

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



AGENDA FOR FEBRUARY 12, 2018

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

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, February 12, 2018 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of January 22, 2018

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

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

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

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

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

A. SCHEDULED PUBLIC HEARINGS

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS DUNBAR, HUSSAIN, JACKSON, SPADAFOR, SPITZLEY, WASHINGTON, AND WOOD
 - a. Tribute: In recognition of Ralph Eugene Riddle, Sr.
 - b. Tribute: In recognition of Lansing Alumnae Chapter of Delta Sigma Theta Sorority
 - c. Tribute: In recognition of the 8th Annual Pastors Salute
 - d. Tribute: In recognition of the 5th Annual Calvin E. Sturdivant Memorial Black History Program
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. In consideration of SLU-4-2017; 735 E. Hazel Street; Residential Use in Heavy Industrial
3. BY THE COMMITTEE ON PUBLIC SAFETY
 - a. Issuance of orders to Make Safe or Demolish property at 123 N. Hayford
4. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Create the Assessment District; Direct Assessor to Generate the Roll for the Special Assessment for the Floodplain Mapping Project
5. BY THE COMMITTEE OF THE WHOLE
 - a. Issuance and Sale of Wet Weather Control Plan Limited Tax General Obligation (LTGO) Bond
 - b. Reorganization of the Department of Planning and Neighborhood Development (PND) into the Department of Economic Development and Planning (EDP), and the Department of Neighborhoods and Citizen Engagement (NCE) – Executive Order 2018-01
 - c. Appointment of Chief Labor Negotiator

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Grant Acceptance; Jackson National Community Fund (JNCF) grant for Lansing SAVE
 - b. Grant Acceptance; HRCS Collaborative Applicant for Continuum of Care for Lansing under the Emergency Solutions Grant Notice of Funding Availability (NOFA)

2. BY THE COMMITTEE OF THE WHOLE

- a. Fiscal Year 2017 Budget Carry Forwards
- b. Transfer of Funds; Department of Economic Development and Planning (EDP), and the Department of Neighborhoods and Citizen Engagement (NCE)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street

F. ORDINANCES FOR PASSAGE

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

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

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

- 1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
 - b. FY 2018 2nd Quarter General Fund Status Report
- 2. Letter(s) from the Mayor re:
 - a. Department of Human Relations and Community Services (HRCS) 2017-2018 Continuum of Care for the Lansing, East Lansing, Ingham County area Emergency Solutions Grant Notice of Funding Availability (NOFA)
 - b. SLU-1-2016, 2101 E. Mt. Hope Avenue, Petition for a Special Land Use to allow for construction of a mobile cell tower
 - c. Appointment of Chief Labor Negotiator
 - d. Grant Acceptance; Jackson National Community Fund (JNCF) grant for Lansing SAVE

- e. Issuance and Sale of Wet Weather Control Plan Limited Tax General Obligation (LTGO) Bond
- f. Ordinance to Amend Chapter 656.05, Change Park Hours
- g. Z-1-2018; 600 Block East Michigan Avenue, Rezoning from "H" Light Industrial district to "G-1" Business district,
- h. Adult Baseball Proposed Fees
- i. Z-1-2017, 4215 N. Grand River Avenue, Rezoning from "D-1" Professional Office to "F" Commercial District
- j. Z-8-2017, 3440 N. East Street, Rezoning from "F" Commercial District to "G-2" Wholesale District
- k. Baseball Tomorrow Fund
- l. Land Acquisition Project Agreement, Michigan Department of Natural Resources, Lansing Boat Club
- m. Local Bridge Program Funding, Michigan Department Of Transportation
- n. Act-1-2018, 600 Block East Michigan Avenue, Vacate Alley
- o. Grant Acceptance, Michigan Commission on Law Enforcement
- p. Re-appointment, Dennis Louney, 1st Ward Member to the Board of Water & Light Commissioners for a term to expire June 30, 2021
- q. Fiscal Year 2017 Budget Carry Forwards

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- 1. Notice from the Michigan Liquor Control Commission regarding the Transfer of Ownership 2017 SDM licensed from Romi Investments, Inc., 300 W Grand River Ave,
- 2. Affidavit of Disclosure from Damon Pulver, Police Department
- 3. Request for recognition of non-profit status filed by Maryellen Jansen for IMAGIN located at 416 S. Cedar Street, Suite C
- 4. Claim Appeal; Claim 1505, Larry Ball for trash fees at 4615 Ora
- 5. Claim Appeal; Claim 1538, Randy Yono for trash fees at 930 West Holmes Rd.
- 6. Claim Appeal; Claim 1525, Hard Rock LLC for trash fees at 424 S. Hayford Ave.

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

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

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

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

BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORÉ, SPITZLEY, WASHINGTON AND WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ralph Eugene Riddle, Sr was born March 25, 1927 in Lansing, Michigan to Raymond and Olga Riddle. He was raised on Ohio Street and graduated in 1945 from Lansing Eastern High School; and

WHEREAS, In 1964 Ralph was appointed by the Mayor and became a member of the Lansing Traffic Board and served faithfully for twenty-eight years; and

WHEREAS, Ralph was one of Lansing's first African American insurance salesmen. He worked for Detroit Mutual and Allstate Insurance Company. He later bought, owned and operated an independent insurance franchise called America One Riddle Insurance Agency; and

WHEREAS, Ralph was a sports enthusiast with a passion for golf, tennis, ice-skating, snow-skiing, bowling, ping-pong and pool. He was a premier pitcher in Lansing's Fast Pitch Softball City League. And co-founder of the Lansing Topspins a non-profit tennis organization.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, along with his friends and family hereby pay tribute to the honors and accomplishments of Ralph Eugene Riddle, Sr.

BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORÉ, SPITZLEY, WASHINGTON AND WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Delta Sigma Theta Sorority, Inc. is a private, non-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world; and

WHEREAS, the members of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority have been actively involved in a wide variety of public service projects for the Lansing community, and the program has provided over \$100,000 in scholarships to individuals graduating from the Lansing area high schools within the past several years; and

WHEREAS, the Lansing Alumnae Chapter of Delta Sigma Theta Sorority annual "Red & White Affair" will be held on February 10, 2018; and

WHEREAS, the "Red & White Affair" event serves as an annual fundraising celebration of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority's continued commitment and service to the greater Lansing community.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council acknowledges the Lansing Alumnae Chapter of Delta Sigma Theta Sorority's annual "Red & White Affair" and expresses its appreciation to its members for their continued commitment to the City of Lansing and its residents. We wish you continued success in all your future endeavors.

BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFOR, SPITZLEY, WASHINGTON AND WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, today more than ever, our religious leaders play a critical role in keeping the community nurtured and motivated to take on every day challenges and to celebrate the community's triumphs. These leaders carry significant influence in our lives and are among the most highly respected individuals in the community; and

WHEREAS, on Saturday, February 17, 2018, The Divine Connection in association with Dean Transportation, Capital District Libraries, Courtesy Ford, and Paradise Funeral Chapel, just to name a few will honor some of the City's most esteemed and influential pastors of the Greater Lansing area at the 8th Annual Pastor's Salute; and

WHEREAS, having made a positive impact on the community, the Pastors will receive letters from their members, and a plaque to publicly observe and applaud their contributions and showcase their good works in the community; and

WHEREAS, II Corinthians 9:13-14 states "Because of the service by which you have proved yourselves, men will praise God for the obedience that accompanies your confession of the gospel of Christ, and for your generosity in sharing with them and everyone else. And in prayers for you their hearts will go out to you, because of the surpassing grace God has given you." We thank the Pastors and their families for the sacrifices they make each day in ministering in the Greater Lansing Area.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize the 2018 most honored Lansing Pastors for their dedication to the community. We celebrate their triumphs as leaders, mentors, and motivators. Congratulations Pastors, we wish you continued success! "Now the God of hope fill you with all joy and peace in believing, that ye may abound in hope, through the power of the Holy Ghost." Romans 15:13

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Calvin E. Sturdivant grew up in St. Louis, Missouri where he graduated from Vashon High School in 1946. He made his home in the Tamarisk neighborhood in East Lansing in the 1960's, and his wife Irene still resides in their same home nearly 50 years later; and

WHEREAS, Calvin worked at Fisher Body for 38 years, and was a member of the local UAW where he received the Pioneer is Change Award for opening advocacy for African Americans to be hired into skilled trade jobs; and

WHEREAS, Calvin was a member of the Friendship Baptist Church where he was also a Trustee, Sunday school teacher and the Sunday School Superintendent; and

WHEREAS, Calvin E. Sturdivant was an editorial contributor to the Lansing State Journal and authored the book "A Railroad Ran Through it" which chronicles his life as a child in segregated southern Arkansas.

