT
---	---	---

240 MUSEUM DRIVE







A.C. UNIT
ENCROACHING
THE R.O.W.

River Trail Link

INTRODUCTION OF ORDINANCE

An Ordinance to adopt a form-based code and zoning map to replace and repeal the existing zoning ordinance and map, being Part 12, Title 6 of the City of Lansing Codified Ordinances, was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of:

Approving or opposing the adoption of a form-based code and zoning map that would repeal and replace the current zoning ordinance/map, being Part 12, Title 6 of the City of Lansing Codified Ordinances in its entirety.



Chris Swope
Lansing City Clerk

October 20, 2017

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

Dear President and Council Members:

My office has received from the Mayor's Office:

Proposed Form-Based Zoning Ordinance User Guide

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

Sincerely,

Chris Swope, CMC
Lansing City Clerk

Bob Johnson, Director
Planning & Neighborhood Development



Virg Bernero, Mayor

Planning Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4066 – FAX: 517.483.6036
www.lansingmi.gov/planning

TO: Mayor Bernero

FROM: Bill Rieske, Asst. Planning Manager

DATE: October 18, 2017

RE: Form-Based Code

In 2012, the Lansing City Council adopted the *Design Lansing* Comprehensive Plan, after the largest public participation effort to date. On May 2, 2017, the Lansing Planning Board recommended the adoption of a Form-Based Code, pending further editing, to implement the land use recommendations of the *Design Lansing* Plan.

A form-based code (FBC) is a zoning approach that focuses less on a building's use, and more on its form and appearance. Lansing's appearance was a major issue in the Comprehensive Plan. Lansing residents indicated their preferences for areas that should be preserved, enhanced, and transformed.

Lansing Form-Based Code features:

- The Form-based Code documents the desired form of development and prescribed building form requirements to implement the Comprehensive Plan.
- The FBC contains minimum architectural standards to encourage quality development.
- It is based on the Plan, and is intended to implement the Plan.
- The Lansing FBC is city-wide, like that of Cincinnati, Nashville, and Miami. While other Michigan Cities utilize form-based codes, Lansing would be the largest city in Michigan with a city-wide FBC.
- The Lansing FBC is a "hybrid" ordinance that covers both use and form.
- The FBC would replace the current Zoning Ordinance in its entirety, and coordinates with the public space standards being developed by the Department of Public Service in conjunction with the CATA's "Shaping the Avenue" project.
- The FBC would enable Lansing to take advantage of the benefits of mixed use developments at greater densities, including:
 - Greater walkability
 - Greater return on investment for property owners (leading to greater development potential)
 - Increased property and income tax revenues per acre
 - Increased opportunities for "missing middle" residences
 - Greater efficiencies in the delivery of urban services

Public Outreach Measures:

- Three public workshops (March 20, 2013, October 2, 2013, May 8, 2014).
- Continuous presence on the web (<http://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC>) for more than two years (Summer, 2015 to present).
- Several public hearings before the Planning Board (February 2, 2016, October 4, 2016, November 1, 2016, May 2, 2017).
- Partnering with the CATA Shaping the Avenue public presentations (August 9, 2017, September 13, 2017)
- A developers' preview (September 6, 2017).
- Public notices on social media (September, 2017).
- A presentation in each of the four City Council wards (September 14, 19, 20, and 21, 2017).

The draft ordinance was also reviewed by national experts from the Form Based Code Institute (funded by the "Shaping the Avenue" project). Funding for the downtown districts was provided by the MEDC.

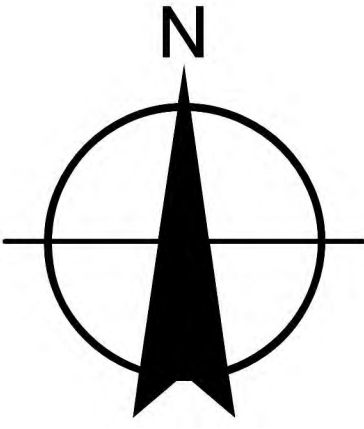
The Form-Based Code web page (<http://www.lansingmi.gov/271/DRAFT-Form-Based-Code-FBC>) has additional information on FBCs, along with the user guide and draft ordinance, zoning districts map, and street classification map.

January 11, 2017

Lansing Form-Based Code Zoning Map

- S-C - Suburban Corridor
- MX-C - Mixed-Use Corridor
- MX-1 - Neighborhood mixed-Use Center
- MX-2 - Community Mixed-Use Center
- MX-3 - District Mixed-Use Center
- DT-1 - Urban Edge
- DT-2 - Urban Flex
- DT-3 - Urban Core
- IND-1 - Suburban Industrial
- IND-2 - General Industrial
- IND-3 - Urban Industrial
- MFR - Multi-Family Residential
- R-1 - Suburban Detached Res.
- R-2 - Suburban Detached Res.
- R-3 - Suburban Detached Res.
- R-4 - Urban Detached Res.
- R-5 - Urban Detached Res.
- R-6A - Urban Detached Res.
- R-6B - Urban Detached Res.
- R-MX - Residential Mix
- R-AR - Residential Adaptive Reuse
- INST-1 - Suburban Institution
- INST-2 - Urban Institution
- ROW

0 2,000 4,000
Feet



CITY OF LANSING FORM BASED CODE

STREET TYPOLOGIES

- Expressways
- Arterial Corridors
- Suburban Corridors
- Activity Corridors
- Prime Connectors
- Neighborhood Connectors
- Neighborhood Non-Motorized
- Off-Road Greenway Corridors

THIS PAGE LEFT BLANK



Eric Schertzing
Ingham County Treasurer

Elisabeth Richardson
Interim Chief Deputy Treasurer
(517) 676-7241
erichardson@ingham.org

Courthouse
P.O. Box 215
Mason, MI 48854-0215
(517) 676-7220
eschertzing@ingham.org

October 4, 2017

Mr. Chris Swope
Lansing City Clerk
124 West Michigan Avenue
9th Floor
Lansing, Michigan 48933

Dear Mr. Swope:

I am writing to you on behalf of Treasurer Eric Schertzing who serves as the Foreclosing Governmental Unit (F.G.U.) for Ingham County under Public Act 123 of 1999; MCL 211.1-211.157.

Property was foreclosed upon by the F.G.U. for unpaid property taxes in the City of Lansing. Such property has been offered for sale at two or more public auctions. Fee simple title to those parcels not sold at auction must be transferred to the City of Lansing on or before December 30, 2017 unless the City formally objects to the transfer. I encourage you to review this process at MCL 211.78m(6). As required by statute, a list of all property tax foreclosed parcels located in the City of Lansing subject to transfer is enclosed. The list must be accepted or rejected in its entirety.

Treasurer Schertzing, working in consultation with local government, spearheaded the creation of an Ingham County Land Bank Authority in 2005 to help combat the problems property tax foreclosed parcels can present to governments and communities. Oftentimes the cost of maintaining such parcels exceeds any benefit a local jurisdiction may gain. The Land Bank allows for those benefits to still become available to the local community without any additional expense from the City. However, the Land Bank cannot obtain possession of these property tax foreclosed parcels unless the City first objects to their transfer.

RECEIVED
2017 OCT 10 PM 1:42
LANSING CITY CLERK

When this issue is taken up by the City Council, Treasurer Schertzing would be more than willing to be in attendance to answer any questions that may arise. Please contact me at the email address or telephone number listed below to schedule a meeting time satisfactory to all parties and within the statutory time constraints or to request electronic copies of this letter, parcel list, or a sample resolution.

Thank you for your assistance in this matter.

Regards,

A handwritten signature in black ink, appearing to read 'J. G. Bonsall', written in a cursive style.