BE IT RESOLVED, Lansing City Council hereby recognizes Calvin E. Sturdivant as a mentor, leader, devoted to his family and community. Lansing City Council extends its best wishes to the family as they celebrate the 5th Annual Calvin E. Sturdivant Memorial Black History Program.

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 PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Enforcement Lead Housing Inspector has determined that the building located at 123 N. Hayford, Parcel # 33-01-01-14-153-271 legally described as: Lot 8 Foster Farm, is an unsafe or dangerous building as defined in Section 108.1.1 of the Lansing Housing and Premises Code and the Housing Law of Michigan and was red tagged on 11/04/2013; and

WHEREAS, a hearing was held by the City of Lansing Demolition Board on 5/22/2014, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 9/30/2017; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on January 8, 2018, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Enforcement Section has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 30 days from the date of this resolution,

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Ordering a Special Assessment District and Roll Be Created and Placed on File

WHEREAS, National Flood Insurance Program (NFIP) premiums for homes and businesses in the floodplain will significantly increase over the next twenty years pursuant to Federal Emergency Management Agency (FEMA) regulations, creating financial hardship for floodplain property owners through higher insurance rates and reduced property values; and

WHEREAS, the United States Geological Survey (USGS) has determined that the flood model data designating the base flood elevation for the Red Cedar River is no longer correct and that correcting this data will, over time, result in lower flood insurance rates and preserve property values; and

WHEREAS, the City of Lansing Office of Emergency Management has proposed a contract with the USGS to provide the corrected data to FEMA for the purpose of issuing revised flood maps showing the corrected base flood elevation; and

WHEREAS, flood model data constitutes publicly owned property, the improvement of which will provide direct financial benefits to the owners of more than 500 properties in the Red Cedar River floodplain in the City of Lansing; and

WHEREAS, the total amount of the contract is Three Hundred Sixty-Three Thousand Dollars (\$363,000.00), the City of Lansing has established a need for a special assessment district which includes all commercial and residential properties in the floodplain of the Red Cedar River and in the City of Lansing, which properties will be especially benefited by the improvement of the flood model data, to pay for fifty percent (50%) of that contract, subtotaling One Hundred Eighty-One Thousand and Five Hundred Dollars (\$181,500.00) over a period of two years; and

WHEREAS, the square footage of structures on property is a primary determining factor in the cost of flood insurance premiums and rates, the special assessment will be apportioned to the property owners based on the square footage of the home(s) or business(es) thereon; and

WHEREAS, the creation of a special assessment district and roll is necessary before public hearing on the matter may be held.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines there is a public necessity to engage in a contract with the USGS for work which will result in the correction of the base flood elevation for the floodplain of the Red Cedar River for the benefit of property values and flood insurance premium rates on the lands currently within the floodplain of the Red Cedar River; and

BE IT FURTHER RESOLVED that part of the expense for that contract should be defrayed by a special assessment on the lands benefited thereby, in the amount of fifty percent (50%) of that contract, subtotaling One Hundred Eighty-One Thousand and Five Hundred Dollars (\$181,500.00), to be assessed over a period of two years; and

BE IT FURTHER RESOLVED that the City Council orders the creation of a special assessment district consisting of all parcels of real property within the currently mapped floodplain of the Red Cedar River; and

BE IT FINALLY RESOLVED that the City Council directs the City Assessor to make an assessment roll for the lands within the assessment district ordered in this Resolution and with the total assessment being apportioned by square footage of the structures on the properties, which assessment roll is to be returned to City Council within two weeks, unless extended by separate resolution of City Council.

RESOLUTION #2018-__
RESOLUTION TO AUTHORIZE ISSUANCE OF
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2018

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality (the “DEQ”) 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 DEQ; and

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

WHEREAS, the City desires to finance the CSO 034C Project as further described in plans on file with the City (the “Improvements”), which Improvements are related to the Wet Weather Control Program Project Plan and which are required by the NPDES Permit; and

WHEREAS, the City has been offered funding for the Improvements from the State Revolving Fund program (the “SRF Program”), which is a low-interest loan financing program administered by the Michigan Department of Treasury and the Michigan Finance Authority (the “Authority”); and

WHEREAS, in order to obtain loans from the SRF Program, the City must issue bonds and, on November 7, 2017, pursuant to Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended, the City published in the *Lansing City Pulse* the “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” (the “Notice of Intent”), which described bonds to be issued in one or more series in an aggregate principal amount not-to-exceed \$13,000,000 for the purpose of paying the costs of the Improvements; and

WHEREAS, to finance the cost of making the Improvements the City Council deems it necessary to borrow the sum of not to exceed \$13,000,000 and to issue its Wet Weather Control Program Limited Tax General Obligation Bond, Series 2018 therefore pursuant to the provisions of Act 451 (the “Bond”); and

DRAFT

WHEREAS, the City Council determines that it is necessary to authorize the Director of Finance (an “Authorized Officer”) to complete sale and delivery of the Bond as described in the Notice of Intent and within the limitations contained in this Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. NECESSITY. It is necessary for the public health, safety and welfare of the City to make the Improvements pursuant to the City’s Wet Weather Control Program Project Plan and issue the Bond pursuant to Act 451 to finance construction of the Improvements.

2. ESTIMATED COST - PERIOD OF USEFULNESS. The total cost of the Improvements, including the payment of engineer’s fees, legal and financial expenses and other expenses incident to the financing of the Improvements, which is estimated to be approximately \$13,000,000 is hereby approved and confirmed, and the estimated period of usefulness of the Improvements is determined to be in excess of thirty (30) years.

3. APPROVAL OF CONTRACT DOCUMENTS. The City hereby approves the Purchase Contract between the City and the Michigan Finance Authority (the “Authority”), the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality, and the Issuer’s Certificate (the “Contract Documents”) in such form as is approved by the Authorized Officer. The Authorized Officer and the Clerk, or any one or more of them, are authorized to sign the Contract Documents.

4. ISSUANCE OF BOND. To defray the cost of the Improvements, including legal, engineering, financial and other expenses, the City shall issue its bond known as the “Wet Weather Control Program Limited Tax General Obligation Bond, Series 2018” (the “Bond”) in the aggregate principal sum of not to exceed \$13,000,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents, pursuant to the SRF Program. The balance of the cost of the Improvements, if any, shall be paid by grants or funds appropriated by the City.

During the time funds are being drawn down by the City under the Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the Bond.

5. BOND TERMS. The Bond shall be issued as one fully registered manuscript bond, shall be sold and delivered to the Authority in any denomination. The Bond shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates determined by the Authorized Officer at the time of sale, provided the final maturity shall be no later than thirty years after the date of issuance. The Bond shall bear interest at a rate not to exceed two and 50/100 percent (2.50%) per annum as determined by the Authorized Officer, payable semiannually on the dates determined by the Authorized Officer at the time of sale. Notwithstanding the above, the final amount of any maturity and the terms of the Bond shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

6. PAYMENT OF PRINCIPAL AND INTEREST. Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the Bond shall be made at the principal office of the Paying Agent (as defined below), upon surrender of the Bond. Payment of interest on the Bond shall be paid to the registered owner at the address as it appears on the registration books as of the determination date. Initially, the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; however, the determination date may be changed by the City to conform to market practice.

7. SECURITY. The City anticipates paying the principal of and interest on the Bond from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's sewage disposal system and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. The Bond shall be a limited tax general obligation of the City, and the City hereby pledges its full faith and credit for the prompt payment of the principal of and interest on the Bond as and when due. Each year, the City shall include in its budget as a first budget obligation an amount sufficient to pay such principal and interest as the same shall become due. In the event there are insufficient moneys for the payment of principal of and interest on the Bond, the City shall levy a tax on all taxable property in the City for the prompt payment of principal and interest on the Bond; provided, however, that at the time of making any such annual tax levy, the City shall take into account in determining such annual tax levy other moneys available to pay principal of and interest on the Bond, including Net Revenues of the System, special assessments, or any other moneys available to the City. Taxes, if any, levied pursuant hereto shall be limited as to rate and amount by applicable, constitutional, statutory and charter limitations on the taxing power of the City.

8. PRIOR REDEMPTION. The Bond issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

9. PAYING AGENT AND REGISTRATION.

(a) Appointment of Paying Agent. From time to time the City shall designate and appoint a Paying Agent, which may also act as transfer agent and bond registrar (the "Paying Agent"). The initial Paying Agent shall be designated by the Authorized Officer. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bond.

(b) Registration of Bond. Registration of the Bond shall be recorded in the registration books of the City to be kept by the Paying Agent. The Bond may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

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

10. SALE OF BOND. The Bond shall be sold to the Authority. The City determines that a negotiated sale to the Authority is in the best interest of the City because the terms offered by the Authority are more favorable than those available from other sources of funding.