Joseph G. Bonsall
Land Bank Coordinator
(517) 267-5221
jbonsall@ingham.org

Enclosure

Cc: Bob Johnson, City of Lansing Planning and Neighborhood Development Office

2017 Local Unit Rejection List
City of Lansing

33-01-01-03-306-191

LOT 83 BANGHART SUB NO 1

Property Address: 840 HARRIS ST LANSING MI

33-01-01-04-102-281

LOT 17 HYLEWOOD SUB

Property Address: 419 W SHERIDAN RD LANSING MI

33-01-01-04-105-071

LOT 92 FAIRFIELD GARDENS SUB

Property Address: 422 W FAIRFIELD AVE LANSING MI

33-01-01-04-155-231

LOT 37 EXC S 11 FT MAYFIELD FARMS SUB

Property Address: 2915 TURNER ST LANSING MI

33-01-01-04-457-031

LOT 28 HOWARD HEIGHTS SUB

Property Address: 309 DOUGLAS AVE LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-06-326-102

PART NE 1/4 SW 1/4 SEC 9 T4N R2W & LOTS 6 & 7 DELTA RIVER DRIVE ESTATES COM 20 FT W OF NE COR LOT 6, TH W ON 1/8 LINE 215 FT, S 18DEG 08MIN W 112.3 FT, S 64DEG 49MIN E 150.33 FT, N 25DEG 33MIN E 40 FT, SE'LY 30 FT TO MOST W'LY COR LOT 7, SE'LY 35 FT ON S'LY LINE LOT 7, N 25DEG 33MIN E 99.83 FT, S 64DEG 27MIN E 35.2 FT TO W'LY LINE LOT 6 AT POINT 60 FT NW'LY OF SW COR THEREOF, NE'LY 109 FT TO BEG; DELTA RIVER DRIVE ESTATES

Property Address: WESTMONT AVE LANSING MI

33-01-01-06-327-161

COM 125 FT S OF CEN OF SEC 6, TH E 127 FT, S 135 FT, W 127 FT, N 135 FT TO BEG; SEC 6 T4N R2W

Property Address: 2725 NORTHWEST AVE LANSING MI

33-01-01-08-202-271

LOT 208 NORTH HIGHLAND SUB

Property Address: 1713 N M L KING JR BLVD LANSING MI

33-01-01-08-256-141

LOT 164 NORTH HIGHLAND SUB

Property Address: 1311 N M L KING JR BLVD LANSING MI

33-01-01-08-279-055

W 30 FT OF S 22 FT LOT 28 KNOLLWOOD PARK

Property Address: KNOLLWOOD AVE LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-08-378-101

LOT 9 ASSESSORS PLAT NO 48

Property Address: 1527 HULL CT LANSING MI

33-01-01-08-426-121

LOT 13 & S 4.7 FT OF E 135 FT LOT 11 ASSESSORS PLAT NO 13

Property Address: 1147 PRINCETON AVE LANSING MI

33-01-01-08-456-121

N 33 FT LOTS 1 & 2 BLOCK 1 DAYTONS ADD

Property Address: 710 N JENISON AVE LANSING MI

33-01-01-08-481-151

LOT 19 EXC N 45 FT ALSO S 70 FT LOT 18 ENGLEWOOD PARK ADD

Property Address: 1000 W SAGINAW ST LANSING MI

33-01-01-09-126-061

LOT 57 MAPLE PARK ADD

Property Address: 204 RUSSELL ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-09-177-003

LOTS 43 THRU 54 & LOTS 58 THRU 64, W 1/2 LOT 55, W'LY 1/2 LOT 57 & S 1/2 OF
VACATED WILLIS AVE FROM E LINE N GRAND RIVER AVE TO A LINE EXT D FROM S'LY MOST
COR LOT 13 TO A POINT MIDWAY ON E'LY LINE LOT 57 FRANK L DODGE SUB

Property Address: 1506 N GRAND RIVER AVE LANSING MI

33-01-01-09-276-043

E 41.25 FT OF W 82.5 FT LOTS 13 & 14 BLOCK 2 ORIG PLAT

Property Address: 403 BEAVER ST LANSING MI

33-01-01-09-306-121

S 1/2 OF E 6 R LOT 12 BLOCK 1 MOORES SUB ON BLOCK 27

Property Address: 1001 N PINE ST LANSING MI

33-01-01-09-352-001

W 40.25 FT OF N 115 FT LOT 6 BLOCK 2 MOORES SUB ON BLOCK 27

Property Address: 635 BROOK ST LANSING MI

33-01-01-09-352-211

LOT 4 BLOCK 2 MOORES SUB ON BLOCK 27

33-01-01-09-354-041

N 36 FT LOT 9 BLOCK 47 ORIG PLAT

Property Address: N CHESTNUT ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-09-354-051

S 30 FT LOT 9 & N 4 FT OF W 5 R LOT 8 BLOCK 47 ORIG PLAT

Property Address: 910 N CHESTNUT ST LANSING MI

33-01-01-09-357-141

LOT 7 ASSESSORS PLAT NO 41 REC L 11 P 47

Property Address: 707 N SYCAMORE ST 1 LANSING MI

33-01-01-09-364-121

W 27 FT OF S 40 FT OF E 6 R LOT 5 BLOCK 57 ORIG PLAT

Property Address: 406 W SAGINAW ST LANSING MI

33-01-01-09-430-311

LOT 40 ASSESSORS PLAT NO 30 OF BLOCK 19 ORIG PLAT

Property Address: 1031 N LARCH ST LANSING MI

33-01-01-10-153-011

S 1/2 LOT 15 BLOCK 3 HANDY HOME ADD

Property Address: 1556 BALLARD ST LANSING MI

33-01-01-10-153-211

LOT 1 BLOCK 3 HANDY HOME ADD

Property Address: 1501 N HIGH ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-10-157-191

N 2 R OF S 7 R LOT 1 BLOCK 2 HANDY HOME ADD

Property Address: 1213 N HIGH ST LANSING MI

33-01-01-10-157-343

E 16.5 FT LOTS 16 & 17 BLOCK 2 HANDY HOME ADD

Property Address: DRURY LANE LANSING MI

33-01-01-10-176-341

LOT 9 HIGHLAND PARK

Property Address: 1223 NEW YORK AVE LANSING MI

33-01-01-10-353-171

LOT 18 YOUNG, STABLER AND YOUNGS EAST PARK ADD

Property Address: 717 EAST PARK TERRACE LANSING MI

33-01-01-10-354-131

LOT 38 ASSESSORS PLAT NO 22

Property Address: 843 E SAGINAW ST LANSING MI

33-01-01-10-354-141

LOT 37 ASSESSORS PLAT NO 22

Property Address: 901 E SAGINAW ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-10-354-151

LOT 36 ASSESSORS PLAT NO 22

Property Address: 903 E SAGINAW ST LANSING MI

33-01-01-10-376-061

LOT 13 ASSESSORS PLAT NO 22

Property Address: 804 N PENNSYLVANIA AVE LANSING MI

33-01-01-10-376-231

LOTS 1 & 2 THE METLIN ADD

Property Address: 1026 E OAKLAND AVE LANSING MI

33-01-01-14-362-071

LOT 60 ULLRICHS SUB REC L 4 P 28

Property Address: S CLEMENS AVE LANSING MI

33-01-01-14-380-171

LOT 48 BROWNS SUB OF A PART OF OUTLOTS A AND B OF SNYDERS ADD

Property Address: 630 S FRANCIS AVE LANSING MI

33-01-01-15-154-091

E 34.5 FT LOT 3 BLOCK 3 JEROMES ADD

Property Address: 917 JEROME ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-15-305-131