11. BOND FORM. The Bond shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such changes as may be required by

the Authority or as recommended by the City's Bond Counsel and approved by the officers of the City signing the Bond.

12. EXECUTION OF BOND. The Mayor and the Clerk of the City are hereby authorized and directed to sign the Bond, either manually or by facsimile signature, on behalf of the City. Upon execution, the Bond shall be delivered to the Authority in accordance with the Contract Documents.

13. BOND MUTILATED, LOST OR DESTROYED. If any Bond shall become mutilated, the City, at the expense of the holder of the Bond, shall execute, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the City and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the City, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, which shall bear the statement required by Act No. 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

14. BOND PAYMENT FUND. For payment of principal of and interest on the Bond, there shall be established and maintained a debt service fund for the Bond (the "Bond Payment Fund"). The accrued interest, if any, and capitalized interest, if any, received at the time of delivery of the Bond shall be placed into the Bond Payment Fund. The City shall budget annually a sufficient amount to pay the annual principal of and interest on the Bond and deposit such amount in the Bond Payment Fund as needed to make payments of principal and interest as they become due. The obligation of the City to pay the principal of and interest on the Bond will be a first budget obligation. Moneys in the Bond Payment Fund shall be expended solely for payment of principal and interest on the Bond which first come due. Any moneys remaining in the Bond Payment Fund after the annual payments of principal of and interest on the Bond shall be transferred to the Sewer Fund or the General Fund and shall no longer be pledged hereunder.

15. CONSTRUCTION FUND. Prior to delivery and sale of the Bond, there shall be established a construction fund for the Project (the "Construction Fund"). After deducting the sums which are required to be deposited in the Bond Payment Fund, the balance of the proceeds of the Bond shall be deposited into the Construction Fund. The moneys on deposit in the Construction Fund from time to time shall be used solely for the purpose for which the Bond was issued. Any unexpended balance shall be used for such purposes as allowed by law. Any moneys remaining in the Construction Fund after payment of all such costs shall be transferred to the Bond Payment Fund or may be returned to the Authority. After completion of the Improvements and disposition of

any remaining bond proceeds, pursuant to the provisions of this Section, the Construction Fund shall be closed.

The appropriation of moneys for “eligible” (not to exceed the maximum Principle Amount of the Bond) and “ineligible” costs of the improvements (as those terms are defined by the Authority and DEQ) is hereby approved. Said moneys shall be used solely for the purposes of making improvements included in the Wet Weather Control Program Project Plan approved by the DEQ, and ancillary related expenses.

16. INVESTMENT OF FUNDS. Moneys in the funds and accounts established herein may be invested by the City as allowed by law, subject to the provisions of Act 20, Public Acts of Michigan, 1943, as amended, or any statute subsequently adopted regulating investments by the City, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the “Code”).

17. DEPOSITORY AND FUNDS ON HAND. Moneys in the several funds and accounts maintained pursuant to this Resolution may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the moneys shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

18. COVENANTS. The City covenants and agrees with the successive holders of the Bond that so long as any of the Bond remains outstanding and unpaid as to either principal or interest:

(a) It will cause the principal of and interest on the Bond to be paid promptly when due, but solely from the funds pledged by this Resolution.

(b) It will make no use of the proceeds of the Bond, or any other funds which may be deemed to be proceeds of the Bond pursuant to Section 103(c) of the Code which, if the use had been reasonably expected on the date of issuance of the Bond, would have caused the Bond to be “arbitrage bonds” within the meaning of that Section, and will comply with all requirements of the Code throughout the term of the Bond.

(c) It will not permit at any time or times any of the proceeds of the Bond or any other funds of the City to be used directly or indirectly in a manner which would result in the exclusion of the Bond from the treatment afforded by Section 103(a) of the Code, as from time to time amended.

(d) It will, if required to do so, rebate the amount required by Section 148(f)(2) of the Code in accordance with the provisions of Section 148(f)(3) of the Code.

19. ADDITIONAL BONDS. In accordance with the provisions of Act 34, the City reserves the right to issue additional bonds, which shall be of equal standing and priority with the Bond.

20. CONTRACT WITH BONDHOLDERS. The provisions of this Resolution shall constitute a contract between the City and the holder or holders of the Bond from

time to time, and after the issuance of any of such Bond, no change, variation or alteration of the provisions of this Resolution may be made which would lessen the security for the Bond. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such holder or holders, either at law or in equity.

21. AUTHORIZED OFFICER: The Director of Finance (the "Authorized Officer") is hereby designated, for and on behalf of the City, to do all acts and to take all necessary steps required to effectuate the sale, issuance and delivery of the Bond to the Authority. The Authorized Officer is hereby authorized to execute and deliver the Contract Documents in such form as the Authorized Officer shall approve. Notwithstanding any other provision of this Resolution, the Authorized Officer is authorized within the limitations of the resolution to determine the specific interest rate or rates to be borne by the Bond, not exceeding 3% per annum, the principal amount, interest payment dates, dates of maturities, and amount of maturities, redemption rights, the title of the Bond, date of issuance, and other terms and conditions relating to the Bond and the sale thereof provided, however, the last annual principal installment shall not be more than thirty years from the date of the Bond. The Authorized Officer's approval of the terms shall be evidenced by his or her signature on the document or agreement stating such terms. The Authorized Officer is hereby authorized for and on behalf of the City, without further City Council approval, to do all acts and take all necessary steps required to effectuate the sale, issuance, and delivery of the Bond. The Authorized Officer, together with the Mayor, the Clerk, and other proper officers and employees of the City, or any one or more of them, are authorized to take any actions necessary to comply with requirements of the Authority and DEQ in connection with the sale of the Bond to the Authority, and to execute any orders, receipts, agreements, pledge agreements, documents or certificates necessary or convenient to complete the transaction, including, but not limited to, any issuer's certificate, any certificates relating to federal or state securities laws, rules or regulations, any applications to the Michigan Department of Treasury, and any revenue sharing pledge agreement. The City hereby approves the Issuer's Certificate in such form as is approved by the Authorized Officer.

22. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of and interest on the Bond, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bond shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bond from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

23. INTERNAL REVENUE CODE. The City has consulted with its bond counsel and understands that the Code contains certain requirements on (i) the expenditure of proceeds from the sale of the Bond, (ii) the investment of the proceeds from the issuance of the Bond and (iii) the rebate of interest earned on the investment of

the proceeds of the Bond under certain circumstances. The City hereby covenants to comply with such requirements.

24. BOND COUNSEL. The engagement of the firm of Dykema Gossett PLLC as bond counsel to the City in connection with the issuance of Bond is hereby ratified, confirmed and approved.

25. RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Resolution are subject to the laws of the State of Michigan.

26. SECTION HEADINGS. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

27. SEVERABILITY. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

28. CONFLICT. Except as provided above, all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bond.

29. EFFECTIVE DATE OF RESOLUTION. This Resolution is determined by the City Council to be immediately necessary for the preservation of the peace, health and safety of the City and shall be in full force and effect from and after its passage.

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EXHIBIT A

NO. ____

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2018**

Interest Rate

Maturity Date

Date of Original Issue

Registered Owner: MICHIGAN FINANCE AUTHORITY

Principal Amount:

The City of Lansing, Ingham and Eaton Counties, Michigan (the "City"), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the amounts and on the Dates of Maturity set forth on Schedule I attached hereto, together with interest thereon from the dates of receipt of such funds, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____ and semiannually thereafter on the first day of April and October of each year, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto.

The City promises to pay to the Michigan Finance Authority (the "Authority") the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality.

During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

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

This Bond being one fully registered manuscript bond is issued in accordance with the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), and a resolution adopted by the City Council of the City on _____, 2018, for the purpose of paying a portion of the cost of purchasing, acquiring and constructing sanitary sewer improvements (the "Improvements") as part of the Wet Weather Control Program State Revolving Fund Project Plan, as amended, in compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. MI00234000.

The City has pledged the limited tax, full faith, credit and resources of the City for the prompt payment of the principal of and interest on the Bond, in which event the City may levy a tax on all taxable property in the City for the payment of principal and interest on the Bond, which tax shall be limited as to rate and amount by applicable constitutional, statutory and charter limitations on the taxing power of the City. The City reserves the right to issue additional bonds in accordance with the provisions of Act 451 or other applicable law which shall be of equal standing and priority with the Bond.

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

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

It is hereby certified and recited that all acts, conditions and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the City including this Bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Lansing, Ingham and Eaton Counties, Michigan, by its City Council, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and Clerk, all as of the _____ day of _____, 2018.