S 38 FT OF E 95 FT LOT 11 BLOCK 7 GREEN OAK ADD

Property Address: 230 S EIGHTH ST LANSING MI

33-01-01-15-381-081

LOT 18 BLOCK 8 LANSING IMPROVEMENT COMPANYS ADD

Property Address: LARNED ST LANSING MI

33-01-01-15-427-131

N 35 FT LOT 14 BLOCK 1 HALLS ADD

Property Address: 215 ALLEN ST LANSING MI

33-01-01-15-483-121

S 26 FT LOT 135 & N 14 FT LOT 136 BREITEN PARK SUB REC L 5 P 48

Property Address: 622 ALLEN ST LANSING MI

33-01-01-15-485-111

LOT 41 PAUL PARK ADD

Property Address: 622 LESLIE ST LANSING MI

33-01-01-16-428-201

LOT 5 BLOCK 1 BARNARDS SUB REC L 1 P 32

Property Address: BARNARD ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-16-428-211

LOT 4 BLOCK 1 BARNARDS SUB REC L 1 P 32

Property Address: 625 BARNARD ST 1 LANSING MI

33-01-01-17-258-082

E 26.5 FT LOT 15 & W 1 R LOT 16 BLOCK 2 FRENCHS SUB

Property Address: 1222 W OTTAWA ST LANSING MI

33-01-01-17-258-091

E 2 R OF W 3 R LOT 16 BLOCK 2 FRENCHS SUB

Property Address: 1220 W OTTAWA ST LANSING MI

33-01-01-17-451-502

LOT 95 & E 16.5 FT LOT 96 ASSESSORS PLAT NO 9

Property Address: 1207 W KALAMAZOO ST LANSING MI

33-01-01-20-135-131

LOT 23 RIVERVIEW HEIGHTS SUB REC L 4 P 44

Property Address: 914 MIDDLE ST LANSING MI

33-01-01-20-407-041

LOT 86 OLDSDALE SUB

Property Address: 1517 PATTENGILL AVE LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-21-253-020

LOT 5 CLEARS SUB OF BLOCK 204

Property Address: 1017 S GRAND AVE LANSING MI

33-01-01-21-380-171

E 1/2 LOT 3 BLOCK 16 PARK PLACE

Property Address: 213 W BARNES AVE LANSING MI

33-01-01-21-427-062

W 30 FT OF E 4 R LOTS 10 & 11 ROLLIN H PERSON ADD

Property Address: 511 BAKER ST LANSING MI

33-01-01-21-428-001

N 50 FT LOTS 21 & 22 ROLLIN H PERSON ADD

Property Address: 1417 LINVAL ST LANSING MI

33-01-01-21-428-035

S 82.5 FT LOT 26 ROLLIN H PERSON ADD

Property Address: 621 BAKER ST 1 LANSING MI

33-01-01-21-428-045

N 40 FT LOTS 25, 26 & 27 EXC E 17 FT THEREOF ROLLIN H PERSON ADD

Property Address: 1418 BAILEY ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-21-429-065

W 41 FT OF N 53.06 FT LOTS 1 & 2 BLOCK 1 AMENDED PLAT OF HALLS SOUTH SIDE ADD

Property Address: 414 BAKER ST LANSING MI

33-01-01-21-484-035

N 28 FT LOT 133 & N 28 FT OF W 30 FT LOT 134 TORRANCE FARM ADD

Property Address: 1823 LINVAL ST LANSING MI

33-01-01-22-129-321

LOT 15 BLOCK 5 MANUFACTURERS ADD NO 1

Property Address: 1126 E MALCOLM X ST LANSING MI

33-01-01-22-176-341

LOT 85 HUNTINGTON HEIGHTS SUB

Property Address: 1238 PARK VIEW AVE LANSING MI

33-01-01-22-206-011

LOTS 158 & 159 EXCELSIOR LAND COMPANYS SUB

Property Address: 1005 BENSCH ST LANSING MI

33-01-01-22-206-161

LOT 234 EXCELSIOR LAND COMPANYS SUB

Property Address: 1036 DAKIN ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-22-226-331

LOT 396 EXCELSIOR LAND COMPANYS SUB

Property Address: 943 MCCULLOUGH ST LANSING MI

33-01-01-22-255-061

LOT 74 EXCELSIOR LAND COMPANYS SUB

Property Address: 1223 S HOLMES ST LANSING MI

33-01-01-22-279-191

LOT 16 CITY PARK SUB

Property Address: 1107 REGENT ST LANSING MI

33-01-01-22-301-071

LOT 45 CLARKS SUB

Property Address: 725 BEULAH ST LANSING MI

33-01-01-22-303-011

LOTS 19 & 21 CLARKS SUB

Property Address: 710 BEULAH ST LANSING MI

33-01-01-22-305-101

LOT 19 BLOCK 1 ASSESSORS PLAT NO 20

Property Address: 1441 BAILEY ST LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-22-351-061

LOT 12 BLOCK 1 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1531 BAILEY ST LANSING MI

33-01-01-22-351-271

LOT 33 BLOCK 1 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1530 LYONS AVE LANSING MI

33-01-01-22-351-281

LOT 34 BLOCK 1 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1524 LYONS AVE LANSING MI

33-01-01-22-352-121

LOT 16 BLOCK 4 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1613 LYONS AVE LANSING MI

33-01-01-22-354-041

LOT 8 BLOCK 2 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1711 BAILEY ST LANSING MI

33-01-01-22-354-141

LOT 17 & N 10 FT LOT 16 BLOCK 2 ASSESSORS PLAT NO 28 REC L 10 P 33

Property Address: 1720 LYONS AVE LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-27-107-001

LOT 82 HOLLYWOOD SUB

Property Address: MCKIM AVE LANSING MI

33-01-01-27-426-042

LOT 7, N 120 FT LOT 8, ALSO N 120 FT LOT 9 EXC W 22 FT GOODHOME SUB

Property Address: 1813 E WILLARD AVE LANSING MI

33-01-01-28-403-011

LOT 14 REOLA PARK SUB

Property Address: 2609 MAPLEWOOD AVE LANSING MI

33-01-01-28-430-001

LOT 108 SOUTH PARKWOOD SUB

Property Address: 602 S PARK BLVD LANSING MI

33-01-01-28-432-051

LOT 71 SOUTH PARKWOOD SUB

Property Address: 629 DENVER AVE LANSING MI

33-01-01-29-278-011

LOT 11 BLOCK 3 RESUB OF BLOCKS 17, 21, 22 AND LOTS 35 TO 72 INCL, BLOCK 30
ELMHURST SUB

Property Address: 2505 S M L KING JR BLVD LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-29-305-122

COM SW COR SEC 29. TH E 283 FT, N 214.5 FT, E 267 FT, N 247.5 FT, W 550 FT TO W
SEC LINE, S 462 FT TO BEG; SEC 29 T4N R2W

Property Address: 2130 W HOLMES RD LANSING MI

33-01-01-30-453-141

LOT 465 PLEASANT GROVE SUB NO 1

Property Address: 3210 VIKING RD LANSING MI

33-01-01-31-205-171

LOT 43 SHERATON PARK

Property Address: 3728 DEERFIELD AVE LANSING MI

33-01-01-31-253-161

LOT 79 PLEASANT SUB

Property Address: 4020 INGHAM ST LANSING MI

33-01-01-31-276-001

LOT 205 EXC E 60 FT PLEASANT SUB NO 3

Property Address: 3907 INGHAM ST LANSING MI

33-01-01-31-276-111

LOT 87 PLEASANT SUB

Property Address: 2514 GREENBELT DR LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-31-276-121

LOT 88 PLEASANT SUB

Property Address: 2510 GREENBELT DR LANSING MI

33-01-01-31-479-301

LOT 107 EXC N 88 FT OF W 121 FT & S 16 FT ECO FARMS

Property Address: 4722 PLEASANT GROVE RD LANSING MI

33-01-01-32-126-152

COM 24 R E OF NW COR OF NE 1/4 OF NW 1/4 SEC 32, S 300 FT, E 66 FT, N 300 FT, W
66 FT TO BEG; SEC 32 T4N R2W

Property Address: 1733 W HOLMES RD LANSING MI

33-01-01-32-353-283

LOTS 208, 209 & 210 PLEASANT GROVE SUB EXC S 8 FT OF LOT 210

Property Address: 5014 CHRISTIANSEN RD LANSING MI

33-01-01-32-401-121

W 80 FT LOTS 2 & 3 SUPERVISORS PLAT OF PROSPERITY FARMS NO 1

Property Address: 1118 PIERCE RD LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-01-33-402-102

COM SE COR LOT 30, TH W 30 FT, N TO N LINE SAID LOT, W TO SE COR LOT 37, N TO
NE COR LOT 38, E 50 FT, N TO N LINE ASSESSORS PLAT NO 56, E ON SAID LINE
99.02 FT, S 103.06 FT, S 45DEG 11MIN 51SCD E 28.36 FT TO NW COR LOT 26, E 79.24
FT TO E LINE LOT 30 EXTD N, S 200 FT TO BEG; ASSESSORS PLAT NO 56

Property Address: E EVERETDDALE AVE LANSING MI

33-01-01-33-404-201

LOT 66 SUPERVISORS PLAT OF EVERETT-DALE NO 2 SUB

Property Address: 124 E EVERETDDALE AVE LANSING MI

33-01-01-33-427-221

LOT 27 ORCHARD GARDENS SUB

Property Address: 612 E CAVANAUGH RD LANSING MI

33-01-01-35-351-111

LOT 44 & E 14.5 FT LOT 43 SUPERVISORS PLAT OF CULVER-DALE SUB

Property Address: 2107 IRENE ST LANSING MI

33-01-05-04-151-081

COM ON W SEC LINE 284 FT N OF W 1/4 POST SEC 4, TH E 610 FT TO CL COUNTY DRAIN,
N'LY ALONG SAID CL TO PT E OF A PT 70 FT N OF BEG, W TO W SEC LINE, S 70 FT TO
BEG; SEC 4 T3N R2W

Property Address: 5507 S WASHINGTON AVE LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-05-05-202-022

LOT 20 SUPERVISORS PLAT OF BALZER SUB, EXCEPT COM AT THE NW CORNER LOT 20
SUPERVISORS PLAT OF BALZER SUB FOR POB, TH S 87.74 FT, THE E 137.23 FT, THE N
87.74 FT, TH W 137.23 TO POB

Property Address: BALZER ST LANSING MI

33-01-05-05-252-001

LOT 149 EXC E 5 FT VILLAGE GREEN SUB NO 2

Property Address: W NORTHRUP ST LANSING MI

33-01-05-05-276-021

COM SE COR LOT 20, TH N ON E LOT LINE 30 FT, N 51DEG 0MIN W 194.3 FT TO E'LY
R/W LINE M-99, S 33DEG 30MIN W 75 FT, S 56DEG 30MIN E 98.5 FT, S 34.9 FT TO SW
COR LOT 20, E 110 FT TO BEG; SUPERVISORS PLAT OF PROSPERITY FARMS

Property Address: 5317 S M L KING JR BLVD LANSING MI

33-01-05-05-376-141

LOT 12 VALLEAU CITY

Property Address: 5822 VALENCIA BLVD LANSING MI

33-01-05-05-376-201

LOT 6 VALLEAU CITY

Property Address: 5861 S M L KING JR BLVD LANSING MI

2017 Local Unit Rejection List
City of Lansing

33-01-05-06-378-001

LOT 79 COACHLIGHT ESTATES SUB

Property Address: 3305 INDEPENDENCE LANE LANSING MI

33-01-05-06-429-023

LOT 167 EXC W 65 FT WEBSTER FARM SUB NO 3

Property Address: 5712 PICARDY ST LANSING MI

33-01-05-06-430-121

N 100 FT LOT 208 WEBSTER FARM SUB NO 3

Property Address: 2427 POLLARD RD LANSING MI

33-01-05-07-227-061

LOTS 44 & 45 KENBROOK

Property Address: S M L KING JR BLVD LANSING MI

33-01-05-08-226-281

LOT 60 MARYWOOD

Property Address: 6218 MARYWOOD AVE LANSING MI



XV B 2.

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

October 17, 2017

Tanveer Hussain Jat
% Zaroon LLC
6212 Porter
East Lansing, MI 48823

**RID # 904051 Reference/Transaction: TRANSFER OWNERSHIP 2017 SDM
LICENSED BUSINESS FROM K & M MARKET INC.; NEW SUNDAY SALES PERMIT (AM).**

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Zaroon LLC

**Business address and phone number: 916 E Grand River Ave, Lansing, MI 48906-5344,
Ingham County**

Home address and phone number of partner(s)/subordinates:

**Tanveer Hussain Jat, 6212 Porter, East Lansing, MI 48823, East Lansing MI 48823, B (517)
580-2705**

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

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

MICHIGAN LIQUOR CONTROL COMMISSION

Retail Licensing Division

(866) 813-0011

rlb

cc: City of Lansing via email (city.clerk@lansingmi.gov)
K & M Market Inc.

Appeal of Claims Review Committee Denial to City Council - 114 W Willow Record no E17-05008 \$362.50

Arthur Ostaszewski

Thu 10/12/2017 11:54 AM

To: inetcarp <inetcarp@gmail.com>; nicholas.tate@lansingmi.gov <nicholas.tate@lansingmi.gov>; Sherri.Boak@lansingmi.gov <Sherri.Boak@lansingmi.gov>;

Ms. Boak,

Lansing City Clerk - 9th Floor

I am formally appealing the City Attorneys letter of Sept 15, 2017 advising that the Claims Review Committee denied my claim of \$362.50 to the City City Council for E17-05008.

This charge is for Grass above 8", that is located in a designated State of Michigan Level 1 Wetland. The City Ordinance does not trump State Wetland protection law. Furthermore, Code Compliance is arbitrary and capricious in their enforcement discretion concerning long lots along the Grand River like mine.

It is regrettable that the Claims Review Board denied my claim. I look forward to protecting the wetland in my backyard along the Grand River and am confident that I will prevail in my judgement and position.

You will be receiving a hard copy of this email as my written submission. Please let me know by email and hard copy when I am scheduled to go before the City Council.

Sincerely,
Art Ostaszewski

114 West Willow
Lansing, MI 48906

517-936-7991
inetcarp@gmail.com



I will be delivering a hardcopy of this email this afternoon. Thx, AO

RECEIVED
2017 OCT 12 PM 3:31
LANSING CITY CLERK



City of Lansing

OFFICE OF THE CITY ATTORNEY

1454

Claim Form – Special Assessments

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

NAME: Arthur Ostaszewski DATE: 7/20/17
 MAILING ADDRESS: 114 W Willow Lansing MI 48906
 CITY: Lansing STATE: MI ZIP CODE: 48906
 TELEPHONE: Home () 517-936-7991 Work () _____

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

ADDRESS: 114 W Willow PARCEL NO. 33-01-01-09-183-121
 DATE OF INCIDENT: 7/20/17 AMOUNT YOU WERE BILLED: 362.50
 TOTAL AMOUNT YOU ARE CONTESTING: 362.50
 TYPE OF ASSESMENT: Invoice 00096005 - Grass & Weed Admin & Contract fee

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

I have no idea what this invoice pertains to.

There is no information in the invoice as to when any work was done or by whom (contractor?).

The one inspection done together with Zachary Driver on June 01 2017 left me with no outstanding issues, and was not followed up in terms of indicating where any additional work was needed.

Furthermore, all inspections & work done was in violation of Code (Right of Access) as well as trespass. (over)

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

This charge is fraudulent. I have repeatedly tried to meet with Code Compliance after our June 1 walkthrough, to insure things were ok. I met with Linda Oberlin of the city's Floodplain dept on issues related to vegetation, & I used her advice on installing a border.

I believe the initial, and every subsequent unannounced inspection involved trespass & code inspection violations.

The vegetation in question on this invoice was not visible from any right of way, nor subject of a complaint from any visible neighbor locations.