Andy Schor, Mayor

Chris Swope, Clerk

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ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type social security number or taxpayer identification number and name
and address of transferee)

the within bond and all rights thereunder, and does hereby irrevocably constitute and
appoint _____ attorney to transfer the within bond on the
books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ Signed: _____

In the presence of: _____

Notice: The signature to this assignment must correspond with the name as it
appears upon the face of the within bond in every particular, without alteration
or enlargement or any change whatever. When assignment is made by a
guardian, trustee, executor or administrator, an officer of a corporation, or
anyone in a representative capacity, proof of his authority to act must
accompany the bond.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a
Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: _____

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SCHEDULE I

Name of Issuer **CITY OF LANSING**

DEQ Project No: **5005-23**

DEQ Approved Amount:

SCHEDULE I

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

Due Date	Amount of Principal Installment Due
_____	_____

Interest on the Bond shall accrue on that portion of principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of 2.50% per annum, payable _____ 1, 20__, and semiannually thereafter.

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The Issuer agrees that it will deposit with The Bank of New York Mellon Trust Company, N. A., or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of and interest on this Bond in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 p.m. (noon) on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

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YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Chris Swope, City Clerk
City of Lansing

STATE OF MICHIGAN)
) SS
COUNTY OF INGHAM)

I, Chris Swope, the duly qualified and acting Clerk of the City of Lansing, Ingham and Eaton Counties, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on _____, 2018, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of _____, 2018.

Chris Swope, City Clerk
City of Lansing

RESOLUTION NO _____

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council received the Mayor's Executive Order 2018-01 and Executive Reorganizational Plan on January 3, 2018; and

WHEREAS, the Executive Reorganizational Plan included within Executive Order 2018-01 recognizes the new name of the Department of Planning and Neighborhood Development as the Department of Economic Development and Planning; transfers Code Compliance from the Lansing Fire Department to the Department of Economic Development and Planning; and creates a new Department of Neighborhoods and Citizen Engagement; and

WHEREAS, pursuant to Section 4-301.7 of the Lansing City Charter, the City Council has studied and conducted a public hearing on the Executive Reorganizational Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Reorganizational Plan contained within the Mayor's Executive Order 2018-01 is hereby approved.

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

WHEREAS, Section 6-201.1 of the Lansing City Charter provides that “the Mayor shall have the overall responsibility for all of the labor relations of the City”; and

WHEREAS, pursuant to this responsibility and the authority granted to the Mayor in Section 6-201.2 of the Charter to designate a chief labor negotiator, the Mayor has designated Nicholas Tate as Chief Labor Negotiator for the City, subject to the advice and consent of the City Council.

NOW THEREFORE BE IT RESOLVED, the City Council, having reviewed and considered the designation of Nicholas Tate as Chief Labor Negotiator of the City of Lansing, hereby consents to such designation.

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

WHEREAS, The City of Lansing was selected to receive a Jackson National Community Fund (JNCF) grant for Lansing SAVE; and

WHEREAS, the Jackson National Community Fund (JNCF) grant was the result of a competitive proposal process, and a proposal was submitted by the Office of Financial Empowerment on September 14, 2017, approved on November 28, 2017, and was received on December 1, 2017; and

WHEREAS, Jackson National Community Fund (JNCF) grant supports matching and incentive dollars for Lansing SAVE accounts, as well as the development of a mobile app called SHAPE to assist parents in planning for their children's future; and

WHEREAS, Jackson National Community Fund (JNCF) awarded \$10,000.00 to the City of Lansing's Office of Financial Empowerment; and

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

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Jackson National Community Fund (JNCF) Grant in the total amount of \$10,000.00 for the grant period beginning July 1, 2017 and ending June 30, 2018 (the fiscal year) for the City of Lansing.

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

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

WHEREAS, the Department of Human Relations and Community Services (HRCS) was renewed as the Collaborative Applicant for the Continuum of Care for the Lansing, East Lansing, Ingham County area, to the Michigan State Housing Development Authority (MSHDA) under the 2017-2018 Emergency Solutions Grant Notice of Funding Availability (NOFA) process; and

WHEREAS, the HRCS is planning to manage the Emergency Services Grant (ESG) and apply for any available new funding for at least the following agencies: Child and Family Charities - Gateway Division, Haven House, Advent House Ministries, Loaves and Fishes Ministries, Mid-Michigan Recovery Services, Volunteers of America – Michigan, and the HRCS HMIS and Grant Administration funds, for one-year renewal to support the existing Continuum of Care initiatives; and

WHEREAS, the HRCSD will manage the MSHDA funds for an amount at least **\$452,978 total**; and

WHEREAS, MSHDA is not requiring any cash and/or in-kind match for the 2017-2018 MSHDA NOFA;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant renewal as stipulated by MSHDA and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to MSHDA for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing or designee to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said MSHDA agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

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

That the following remaining balances as of June 30, 2017 be reappropriated in Fiscal Year FY2017/2018 as indicated:

<u>Appropriation</u>	<u>Description</u>	<u>Encumbered (Outstanding Purchase Orders)</u>	<u>Unencumbered</u>
<u>GENERAL FUND</u>			
General Fund	Use Of Fund Balance		\$ 269,455
Council Operating	Council Operating		\$ 14,828
Human Services Agencies	Human Services Discretionary		26,201 ⁽¹⁾
Human Services Agencies	Lansing Housing Comm		15,000 ⁽¹⁾
Human Services Agencies	Kids Connect		51,746 ⁽¹⁾
Human Services Agencies	Womens Support Initiative		12,000 ⁽¹⁾
Human Services Agencies	Chronic Homeless Outreach		372 ⁽¹⁾
Human Services Agencies	One Church One Family Housing		10,000 ⁽¹⁾
Human Services Agencies	Project Homeless Connect		17,274 ⁽¹⁾
Human Services Agencies	Mobile Food Pantry		2,605 ⁽¹⁾
Human Services Agencies	Subsidized Eviction Prevention		20,229 ⁽¹⁾
Planning & Neighborhood Development/ Economic Development & Planning Operating	Lead Program		99,200
General Fund Total		\$ -	\$ 269,455
<u>Major Streets Fund</u>			
Major Streets Fund	Use Of Fund Balance		\$ 281,632
Major Streets Fund Operating	Standards Evaluation & Update	19,365	
Major Streets Fund Operating	Bridge Maintenance	\$ 50,077	
Major Streets Fund Operating	Trunkline Maintenance		212,190
Major Streets Fund Total		\$ 69,442	\$ 212,190

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



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

WHEREAS, the City of Lansing City Council received Executive Order 2018-01 and Reorganization Plan on January 3, 2018; and

WHEREAS, Executive Order 2018-01 recognizes the new name of the Department of Planning and Neighborhood Development as the Department of Economic Development and Planning, and creates a new Department of Neighborhoods and Citizen Engagement; and

WHEREAS, Labor Relations functions will be moved to the Mayor’s Office,

THEREFORE, BE IT RESOLVED, that upon the effective date of the plan, the FY 2017/2018 budget be amended as follows:

<u>General Fund Expenditures</u>	<u>Increase/ (Reduction)</u>
Fire Department Personnel (Code Compliance)	\$ (750,000)
Fire Department Operating (Code Compliance)	<u>(150,000)</u>
	<u>\$ (900,000)</u>
 Finance Department Personnel (OFE)	 \$ (90,000)
Finance Department Operating (OFE)	<u>(70,000)</u>
	<u>\$ (160,000)</u>
 Non-Departmental – LEPFA Subsidy	 \$ (300,875)
 Economic Development & Planning Personnel	 \$ 710,000
Economic Development & Planning Operating	<u>\$ 430,875</u>
	<u>\$1,140,875</u>
 Neighborhoods & Citizen Engagement Personnel	 \$ 130,000
Neighborhoods & Citizen Engagement Operating	<u>90,000</u>
	<u>\$ 220,000</u>
 Human Resources Personnel (Labor Relations)	 \$ (120,000)
 Mayor’s Office Personnel (Labor Relations)	 \$ 120,000
 Total Change in General Fund Expenditures	 <u>\$ 0</u>

The Committee on Development and Planning introduced:

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

The Ordinance is read a first time and referred to the Committee on Development and Planning

RESOLUTION SETTING PUBLIC HEARING
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, February 26, 2018 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for Porter Senior Apartments.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.____ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.____ TO READ AS FOLLOWS:

884.____ THE PORTER SENIOR APARTMENTS

(A) *PURPOSE*. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE

1 TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER
2 ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND
3 MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE
4 BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF
5 THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR
6 SUCH HOUSING IS A VALID PUBLIC PURPOSE.

7 (B) *DEFINITIONS.*

8 (1) "*ACT*" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
9 BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

10 (2) "*ANNUAL SHELTER RENTS*" MEANS THE TOTAL COLLECTIONS DURING AN
11 AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR
12 MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT
13 REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS
14 SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR
15 OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

16 (3) "*AUTHORITY*" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
17 AUTHORITY.

18 (4) "*ELDERLY PERSON(S)*" MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF
19 AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS
20 55 YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A
21 DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR
22 5.403.