There is not enough information in this invoice to adequately address a response. A FOIA was issued to the City of Lansing in relation to Code

Compliance #114 West Willow on Monday July 17, 2017

I reserve the right to review my file before commenting further on disputing this invoice.

-AO
7-20-17



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

OSTASZEWSKI ARTHUR

114 W WILLOW ST

LANSING, MI 48906-4858

DUE DATE 07/21/2017

INVOICE

07/06/2017

TOTAL AMOUNT DUE

\$ 362.50



	Invoice Number	Record No.	Address	Amount Due
	00096005	E17-05008	114 W WILLOW ST	\$362.50
	06/21/2017			
	Grass and Weeds - Admin Fee			
	Grass and Weeds - Contractor C			

TOTAL DUE:

\$362.50

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

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please see
- Payment in full is due within 30 days from
- Any unpaid balance remains as a lien against

Appeals Process:

If you intend to appeal this nuisance fee, you must file an appeal with the Nuisance Fee Review Committee within 30 days after the nuisance fee is assessed. Information is available in the City Attorney's Office and on the City of Lansing website. Completed claim to: Lansing City Attorney

Other Information:

- July property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only -- invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

There is no information or proof of where, when, by whom any justification for this fine. This is completely bogus

- to
7/6/17

DATE: 7/31/2017

PPN: 33-01-01-09-183-121
 DATE SUBMITTED: 7/21/2017
 ADDRESS OF VIOLATION: 114 W. Willow
 LISTED TAXPAYER OF RECORD: Ostaszewski, Arthur
 OTHER TAXPAYER OF RECORD:
 CLAIMANT: Ostaszewski, Arthur
 CLAIMANT'S ADDRESS: 114 W. Willow Street
 Lansing, MI 48906

1454

TYPE OF ACTIONS CONTESTED: Grass Mowing
 VIOLATION DATE: 5/24/2017
 NOTIFICATION DATE: 5/24/2017
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$362.50
 CONTRACTOR NAME - INVOICE NO. - DATE: Tomlinson 17-G0009
 6/16/2017
 AMOUNT OF CLAIM: \$362.50

ADDITIONAL ACTIONS CONTESTED:
 VIOLATION DATE:
 NOTIFICATION DATE:
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT:
 CONTRACTOR NAME - INVOICE NO. - DATE:
 AMOUNT OF CLAIM:
 MEMO DATE - INVOICE NO.:

HISTORY:	Grass Violation 5/24/2017	Trash Violation 5/24/2017
----------	---------------------------------	---------------------------------

CITATIONS IN PREVIOUS YEAR: Failure to
Register
1/25/2016

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: A grass violation notice was sent to the claimant on 5/24/2017 with a compliance due date of 5/31/2017. Claimant is aware of what the invoice pertains to and tried to avoid mowing the grass by claiming it was a protected wetland. The claimant is an employee of the State Of Michigan Department of DEQ and was citing verbiage that he was not required to mow this area. Scott Sanford the Lead Housing Inspector for the City of Lansing placed a call to Mary at DEQ and she stated that even if was designated as a wetland that does not exempt you from having to mow the property she also stated that the local ordinance would trump DEQ's wetland rules. Per direction from Assistant City Attorney Abood we were told to proceed as normal therefore this office recommends denial of the claim.



City of Lansing

OFFICE OF THE CITY ATTORNEY

1454

Claim Form – Special Assessments

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

NAME: Arthur Ostaszewski DATE: 7/20/17
 MAILING ADDRESS: 114 W Willow Lansing MI 48906
 CITY: Lansing STATE: MI ZIP CODE: 48906
 TELEPHONE: Home () 517-936-5991 Work () _____

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

ADDRESS: 114 W Willow PARCEL NO. 33-01-01-09-183-121
 DATE OF INCIDENT: 7/20/17 AMOUNT YOU WERE BILLED: 362.50
 TOTAL AMOUNT YOU ARE CONTESTING: 362.50
 TYPE OF ASSESMENT: Invoice 00096005 - Grass & Weed Admin & Contracting

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

I have no idea what this invoice pertains to.
 There is no information in the invoice as to when any work was done or by whom (contractor?).
 The one inspection done together with Zachary Driver on June 01 2017 left me with no outstanding issues, and was not followed up in terms of indicating where any additional work was needed.
 Furthermore, all inspections & work done was in violation of Code (Right of Access) as well as trespass (over)

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

This charge is fraudulent. I have repeatedly tried to meet with Code Compliance after our June 1 walkthrough, to assure things were ok. I met with Fonda Oberlin of the city's Floodplain dept on issues related to vegetation, & I used her advice on installing a border.

I believe the initial, and every subsequent unannounced inspection involved trespass & code inspection violations.

The vegetation in question on this invoice was not visible from any right of way, nor subject of a complaint from any visible neighbor location.

There is not enough information in this invoice to adequately address a response. A FOIA was issued to the City of Lansing in relation to Code

Compliance & 114 West Willow on Monday July 17, 2017

I reserve the right to review my file before committing further on disputing this invoice.

-AO
7-20-17

Date work completed: 06-16-17

From:
David Tomlinson
2500 Pinch Hwy.
Charlotte, MI 48813

Bill To:
City Of Lansing
Office of Code Compliance
316 North Capitol Avenue
Lansing, MI 48933-1238

Vendor Number: V001476

Purchase Order No: 84602

Violation Type:	Grass and Weeds
Invoice Number:	17-G0009
Work Authorized:	Entire Lot
Location:	114 W WILLOW ST
Location Description:	
Parcel Number:	33-01-01-09-183-121

Mowing Done by Tomlinson

TOTAL INVOICE \$97.50 (WORK ORDER STATES 1.5 HOURS)



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 06/21/2017
Due Date: 07/21/2017
Pay Invoice In Full



OSTASZEWSKI ARTHUR
114 W WILLOW ST
LANSING MI 48906-4858

Inv Number: 00096005
Parcel: 33-01-01-09-183-121
Address: 114 W WILLOW ST



Parcel: 33-01-01-09-183-121

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00096005		E17-05008	114 W WILLOW ST	\$362.50
Fee Details:		Quantity	Description	Balance
		1.000	Grass and Weeds - Admin Fee	\$ 265.00
		1.500	Grass and Weeds - Contractor Cha	\$ 97.50
Total Amount Due				\$ 362.50

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

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

OSTASZEWSKI ARTHUR

114 W WILLOW ST

LANSING, MI 48906-4858

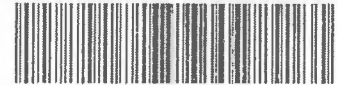
DUE DATE 07/21/2017

INVOICE

07/06/2017

TOTAL AMOUNT DUE

\$ 362.50



	Invoice Number	Record No.	Address	Amount Due
	00096005	E17-05008	114 W WILLOW ST	\$362.50
	06/21/2017			
	Grass and Weeds - Admin Fee			
	Grass and Weeds - Contractor C			
			TOTAL DUE:	\$362.50

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

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please see
- Payment in full is due within 30 days from
- Any unpaid balance remains as a lien against

Appeals Process:

If you intend to appeal this nuisance fee, you must appeal to the Nuisance Fee Review Committee within 30 days after the nuisance fee is assessed. Information is available in the City Attorney's Office at the time of your completed claim to: Lansing City Attorney

Other Information:

- July property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only -- invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

There is no information or proof of where, when, by whom any justification for this fine. This is completely bogus

- to
7/4/17



Mayor Virg Bernero

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

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

GRASS AND WEEDS CORRECTION NOTICE

**OSTASZEWSKI ARTHUR or Current Occupant
114 W WILLOW ST
LANSING, MI 48906-4858**

Violation date: 05/24/2017

Violation Location: 114 W WILLOW ST

Parcel No: 33-01-01-09-183-121

Compliance Due Date: 05/31/2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY AREA at the above referenced location.

Description

Grass & Weeds: Entire Yard *Grass must be below the 8" maximum allowed length.*

Any Premises or portion thereof on which there exists growth of grass and/or weeds exceeding eight inches in height located anywhere on the premises - which includes but not limited to front, side, rear, back yard, driveway, next to fences, between curb and sidewalk or next to vehicles - shall be deemed , and hereby declared to be a substandard premises and is subject to abatement pursuant to Section 302.4 of the Lansing Housing Code.

Failure to comply by the compliance due date will leave no alternative but to have the work completed by our contractor. All costs incurred, which consist of the contractors fees plus \$265.00 City service charge, shall be charged to you as an assessment against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.**

If you have any questions or concerns about complying within the time indicated, you may contact me at Monday through Friday between the hours of 8-9 - AM or 12-1 - PM

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Officer: Zachary Driver (517) 702 4750 Zachary.Driver@lansingmi.gov

Taxpayer's Copy



Mayor Virg Bernero

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

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

Weeds Authorization Form

Submitted to: David B Tomlinson on 06/02/2017

TAXPAYER: OSTASZEWSKI ARTHUR, 114 W WILLOW ST LANSING, MI 48906-4858

Location of Work:

Enf Num: E17-05008

Address: 114 W WILLOW ST

Lot No:

Description:

Parcel No: 33-01-01-09-183-121

Violation:

Grass & Weeds: Entire Yard *Grass must be below the 8" maximum allowed length.*

Estimated Time required to complete work: 1.5

Warning Comment:

mow backyard to the fence line. This is not a designated wetland and we have no meeting scheduled to discuss it nor have allowed any more time to the owner.

Submitted By: Zachary Driver (517) 702 4750

This action is authorized by the Manager of Code Compliance



Mayor Virg Bernero

**LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section**

316 N. Capitol Avenue Ste. C-2

Lansing, MI 48933

Phone: 517-483-4361

Fax: 517-377-0100

Recieved several emails from Art (owner) informing us that his back yard is in the floodplain and has been designated a state wetland. I talked to Mary at DEQ 517-243-6948 and she has informed me that even if it is a wetland there is no ordinance that states that you cannot cut vegetation at that site. She also informed me that our local ordinance trumps the state law in this regard as they are two seperate entities. The only restrictions that would require a permit from DEQ is if we were adding topsoil to the site or using a herbacide.

Discussed situation with Asst City Atrny Abood and he has instructed me to proceed as normal. If owner wants to file an appeal the process is in place for him to use. Have submitted the property to the grass contractor and informed him to cut the tall grass and weeds to the tree line.

Informed owner by email that the discussion for this was closed and if the contractor had to mow the property the bill would be sent to the taxpayer of record as well as the City's administrative fee. 6/2/2017 sks

17-G0009









Jackson, Brian

From: Arthur Ostaszewski <inetcarp@gmail.com>
Sent: Tuesday, August 01, 2017 10:51 AM
To: Kumar, Venus; inetcarp
Subject: repeated requests for meeting since June with City denied...thx for reply.

OK, It was worth a try to speak with you.

I had asked repeatedly for a meeting with Code Compliance as well as the City Attorney back in June to clarify and resolve the issues with the inspections and my property and was denied.

I think we could have avoided this escalation weeks ago by simple communication with either of your Offices....I have done my due diligence in trying.

AO

Art Ostaszewski
114 W Willow
Lansing MI 48906

517-936-7991

On Tue, Aug 1, 2017 at 10:17 AM, Kumar, Venus <Venus.Kumar@lansingmi.gov> wrote:

We do not meet with claimants prior to the Claims Review Committee as this is the purpose for the committee. The meeting will not be scheduled until the end of the month, so you should be fine as far as your time on assignment.

Thank you,

Venus Kumar

Assistant to the City Attorney

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

[517.483.4320](tel:517.483.4320)

Direct: [517.483.4319](tel:517.483.4319)

Fax: [517.483.4081](tel:517.483.4081)

venus.kumar@lansingmi.gov

PRIVILEGED AND CONFIDENTIAL: This electronic message, together with all of its contents, contains information from the Office of the City Attorney. This information may be privileged, confidential, or otherwise protected from disclosure. The information is intended for the addressee(s) only and any unauthorized use is prohibited. Do not disclose, copy, distribute, or otherwise use this message or its contents if you are not the intended addressee(s). If you have received this message in error, notify the Office of the City Attorney immediately at [517-483-4320](tel:517-483-4320) or venus.kumar@lansingmi.gov.

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 4:54 PM

To: Kumar, Venus; inetcarp

Subject: Re: 114 West Willow / Art Ostaszewski - Request for meeting with City...thx for reply.

Thanks for getting back to me.

Note, I will be on assignment in Lake Huron from Friday August 4th to August 11th. I will not have cell service nor be available. Please schedule my review for dates outside of that period.

Im requesting to meet with you prior to the Claims Committee, in hopes of dismissing these charges. I do not think these fines have merit, and I think I can show you that code enforcement

violated their own protocols. I was billed for trash and grass removal, when there was no violation to begin with.

Im asking for 15 minutes of your time prior to Friday Aug 4th if possible.. Even a phone call would help.

thanks,

Art

Art Ostaszewski

114 W Willow

[517-936-7991](tel:517-936-7991)

On Mon, Jul 31, 2017 at 4:37 PM, Kumar, Venus <Venus.Kumar@lansingmi.gov> wrote:

Hello Mr. Ostaszewski,

Yes, I received your claims. I have starting the process and once I have all the information gathered regarding your claims, you will be scheduled for a claims review meeting for the smaller claim. The larger claim, because it is over \$2500 it will go directly to General Services which is part of City Council and they will review your claim. I will send you a letter with a date and time of your meeting with the Claims Review Committee for the smaller claim. You will receive separate communication from General Services with the date and time of the meeting where your larger claim will be heard and you will have the opportunity to attend that meeting and speak about your claim. The process does take a little bit of time, so please be patient. The Claims Review Committee meets once per month. I don't have the August date yet but as soon as I do, and if your information has come back from Code Compliance, you will be scheduled in August.

Thank You,

Venus Kumar

Assistant to the City Attorney

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

[517.483.4320](tel:517.483.4320)

Direct: [517.483.4319](tel:517.483.4319)

Fax: [517.483.4081](tel:517.483.4081)

venus.kumar@lansingmi.gov

PRIVILEGED AND CONFIDENTIAL: This electronic message, together with all of its contents, contains information from the Office of the City Attorney. This information may be privileged, confidential, or otherwise protected from disclosure. The information is intended for the addressee(s) only and any unauthorized use is prohibited. Do not disclose, copy, distribute, or otherwise use this message or its contents if you are not the intended addressee(s). If you have received this message in error, notify the Office of the City Attorney immediately at [517-483-4320](tel:517-483-4320) or venus.kumar@lansingmi.gov.

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 2:38 PM

To: Jenks, Emily; inetcarp; Kumar, Venus

Subject: Re: 114 West Willow / Art Ostaszewski FOIA - \$29.89 - Request for meeting with City

Thank You. I will be by tomorrow either at 10am or between 12 and 1pm, to make the payment and receive the FOIA material. To defend my Code Compliance Appeal in full, I am assuming my FOIA request documentation is materially complete as requested:

A) All complaints and followup received for potential Code Violations at 114 W Willow, including City of Lansing response to complaintants referring to 114 West Willow.

B) All documented correspondence and inspections done by the City,

including written summary and pictures taken and all notifications made under IPMC 104.3, as well as management review of actions and followup

C) All correspondence with Erics Refuse Inc, relating to 114 West Willow, including pictures, documentation, written material, authorization to enter 114 W Willow, detailed correspondence and invoices received, between the City and Erics Refuse Inc pertaining to 114 West Willow / Art Ostaszewski.

D) All email, attachments, pictures, and correspondence conducted by City Code Enforcement Employees, including but not limited to Scott Sanford and Zachary Driver, related to 114 West Willow / Art Ostaszewski for the time period April 1, 2017 to July 17, 2017.