1 (5) "*HOUSING DEVELOPMENT* " OR "*DEVELOPMENT*" MEANS A DEVELOPMENT
2 WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY
3 PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF
4 OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL,
5 COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY
6 DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT
7 RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE
8 INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS
9 DEVELOPMENT IS THE PORTER SENIOR APARTMENTS, AND CONSISTS OF
10 NINETY-EIGHT (98) UNITS OF RENTAL HOUSING LOCATED WITHIN
11 LANSING AT PART OF LOTS 8, 9, 10, 11 & 12 COM NW COR BLOCK 148, E 122
12 FT, S 90 FT, SW 7.1 FT, S 72 FT, E 4 FT, S 163 FT, W 121 FT, N 330 FT TO BEG,
13 ALSO E 36 FT OF W 99 FT LOT 7 BLOCK 148 ORIG PLAT, COMMONLY
14 KNOWN AS 505 TOWNSEND STREET, LANSING (PARCEL ID: 33-01-01-16-380-
15 073).

16 (6) "*HUD*" MEANS THE DEPARTMENT OF HOUSING AND URBAN
17 DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

18 (7) "*LOW INCOME HOUSING TAX CREDIT PROGRAM*" MEANS THE PROGRAM
19 ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL
20 REVENUE CODE.

21 (8) "*LOW OR MODERATE INCOME*" MEANS LOW OR MODERATE INCOME
22 ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

1 (9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY
2 AND INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE
3 FINANCING OF THE PURCHASE AND REHABILITATION OF THE HOUSING
4 DEVELOPMENT.

5 (10) "*SPONSOR*" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
6 DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE
7 ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER
8 SENIOR APARTMENTS IS GLTC PARTNERS, LLC, OR ITS SUCCESSORS OR
9 ASSIGNS.

10 (11) "*UTILITIES*" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR
11 ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING
12 DEVELOPMENT, AS DEFINED IN THE ACT.

13 (12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN
14 THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

15 (C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

16 (1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
17 HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER
18 SENIOR APARTMENTS IN RELIANCE UPON THE ENACTMENT AND
19 CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION
20 OF THE NINETY-EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING
21 DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS
22 ESTABLISHED IN THIS SECTION.

1 (2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION
2 AND THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING
3 DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME
4 IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY
5 ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL
6 PROPERTY TAXES FOR NOT MORE THAN FIFTEEN (15) YEARS,
7 COMMENCING WITH AND INCLUDING TAX YEAR 2019.

8 (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS
9 IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY,
10 AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC
11 SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE
12 DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY
13 COLLECTED AND UTILITIES.

14 (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE
15 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS
16 AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH PROVIDES: THE
17 OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL
18 FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A
19 NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT
20 FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT
21 FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR
22 CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR
23 THE EXEMPTION. THE OWNER THEN SHALL FILE, OR CAUSE TO BE FILED,

1 THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL
2 ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE
3 TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

4 (5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO
5 SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING
6 DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE
7 PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN
8 EFFECT:

9 A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN
10 LIEU OF TAXES; AND

11 B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO
12 ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

13 C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING
14 DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN
15 ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE
16 AMENDED THE PROVISIONS OF THIS SECTION.

17 (D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.*

18 NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID
19 EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING
20 DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER
21 THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO
22 THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND

1 PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF
2 THE PROJECT WERE NOT TAX EXEMPT.

3 (E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF
4 TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE
5 SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY,
6 AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL
7 PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE
8 GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE
9 ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR
10 FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.
11 COLLECTION PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS
12 OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1,
13 ET SEQ.).

14 (F) *CONTRACTUAL EFFECT.* NOTWITHSTANDING THE PROVISIONS OF SECTION
15 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY
16 AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY
17 UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT
18 PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED
19 BY THE ENACTMENT OF THIS SECTION.

20 (G) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT
21 TERMINATE FOR FIFTEEN (15) YEARS, COMMENCING WITH AND INCLUDING
22 TAX YEAR 2019, PROVIDED THAT THE SPONSOR COMPLIES WITH THE
23 REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED

1 THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR
2 MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE
3 LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAYBE
4 FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED
5 OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS
6 PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN
7 THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2018. IF THE
8 SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE NINETY-EIGHT (98)
9 UNITS OF HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF
10 THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN
11 ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER,
12 THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

13 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or
14 rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Porter
15 Senior Apartments.

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

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

DRAFT

DRAFT #2
November 27, 2017

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Approved as to form:

James D. Smiertka, City Attorney
Dated: _____

file:///S:/Attorney_Staff/ORDINANCES/PILOT Ordinances/Porter Senior Apartments/Porter Senior Apartments PILOT draft



Chris Swope
Lansing City Clerk

February 9, 2018

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

Board of Police Commissioners

January 16, 2018
December 19, 2017

Board of Water and Light

November 14, 2017
December 5, 2017
January 23, 2018

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

February 1, 2018

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

Dear President and Council Members:

My office has received and placed on file this document from the Finance Director:

FY 2018 Second Quarter General Fund Status Report

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

Sincerely,

A handwritten signature in cursive script that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk

General Fund Status Report – FY 2018 2nd Quarter

Please see accompanying summary detail (page 3)

Revenues

Revenue collection trends are measured by comparing the percentage of budget collected year-to-date to a three-year average collection rate for the same period of time in the previous three years.

In total, General Fund revenues collected in the second quarter of Fiscal Year 2018 (July – December), as a percent of budget, were on par with the prior three years' second quarter collection rates, as a percentage of year-end amounts, at 60.5% compared to 59.2%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year. At the end of the second quarter this year, they were somewhat higher, as a percentage of budget, to the average of the past three year's second quarter collection rates, largely due to a larger-than-anticipated personal property tax reimbursement from the State. It should be noted that property tax collections are subject to tax appeals and other adjustments throughout the year.
- As a percentage of budget, **Income Tax** collections, as a percent of budget, were higher than the average collection rate for the past three years, at 36.4% of budget, compared to 31.7%. It should be noted that income tax revenues can fluctuate from previous trends due to timing differences in remittances.
- **State Revenue Sharing** and Fire Protection/Bad Driver Fees were on target for the second quarter.
- **Charges for Services** were lower than collection rates from the average of the same period for the last three years, at 41.7% of budget compared to 45.0% in prior years, due to slightly lesser-than-anticipated code compliance fees. Charges for services comprise only 7% of General Fund revenues.
- In total, **Licenses and Permits** revenues were much higher than the average collection rate of the same period for the last three years as a percentage of year-end totals, at 51.0% of budget, compared to 24.6%, resulting from marihuana application fees received in the second quarter. Licenses and permits make up only 1.5% of General Fund revenues.
- Collection rates for **Fines and Forfeiture** for the second quarter were lower as a percentage of year-end totals for the average of the last three years, at 30.9% of the budget compared to 40.3%, due to lesser-than-anticipated penal case revenues and ordinance fines and costs (traffic ticket revenue).
- The first of two semiannual **Return on Equity** payments from the Board of Water and Light, was less than previous years' first installment collection percentages at 47.3%, compared to 50.8%. This return on equity payment is dependent on gross revenues of the Board of Water and Light.

(continued)

General Fund Status Report – FY 2018 2nd Quarter

Please see accompanying summary detail (page 3)

- As a category, **Interest and Rents** were ahead of previous years' trends due to higher-than-anticipated cell tower revenue payments. Interest revenue is posted as investments mature, the timing of which varies from year-to- year.
- The **Other Revenues** category collection rate was higher as of the second quarter-end due to the timing of the receipt of the FY 2018 Grand Woods Park sale installment.

Expenditures

Expenditure trends are measured by comparing the percentage of budget spent year-to-date to expected timing of expenditures, taking into account payroll cycles and other know expenditure trends.

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were within the budgetary target -- at 46.6% as of December 31, compared to a budgetary target of 47.7%. All departments were within budgetary targets, with the exception of the Fire Department, which was slightly higher than target (49.3% compared to 49.0%), due to the timing of ratification and implementation of the new International Association of Firefighters (IAFF) Local 421 collective bargaining agreement in the first quarter of the year.

Of note due to the relatively small amount expended in comparison to the budget, General Fund debt service payments are on target for the year, with the vast majority due at the end of the fiscal year.

Summary

For the second quarter of FY 2018, total General Fund revenues and expenditures were meeting budgetary targets.

Year-to-date revenues always exceed expenditures in the second quarter of the year as a result of the collection of the majority of property taxes, comprising 31% of total General Fund revenues, at the beginning of the fiscal year.