It is difficult to appeal \$3900 in fines when there is no basis for what was done, what rate was charged, who did the work, what invoice the city received, etc. These charges are completely bogus and NO TRASH was found or removed. The violations im fined for were resolved on June 1st with a walkthrough I did on my property with Zachary Driver of Code Compliance.

The City did not follow up with any request for additional action needed from me to be in compliance. I have ample evidence to show this.

Also, because I do not have Ms. Kumars email, please extend my request to Ms. Kumar for a meeting with regards to my Code Compliance Appeals. I believe a review of pertinent details of my case will help resolve all issues without taking up our time.

Thanks,

AO

Art Ostaszewski

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

On Mon, Jul 31, 2017 at 2:12 PM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Art,

Your responsive documents came to my desk late last Friday. The total came to \$29.89. There were apparently more documents than they originally anticipated. Since I have them printed off and ready to go, if you would like to come in and pay for them I can hand them to you for your own review so you do not have to pay any additional money for the time an employee of my office would require to oversee the review.

Regarding your claims appeals, Venus Kumar will be handling them because I will be leaving this office to go to law school in the fall. Please let me know if you have any questions!

Best,

Emily

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 12:20 PM

To: Jenks, Emily; inetcarp

Subject: Re: 114 West Willow / Art Ostaszewski FOIA - payment? Timetable? Request Mtg with City Attorney_ AO

Hello Ms. Jenks,

I have not heard from the City Attorneys Office concerning my FOIA request per 114 West Willow and Code Compliance for over a week, now two weeks since initial submittal. I am willing to drop off a check for the FOIA request, I am also ready to view the file that is on hand at Code Compliance. Please let me know the status of the FOIA request.

Also, since you are administering my Code Compliance Appeals, I would like to sit down with the City Attorneys office to discuss dismissal of these charges and a preliminary review of my case for dismissal.

Thanks,

AO

Art Ostaszewski

114 West Willow

Lansing, MI 48906

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

On Fri, Jul 21, 2017 at 1:27 PM, Arthur Ostaszewski <inetcarp@gmail.com> wrote:

Ms. Jenks,

Thanks for meeting with me this afternoon on my FOIA request, and taking my appeal of both Code Compliance invoices (00096970 - \$3652.00) and (00096005 - \$362.50).

I request your offices expedited review of my appeals, and dismissal of the charges.

These are fraudulent and bogus charges, and I think everyone involved has better, more pertinent things to work on in serving the City. I request that these charges be completely dismissed upon your Offices review of the appeals material provided.

As per my many emails to both Code Compliance and the City Attorneys office since May 24th 2017, I stand willing to meet and attempt to reach amicable resolution on these matters concerning 114 W Willow with the City in the most expeditious way possible.

If we are to proceed, let me know when the FOIA charges come in and I will pay in person by check. I will add the FOIA cost to my appeals total should the case proceed, along with the additional material that I am processing.

I look forward to hearing from your office.

Thanks,

Art

Art Ostaszewski

114 W Willow

Lansing, MI 48906

[517-936-7991](tel:517-936-7991)

inetcarp@gmail.com

On Fri, Jul 21, 2017 at 11:53 AM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Got your email Arthur, I let Code know to begin pulling the documents. Just so you know, we only accept check or money order payments!

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Friday, July 21, 2017 11:53 AM

To: Jenks, Emily; inetcarp

Subject: Re: FOIA for Code Compliance File viewing related to 114 West Willow / Art Ostaszewski April 1, 2017 to July 17, 2017

Im stopping by the Attorneys office at lunch today 7-21-17 to drop off my fine appea,s I can pay for the FOIA charges at that time.

AO

On Fri, Jul 21, 2017 at 11:20 AM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Arthur,

My name is Emily and I coordinate FOIA requests for the City. I'm emailing to let you know that Code Compliance is anticipating there will be costs for this request, even if you would just like to come in and view the documents. The costs pertain to compiling information, since you asked for several different things that will take time to put together, and costs for printing out documents for you to view. Code estimates that it would cost around \$12, but that cost could change if it takes them less or more time than anticipated.

Best,

Emily Jenks

Legal Intern

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

[517.483.4320](tel:517.483.4320)

Fax: [517.483.4081](tel:517.483.4081)

Emily.Jenks@lansingmi.gov

PRIVILEGED AND CONFIDENTIAL: This electronic message, together with all of its contents, contains information from the Office of the City Attorney. This information may be privileged, confidential, or otherwise protected from disclosure. The information is intended for the addressee(s) only and any unauthorized use is prohibited. Do not disclose, copy, distribute, or otherwise use this message or its contents if you are not the intended addressee(s). If you have received this message in error, notify the Office of the City Attorney immediately at [517-483-4320](tel:517-483-4320) or Emily.jenks@lansingmi.gov

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 17, 2017 1:05 PM

To: FOIA Request; inetcarp

Subject: FOIA for Code Compliance File viewing related to 114 West Willow / Art Ostaszewski April 1, 2017 to July 17, 2017

FOIA COORDINATOR

Office of the City Attorney

124 W. Michigan Avenue, 5th Floor

Lansing, MI 48893

Email: FOIA.Request@lansingmi.gov

This FOIA request pursuant to the Freedom of Information Act, MCL 15.231 et seq. is a request to inspect public records prepared, owned, used, possessed, or retained by the City related to the Code Compliance Office and its employees and contractor actions ,related to my home at 114 West Willow.

I would like to EXAMINE only, the entire City of Lansing Code Compliance File for my residence at 114 West Willow from April 1 2017 to the July 17 2017. I do not want any copies at this time, I would just like to view the material on hand in the file related to recent actions by the City.

This would include but not limited to:

A) All complaints and followup received for potential Code Violations at 114 W Willow, including City of Lansing response to complaintants referring to 114 West Willow.

B) All documented correspondence and inspections done by the City,

including written summary and pictures taken and all notifications made under IPMC 104.3, as well as management review of actions and followup

C) All correspondence with Erics Refuse Inc, relating to 114 West Willow, including pictures, documentation, written material, authorization to enter 114 W Willow, detailed correspondence and invoices received, between the City and Erics Refuse Inc pertaining to 114 West Willow / Art Ostaszewski.

D) All email, attachments, pictures, and correspondence conducted by City Code Enforcement Employees, including but not limited to Scott Sanford and Zachary Driver, related to 114 West Willow / Art Ostaszewski for the time period April 1, 2017 to July 17, 2017.

Again, this is for viewing only, and not meant to create any burden or time in coordinating or organizing the material in any way. I would like to view the files at your office and schedule a time to do so.

Sincerely,

Arthur Ostaszewski

114 West Willow

Lansing, MI 48906

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

FOIA Request Checklist

If you would like to submit a FOIA request, please review the following FOIA checklist to ensure a speedy and accurate response to your request.

- Make sure you are addressing the correspondence to the correct person/department.
- Make sure the correspondence is addressed to the Freedom of Information Act Administrator or Coordinator.
- Advise the administrator that you are requesting documents pursuant to the Freedom of Information Act, and refer to the Act as MCL 15.231 et seq.
- Describe the record(s) requested in detail so that it can be located.
- Describe the subject matter of the documents requested, and, if possible, the date the documents were created.

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Jackson, Brian

From: Soucy, Nicholas
Sent: Tuesday, September 12, 2017 2:41 PM
To: Kumar, Venus
Subject: RE: Code Compliance ?

Was Ostraszewski the MDEQ employee? I may want to look over his claim again since he seemed to have other points of contention aside from the trespassing issue.

Thx.

From: Kumar, Venus
Sent: Tuesday, September 12, 2017 12:41 PM
To: Soucy, Nicholas <Nicholas.Soucy@lansingmi.gov>; Eric Brewer <Eric.Brewer@lansingmi.gov>; Tate, Nicholas <Nicholas.Tate@lansingmi.gov>
Subject: RE: Code Compliance ?