General Fund Status Report – FY 2018 2nd Quarter (as of December 31, 2017)

				Avg. Percent of Year-End Actuals as of December 31 FY 2015 - 2017
Revenues	Annual Budget	Actual as of 12/31/17	Percent of Budget	
Property Taxes	\$ 40,505,000	\$ 41,828,594	103.3%	101.3%
Income Taxes	35,600,000	12,941,995	36.4%	31.7%
Revenue Sharing	15,764,500	6,461,678	41.0%	40.5%
Licenses & Permits	1,906,500	973,132	51.0%	24.6%
Charges for Services	9,422,900	3,926,424	41.7%	45.0%
Fines & Forfeitures	2,961,600	914,122	30.9%	40.3%
Interest & Rent	38,500	65,017	168.9%	79.8%
Return on Equity	22,300,000	10,539,262	47.3%	50.8%
Other Revenue	451,000	305,240	67.7%	34.4%
Total Revenues	<u>\$ 128,950,000</u>	<u>\$ 77,955,464</u> ⁽¹⁾	60.5%	59.2%
Less: Addition to Reserves	<u>(500,000)</u>			
	<u><u>\$ 128,450,000</u></u>			

Expenditures	Annual Budget	Actual as of 12/31/17	Percent of Budget	12/31/17 Budgetary Target
Council	\$ 698,000	\$ 304,395	43.6%	46.0%
Internal Audit	180,700	84,055	46.5%	46.7%
Courts	6,579,900	2,734,364	41.6%	45.3%
Mayor's Office	1,044,600	458,252	43.9%	46.7%
Media Center	437,400	180,736	41.3%	46.8%
Clerk's Office	1,062,800	537,952	50.6%	53.0%
Planning & Neighborhood Development	1,129,500	513,865	45.5%	48.9%
Finance	5,806,300	2,399,843	41.3%	47.2%
Human Resources	2,254,000	989,389	43.9%	44.1%
Attorney's Office	2,026,500	850,660	42.0%	46.5%
Vacancy Factor	(500,000)	-		
Police	41,295,000	19,924,001	48.2%	48.7%
Fire	34,983,000	17,257,704	49.3%	49.0%
Public Service	11,115,500	4,413,071	39.7%	42.0%
Human Relations & Community Service	1,332,700	513,598	38.5%	46.5%
Parks & Recreation	8,350,300	3,758,265	45.0%	47.9%
Subtotal - Departmental Budgets	<u>\$ 117,796,200</u>	<u>\$ 54,920,151</u>	46.6%	47.7%
Human Services & City Supported Agencies	\$ 2,081,400	\$ 903,708	43.4%	
Library Lease	165,000	77,638	47.1%	
Debt Service	1,065,000	64,635	6.1%	
Transfers	7,342,400	6,501,510	88.5%	
Subtotal - Non-departmental Budgets	<u>10,653,800</u>	<u>7,547,491</u>		
Total General Fund	<u><u>\$ 128,450,000</u></u>	<u><u>\$ 62,467,641</u></u> ⁽¹⁾		

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

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

⁽²⁾ The vast majority of General Fund debt service payments are due in the fourth quarter of the fiscal year.

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

WHEREAS, the Department of Human Relations and Community Services (HRCS) was renewed as the Collaborative Applicant for the Continuum of Care for the Lansing, East Lansing, Ingham County area, to the Michigan State Housing Development Authority (MSHDA) under the 2017-2018 Emergency Solutions Grant Notice of Funding Availability (NOFA) process; and

WHEREAS, the HRCS is planning to manage the Emergency Services Grant (ESG) and apply for any available new funding for at least the following agencies: Child and Family Charities - Gateway Division, Haven House, Advent House Ministries, Loaves and Fishes Ministries, Mid-Michigan Recovery Services, Volunteers of America – Michigan, and the HRCS HMIS and Grant Administration funds, for one-year renewal to support the existing Continuum of Care initiatives; and

WHEREAS, the HRCSD will manage the MSHDA funds for an amount at least **\$452,978 total**; and

WHEREAS, MSHDA is not requiring any cash and/or in-kind match for the 2017-2018 MSHDA NOFA;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant renewal as stipulated by MSHDA and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to MSHDA for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing or designee to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said MSHDA agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

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

WHEREAS, on June 22, 1981, as recommended by the Lansing Parks Board and presented by the Parks and Recreation Department, the Lansing City Council adopted a classification report listing designated parkland under Resolution #0145; and

WHEREAS, Crego Park, located at 2101 E. Mt. Hope Avenue, Lansing, Michigan 48910, (hereinafter "Property" is classified as designated parkland under Resolution #0145 of 1981); and

WHEREAS; the City of Lansing is desirous of repurposing the section of Property set forth herein for the purpose of a wireless communication tower;

WHEREAS, the Lansing Parks Board at its November 18, 2015 meeting, voted unanimously (6-0) to approve the proposed site; and

WHEREAS, the Planning Board at its April 5, 2016 meeting, voted unanimously (5-0) to recommend approval of SLU-1-2016 to permit a wireless communication tower at 2101 E. Mt. Hope Avenue; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2016 on June 13, 2016 and approved SLU-1-2016, to permit a wireless communication tower at 2101 E. Mt. Hope Avenue within the 100-year floodplain of the Red Cedar River; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby amends the Property as listed in Resolution #0145 of 1981 for the purpose of removing the section of Property set forth herein, as described in Resolution #1045 of 1981, from the list of "dedicated parkland", as recommended by the Parks Board

BE IT FURTHER RESOLVED, that the Lansing City Council hereby adopts amendment as described above, and changes the designation of Crego Park, particularly described as:

Commencing at the South 1/4 corner of Section 23, T4N, R2W, City of Lansing, Ingham County, Michigan; thence N 89°59'28" E 371.70 feet along the south line of said Section 23 (also being the centerline of Mount Hope Avenue, 66 feet wide); thence N 00°21'28" E 1056.00 feet to the north line of "Supervisor's Plat of Fidelity Farms" as recorded in Liber 15 of Plats, Page 7, Ingham County Records; thence N 00°00'32" W 140.00 feet; thence N 27°51'35" W 80.00 feet; thence N 48°45'17" W 107.47 feet; thence N 59°51'35" W 485.00 feet; thence N 56°02'24" W 200.00 feet; thence N 38°07'43" W 125.00 feet; thence S 51°52'17" W 15.00 feet to the POINT OF BEGINNING:

thence S 38°07'43" E 50.00 feet;
 thence S 51°52'17" W 30.00 feet;

thence N 38°07'43" W 50.00 feet;
thence N 51°52'17" E 30.00 feet to the POINT OF ENDING; being a part of
the Southwest 1/4 of Section 23, T4N, R2W, City Lansing, Ingham
County, Michigan; containing 10,000 square feet or 0.230 acres of land;
and subject to easements and restrictions of record, if any;

Together with a 30 foot wide easement for ingress egress and public utilities, the
centerline of said easement is described as follows:

Commencing at the South 1/4 corner of Section 23, T4N, R2W, City of Lansing, Ingham
County, Michigan; thence N 89°59'28" E 371.70 feet along the south line of said Section
23 (also being the centerline of Mount Hope Avenue, 66 feet wide); thence N 00°21'28"
E 1056.00 feet to the north line of "Supervisor's Plat of Fidelity Farms" as recorded in
Liber 15 of Plats, Page 7, Ingham County Records and the POINT OF BEGINNING:

thence N 00°00'32" W 140.00 feet;
thence N 27°51'35" W 80.00 feet,
thence N 48°45'17" W 107.47 feet;
thence N 59°51'35" W 485.00 feet;
thence N 56°02'24" W 200.00 feet;
thence N 38°07'43" W 125.00 feet to the POINT OF ENDING; being a part of
the South 1/2 of Section 23, T4N, R2W, City of Lansing, Ingham County,
Michigan; except any part taken, deeded or used for public road purposes;
and subject to easements and restrictions of record, if any;

And together with a 10 foot wide easement for public utilities, the centerline of said
easement is described as follows:

Commencing at the South 1/4 corner of Section 23, T4N, R2W, City of Lansing, Ingham
County, Michigan; thence N 89°59'28" E 371.70 feet along the south line of said Section
23 (also being the centerline of Mount Hope Avenue, 66 feet wide); thence N 00°21'28"
E 1056.00 feet to the north line of "Supervisor's Plat of Fidelity Farms" as recorded in
Liber 15 of Plats, Page 7, Ingham County Records; thence S 89°59'28" W 20.00 feet
along the north line of said "Supervisor's Plat of Fidelity Farms" to the POINT OF
BEGINNING:

thence N 00°00'32" E 125.00 feet;
thence N 26°22'12" W 86.65 feet;
thence N 48°45'17" W 95.00 feet;
thence N 59°51'35" W 483.72 feet;
thence N 56°02'24" W 203.82 feet;
thence N 38°07'43" W 78.15 feet to the POINT OF ENDING; being a part of the
South 1/2 of Section 23, T4N, R2W, City of Lansing, Ingham County,
Michigan; except any part taken, deeded or used for public road purposes;
and subject to easements and restrictions of record, if any.

from “Open Space – Dedicated Park” to “Open Space – Quasi-Public / Wireless Cell Tower” to accommodate the proposed Verizon Wireless monopole tower.

Andy Schor
Mayor



City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

January 30, 2018

Lansing City Council President Carol Wood

Lansing City Council Vice President Jodi Washington

Members of the Lansing City Council

Re: Designation of Chief Labor Negotiator for the City of Lansing

RECEIVED
2018 FEB -2 AM 9:45
LANSING CITY CLERK

Dear President Wood, Vice President Washington, and Council Members,

Pursuant to the authority granted to the Mayor in the Lansing City Charter at Section 6-201.2, I have designated Nicholas Tate as Chief Labor Negotiator for the City. I am now asking for the City Council to provide its consent to the designation.

A proposed resolution accompanies this letter and I request that this designation be referred to the Committee of the Whole for consideration at its February 12, 2018 meeting.

Sincerely,

A handwritten signature in black ink, appearing to be "AS", is written over the word "Sincerely,".

Andy Schor

Mayor

RESOLUTION 2018_____

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 6-201.1 of the Lansing City Charter provides that “the Mayor shall have the overall responsibility for all of the labor relations of the City”; and

WHEREAS, pursuant to this responsibility and the authority granted to the Mayor in Section 6-201.2 of the Charter to designate a chief labor negotiator, the Mayor has designated Nicholas Tate as Chief Labor Negotiator for the City, subject to the advice and consent of the City Council.

NOW THEREFORE BE IT RESOLVED, the City Council, having reviewed and considered the designation of Nicholas Tate as Chief Labor Negotiator of the City of Lansing, hereby consents to such designation.

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

WHEREAS, Section 6-201.1 of the Lansing City Charter provides that “the Mayor shall have the overall responsibility for all of the labor relations of the City”; and

WHEREAS, pursuant to this responsibility and the authority granted to the Mayor in Section 6-201.2 of the Charter to designate a chief labor negotiator, the Mayor has designated Nicholas Tate as Chief Labor Negotiator for the City, subject to the advice and consent of the City Council.

NOW THEREFORE BE IT RESOLVED, the City Council, having reviewed and considered the designation of Nicholas Tate as Chief Labor Negotiator of the City of Lansing, hereby consents to such designation.

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

WHEREAS, The City of Lansing was selected to receive a Jackson National Community Fund (JNCF) grant for Lansing SAVE; and

WHEREAS, the Jackson National Community Fund (JNCF) grant was the result of a competitive proposal process, and a proposal was submitted by the Office of Financial Empowerment on September 14, 2017, approved on November 28, 2017, and was received on December 1, 2017; and

WHEREAS, Jackson National Community Fund (JNCF) grant supports matching and incentive dollars for Lansing SAVE accounts, as well as the development of a mobile app called SHAPE to assist parents in planning for their children's future; and

WHEREAS, Jackson National Community Fund (JNCF) awarded \$10,000.00 to the City of Lansing's Office of Financial Empowerment; and

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

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the Jackson National Community Fund (JNCF) Grant in the total amount of \$10,000.00 for the grant period beginning July 1, 2017 and ending June 30, 2018 (the fiscal year) for the City of Lansing.

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

RESOLUTION #2018-__
RESOLUTION TO AUTHORIZE ISSUANCE OF
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2018

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality (the “DEQ”) 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 DEQ; and

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

WHEREAS, the City desires to finance the CSO 034C Project as further described in plans on file with the City (the “Improvements”), which Improvements are related to the Wet Weather Control Program Project Plan and which are required by the NPDES Permit; and

WHEREAS, the City has been offered funding for the Improvements from the State Revolving Fund program (the “SRF Program”), which is a low-interest loan financing program administered by the Michigan Department of Treasury and the Michigan Finance Authority (the “Authority”); and

WHEREAS, in order to obtain loans from the SRF Program, the City must issue bonds and, on November 7, 2017, pursuant to Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended, the City published in the *Lansing City Pulse* the “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” (the “Notice of Intent”), which described bonds to be issued in one or more series in an aggregate principal amount not-to-exceed \$13,000,000 for the purpose of paying the costs of the Improvements; and

WHEREAS, to finance the cost of making the Improvements the City Council deems it necessary to borrow the sum of not to exceed \$13,000,000 and to issue its Wet Weather Control Program Limited Tax General Obligation Bond, Series 2018 therefore pursuant to the provisions of Act 451 (the “Bond”); and

WHEREAS, the City Council determines that it is necessary to authorize the Director of Finance (an "Authorized Officer") to complete sale and delivery of the Bond as described in the Notice of Intent and within the limitations contained in this Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. NECESSITY. It is necessary for the public health, safety and welfare of the City to make the Improvements pursuant to the City's Wet Weather Control Program Project Plan and issue the Bond pursuant to Act 451 to finance construction of the Improvements.

2. ESTIMATED COST - PERIOD OF USEFULNESS. The total cost of the Improvements, including the payment of engineer's fees, legal and financial expenses and other expenses incident to the financing of the Improvements, which is estimated to be approximately \$13,000,000 is hereby approved and confirmed, and the estimated period of usefulness of the Improvements is determined to be in excess of thirty (30) years.

3. APPROVAL OF CONTRACT DOCUMENTS. The City hereby approves the Purchase Contract between the City and the Michigan Finance Authority (the "Authority"), the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality, and the Issuer's Certificate (the "Contract Documents") in such form as is approved by the Authorized Officer. The Authorized Officer and the Clerk, or any one or more of them, are authorized to sign the Contract Documents.

4. ISSUANCE OF BOND. To defray the cost of the Improvements, including legal, engineering, financial and other expenses, the City shall issue its bond known as the "Wet Weather Control Program Limited Tax General Obligation Bond, Series 2018" (the "Bond") in the aggregate principal sum of not to exceed \$13,000,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents, pursuant to the SRF Program. The balance of the cost of the Improvements, if any, shall be paid by grants or funds appropriated by the City.

During the time funds are being drawn down by the City under the Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the Bond.

5. BOND TERMS. The Bond shall be issued as one fully registered manuscript bond, shall be sold and delivered to the Authority in any denomination. The Bond shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates determined by the Authorized Officer at the time of sale, provided the final maturity shall be no later than thirty years after the date of issuance. The Bond shall bear interest at a rate not to exceed two and 50/100 percent (2.50%) per annum as determined by the Authorized Officer, payable semiannually on the dates determined by the Authorized Officer at the time of sale. Notwithstanding the above, the final amount of any maturity and the terms of the Bond shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

6. PAYMENT OF PRINCIPAL AND INTEREST. Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the Bond shall be made at the principal office of the Paying Agent (as defined below), upon surrender of the Bond. Payment of interest on the Bond shall be paid to the registered owner at the address as it appears on the registration books as of the determination date. Initially, the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; however, the determination date may be changed by the City to conform to market practice.

7. SECURITY. The City anticipates paying the principal of and interest on the Bond from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's sewage disposal system and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. The Bond shall be a limited tax general obligation of the City, and the City hereby pledges its full faith and credit for the prompt payment of the principal of and interest on the Bond as and when due. Each year, the City shall include in its budget as a first budget obligation an amount sufficient to pay such principal and interest as the same shall become due. In the event there are insufficient moneys for the payment of principal of and interest on the Bond, the City shall levy a tax on all taxable property in the City for the prompt payment of principal and interest on the Bond; provided, however, that at the time of making any such annual tax levy, the City shall take into account in determining such annual tax levy other moneys available to pay principal of and interest on the Bond, including Net Revenues of the System, special assessments, or any other moneys available to the City. Taxes, if any, levied pursuant hereto shall be limited as to rate and amount by applicable, constitutional, statutory and charter limitations on the taxing power of the City.

8. PRIOR REDEMPTION. The Bond issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

9. PAYING AGENT AND REGISTRATION.

(a) Appointment of Paying Agent. From time to time the City shall designate and appoint a Paying Agent, which may also act as transfer agent and bond registrar (the "Paying Agent"). The initial Paying Agent shall be designated by the Authorized Officer. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bond.

(b) Registration of Bond. Registration of the Bond shall be recorded in the registration books of the City to be kept by the Paying Agent. The Bond may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

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

10. SALE OF BOND. The Bond shall be sold to the Authority. The City determines that a negotiated sale to the Authority is in the best interest of the City because the terms offered by the Authority are more favorable than those available from other sources of funding.

11. BOND FORM. The Bond shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such changes as may be required by

the Authority or as recommended by the City's Bond Counsel and approved by the officers of the City signing the Bond.