So what do you all want to do about the claim for Arthur Ostaszewski that was put on hold pending Nik's research into whether the inspectors can enter the property. I know Nik already sent out his research on this. Please advise your decision to Grant, Deny, or Grand Adjust his claim.

Thanks,
Venus

From: Soucy, Nicholas
Sent: Tuesday, September 12, 2017 12:07 PM
To: Kumar, Venus; Eric Brewer; Tate, Nicholas
Subject: RE: Code Compliance ?

Hmm. So, there's no prorating, I take it, since they get to bill for 2 full hours at 1 hr 15 mins of work. But ultimately, it's close to the minimum charge for trash removal, so I guess it's equitable.

From: Kumar, Venus
Sent: Tuesday, September 12, 2017 11:57 AM
To: Eric Brewer <Eric.Brewer@lansingmi.gov>; Tate, Nicholas <Nicholas.Tate@lansingmi.gov>; Soucy, Nicholas <Nicholas.Soucy@lansingmi.gov>
Subject: FW: Code Compliance ?

FYI

From: Puente, Lynne
Sent: Tuesday, September 12, 2017 11:46 AM

To: Kumar, Venus
Subject: RE: Code Compliance ?

Yes \$65.00 per hour is the rate, so if they mowed a property that took 1 hour and 15 min they would get \$130.00.

From: Kumar, Venus
Sent: Tuesday, September 12, 2017 10:47 AM
To: Puente, Lynne
Subject: Code Compliance ?

Hey Lynne,
The Claims Review Committee has a question for Code Compliance. Is there a minimum charge for grass mowing? Please advise.
Thanks,

Venus Kumar
Assistant to the City Attorney
Office of the City Attorney



City of Lansing
124 W. Michigan
City Hall – 5th Floor
Lansing, MI 48933
517.483.4320
Direct: 517.483.4319
Fax: 517.483.4081
venus.kumar@lansingmi.gov

PRIVILEGED AND CONFIDENTIAL: This electronic message, together with all of its contents, contains information from the Office of the City Attorney. This information may be privileged, confidential, or otherwise protected from disclosure. The information is intended for the addressee(s) only and any unauthorized use is prohibited. Do not disclose, copy, distribute, or otherwise use this message or its contents if you are not the intended addressee(s). If you have received this message in error, notify the Office of the City Attorney immediately at 517-483-4320 or venus.kumar@lansingmi.gov.



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

September 15, 2017

Arthur Ostaszewski
114 W. Willow Street
Lansing, MI 48906

Re: Claim – 114 W. Willow St.

Dear Mr. Ostaszewski:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$362.50.00 for property located at 114 W. Willow St., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Venus Kumar".

Venus Kumar
Paralegal

Jackson, Brian

From: Tate, Nicholas
Sent: Monday, September 18, 2017 9:23 AM
To: Arthur Ostaszewski; Kumar, Venus
Cc: Arthur Ostaszewski
Subject: RE: Attachment - Mary Vanderlaan DEQ quoted by Scott Sanford Lansing Code Enforcement Letter to City Attorney

Mr. Ostazweski,

Thanks for sending this information. As you know, we have spoken numerous times over the phone and in person since your presentation to the claims review board. I appreciate your willingness to discuss the matter and look forward to continuing to do so in the future

Respectfully,

Nik

Nicholas Tate
Assistant City Attorney



City of Lansing
124 W. Michigan
City Hall – 5th Floor
Lansing, MI 48933
[517.483.4320](tel:517.483.4320)
Direct: [517.483.7864](tel:517.483.7864)
Fax: [517.483.4081](tel:517.483.4081)
nicholas.tate@lansingmi.gov

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]
Sent: Monday, September 18, 2017 8:11 AM
To: Kumar, Venus; Tate, Nicholas; inetcarp
Subject: Fwd: Attachment - Mary Vanderlaan DEQ quoted by Scott Sanford Lansing Code Enforcement Letter to City Attorney

Ms. Kumar, Mr. Tate, City of Lansing Attorneys Office,

I have not heard from the Review Board on my Grass Notice Appeal. Its been over two weeks. Below is a memo I have received from Ms. Mary Vanderlaan this morning which further supports my claim that Ms. Vanderlaans conversation with Mr. Sanford was misconstrued and it UNTRUE.

"When I spoke to Mr. Sanford I did not use the work "trump". I told him a permit was not required to cut vegetation under Part 303, Wetlands Protection. I also told him that the State law and the local ordinance

were equal and since there wasn't a permit required to cut vegetation under State regulations that the local regulations would apply. He must have interpreted what I said as local regulation superseding State regulations which is not true."

Furthermore, per my claim, Mr. Sanford asked the wrong question, because the City's ordinance NEVER mentions "mowing", but prescribes a "vegetative height" in a Level 1 Wetland by Ordinance, which is illegal and DOES NOT TRUMP STATE LAW, as Mr. Sanford quoted to Mr. Abood in his memo.

Please inform me of my claims resolution. Otherwise I can start my appeal to the City Council, and District Court if necessary.

Note, I continue to offer a meeting to try and resolve this issue without further reviews and hearings amicably with the City Attorneys office and Code Compliance.

Thank You,

Arthur Ostaszewski
114 West Willow
Lansing, MI 48906

517-936-7991
inetcarp@gmail.com

----- Forwarded message -----

From: **Arthur Ostaszewski** <inetcarp@gmail.com>

Date: Mon, Sep 18, 2017 at 7:22 AM

Subject: RE: Attachment - Mary Vanderlaan DEQ quoted by Scott Sanford Lansing Code Enforcement Letter to City Attorney

To: "Vanderlaan, Mary (DEQ)" <VANDERLAANM@michigan.gov>

thank you. im trying to avoid taking this issue to court. The City ordinance per se does not even mention "mowing", so why Mr. Sanford went there in your conversation, I dont know.

I have a separate letter from Amy Berry on the legality of the City Ordinance's prescription of a vegetative height maximum in a Level 1 wetland, which is not legal.

thanks. AO

AO

On Sep 18, 2017 7:12 AM, "Vanderlaan, Mary (DEQ)" <VANDERLAANM@michigan.gov> wrote:

When I spoke to Mr. Sanford I did not use the word "trump". I told him a permit was not required to cut vegetation under Part 303, Wetlands Protection. I also told him that the State law and the local ordinance were equal and since there wasn't a permit required to cut vegetation under State regulations that the local regulations would apply. He must have interpreted what I said as local regulation superseding State regulations which is not true.

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Friday, September 15, 2017 11:52 AM

To: Vanderlaan, Mary (DEQ) <VANDERLAANM@michigan.gov>; inetcarp <inetcarp@gmail.com>

Subject: Attachment - Mary Vanderlaan DEQ quoted by Scott Sanford Lansing Code Enforcement Letter to City Attorney

Attachment included this time...sorry

On Fri, Sep 15, 2017 at 11:44 AM, Arthur Ostaszewski <inetcarp@gmail.com> wrote:

Subject - Local "Lansing" ordinance trumps state law in "this regard".

Dear Ms. Vanderlaan,

Scott Sanford has quoted a conversation he had with you (attached) on June 1st or 2nd 2017, whereby he claims you, representing the DEQ, specifically stated the following (entire memo attached);

SCOTT SANFORD to File and City Attorney-

"I talked to Mary at DEQ [517-243-6948](tel:517-243-6948) and she has informed me that even if it is a wetland there is no ordinance that states that you cannot cut vegetation at that side. She also informed me that our local ordinance trumps the state law in this regard as they are two separate entities".

As a point of clarification in my appeal to the City of Lansing Code Review Board- I specifically need you to simply state whether did or did not state the above to Mr Sandford.

Thank You,

Art Ostaszewski

[114 West Willow](#)

[Lansing MI 48906](#)

[inetcarp@gmail.com](#)

[517-936-7991](#)

This email has been scanned by the City of Lansing Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