12. EXECUTION OF BOND. The Mayor and the Clerk of the City are hereby authorized and directed to sign the Bond, either manually or by facsimile signature, on behalf of the City. Upon execution, the Bond shall be delivered to the Authority in accordance with the Contract Documents.

13. BOND MUTILATED, LOST OR DESTROYED. If any Bond shall become mutilated, the City, at the expense of the holder of the Bond, shall execute, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the City and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the City, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, which shall bear the statement required by Act No. 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

14. BOND PAYMENT FUND. For payment of principal of and interest on the Bond, there shall be established and maintained a debt service fund for the Bond (the "Bond Payment Fund"). The accrued interest, if any, and capitalized interest, if any, received at the time of delivery of the Bond shall be placed into the Bond Payment Fund. The City shall budget annually a sufficient amount to pay the annual principal of and interest on the Bond and deposit such amount in the Bond Payment Fund as needed to make payments of principal and interest as they become due. The obligation of the City to pay the principal of and interest on the Bond will be a first budget obligation. Moneys in the Bond Payment Fund shall be expended solely for payment of principal and interest on the Bond which first come due. Any moneys remaining in the Bond Payment Fund after the annual payments of principal of and interest on the Bond shall be transferred to the Sewer Fund or the General Fund and shall no longer be pledged hereunder.

15. CONSTRUCTION FUND. Prior to delivery and sale of the Bond, there shall be established a construction fund for the Project (the "Construction Fund"). After deducting the sums which are required to be deposited in the Bond Payment Fund, the balance of the proceeds of the Bond shall be deposited into the Construction Fund. The moneys on deposit in the Construction Fund from time to time shall be used solely for the purpose for which the Bond was issued. Any unexpended balance shall be used for such purposes as allowed by law. Any moneys remaining in the Construction Fund after payment of all such costs shall be transferred to the Bond Payment Fund or may be returned to the Authority. After completion of the Improvements and disposition of

any remaining bond proceeds, pursuant to the provisions of this Section, the Construction Fund shall be closed.

The appropriation of moneys for “eligible” (not to exceed the maximum Principle Amount of the Bond) and “ineligible” costs of the improvements (as those terms are defined by the Authority and DEQ) is hereby approved. Said moneys shall be used solely for the purposes of making improvements included in the Wet Weather Control Program Project Plan approved by the DEQ, and ancillary related expenses.

16. INVESTMENT OF FUNDS. Moneys in the funds and accounts established herein may be invested by the City as allowed by law, subject to the provisions of Act 20, Public Acts of Michigan, 1943, as amended, or any statute subsequently adopted regulating investments by the City, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the “Code”).

17. DEPOSITORY AND FUNDS ON HAND. Moneys in the several funds and accounts maintained pursuant to this Resolution may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the moneys shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

18. COVENANTS. The City covenants and agrees with the successive holders of the Bond that so long as any of the Bond remains outstanding and unpaid as to either principal or interest:

(a) It will cause the principal of and interest on the Bond to be paid promptly when due, but solely from the funds pledged by this Resolution.

(b) It will make no use of the proceeds of the Bond, or any other funds which may be deemed to be proceeds of the Bond pursuant to Section 103(c) of the Code which, if the use had been reasonably expected on the date of issuance of the Bond, would have caused the Bond to be “arbitrage bonds” within the meaning of that Section, and will comply with all requirements of the Code throughout the term of the Bond.

(c) It will not permit at any time or times any of the proceeds of the Bond or any other funds of the City to be used directly or indirectly in a manner which would result in the exclusion of the Bond from the treatment afforded by Section 103(a) of the Code, as from time to time amended.

(d) It will, if required to do so, rebate the amount required by Section 148(f)(2) of the Code in accordance with the provisions of Section 148(f)(3) of the Code.

19. ADDITIONAL BONDS. In accordance with the provisions of Act 34, the City reserves the right to issue additional bonds, which shall be of equal standing and priority with the Bond.

20. CONTRACT WITH BONDHOLDERS. The provisions of this Resolution shall constitute a contract between the City and the holder or holders of the Bond from

time to time, and after the issuance of any of such Bond, no change, variation or alteration of the provisions of this Resolution may be made which would lessen the security for the Bond. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such holder or holders, either at law or in equity.

21. AUTHORIZED OFFICER: The Director of Finance (the "Authorized Officer") is hereby designated, for and on behalf of the City, to do all acts and to take all necessary steps required to effectuate the sale, issuance and delivery of the Bond to the Authority. The Authorized Officer is hereby authorized to execute and deliver the Contract Documents in such form as the Authorized Officer shall approve. Notwithstanding any other provision of this Resolution, the Authorized Officer is authorized within the limitations of the resolution to determine the specific interest rate or rates to be borne by the Bond, not exceeding 3% per annum, the principal amount, interest payment dates, dates of maturities, and amount of maturities, redemption rights, the title of the Bond, date of issuance, and other terms and conditions relating to the Bond and the sale thereof provided, however, the last annual principal installment shall not be more than thirty years from the date of the Bond. The Authorized Officer's approval of the terms shall be evidenced by his or her signature on the document or agreement stating such terms. The Authorized Officer is hereby authorized for and on behalf of the City, without further City Council approval, to do all acts and take all necessary steps required to effectuate the sale, issuance, and delivery of the Bond. The Authorized Officer, together with the Mayor, the Clerk, and other proper officers and employees of the City, or any one or more of them, are authorized to take any actions necessary to comply with requirements of the Authority and DEQ in connection with the sale of the Bond to the Authority, and to execute any orders, receipts, agreements, pledge agreements, documents or certificates necessary or convenient to complete the transaction, including, but not limited to, any issuer's certificate, any certificates relating to federal or state securities laws, rules or regulations, any applications to the Michigan Department of Treasury, and any revenue sharing pledge agreement. The City hereby approves the Issuer's Certificate in such form as is approved by the Authorized Officer.

22. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of and interest on the Bond, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bond shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bond from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

23. INTERNAL REVENUE CODE. The City has consulted with its bond counsel and understands that the Code contains certain requirements on (i) the expenditure of proceeds from the sale of the Bond, (ii) the investment of the proceeds from the issuance of the Bond and (iii) the rebate of interest earned on the investment of

the proceeds of the Bond under certain circumstances. The City hereby covenants to comply with such requirements.

24. BOND COUNSEL. The engagement of the firm of Dykema Gossett PLLC as bond counsel to the City in connection with the issuance of Bond is hereby ratified, confirmed and approved.

25. RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Resolution are subject to the laws of the State of Michigan.

26. SECTION HEADINGS. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

27. SEVERABILITY. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

28. CONFLICT. Except as provided above, all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bond.

29. EFFECTIVE DATE OF RESOLUTION. This Resolution is determined by the City Council to be immediately necessary for the preservation of the peace, health and safety of the City and shall be in full force and effect from and after its passage.

EXHIBIT A

NO. ____

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2018**

Interest Rate

Maturity Date

Date of Original Issue

Registered Owner: MICHIGAN FINANCE AUTHORITY

Principal Amount:

The City of Lansing, Ingham and Eaton Counties, Michigan (the "City"), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the amounts and on the Dates of Maturity set forth on Schedule I attached hereto, together with interest thereon from the dates of receipt of such funds, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____ and semiannually thereafter on the first day of April and October of each year, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto.

The City promises to pay to the Michigan Finance Authority (the "Authority") the principal amount of this Bond or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality.

During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

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

This Bond being one fully registered manuscript bond is issued in accordance with the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), and a resolution adopted by the City Council of the City on _____, 2018, for the purpose of paying a portion of the cost of purchasing, acquiring and constructing sanitary sewer improvements (the "Improvements") as part of the Wet Weather Control Program State Revolving Fund Project Plan, as amended, in compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. MI00234000.

The City has pledged the limited tax, full faith, credit and resources of the City for the prompt payment of the principal of and interest on the Bond, in which event the City may levy a tax on all taxable property in the City for the payment of principal and interest on the Bond, which tax shall be limited as to rate and amount by applicable constitutional, statutory and charter limitations on the taxing power of the City. The City reserves the right to issue additional bonds in accordance with the provisions of Act 451 or other applicable law which shall be of equal standing and priority with the Bond.

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

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

It is hereby certified and recited that all acts, conditions and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the City including this Bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Lansing, Ingham and Eaton Counties, Michigan, by its City Council, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and Clerk, all as of the _____ day of _____, 2018.

Andy Schor, Mayor

Chris Swope, Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type social security number or taxpayer identification number and name
and address of transferee)

the within bond and all rights thereunder, and does hereby irrevocably constitute and
appoint _____ attorney to transfer the within bond on the
books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ Signed: _____

In the presence of: _____

Notice: The signature to this assignment must correspond with the name as it
appears upon the face of the within bond in every particular, without alteration
or enlargement or any change whatever. When assignment is made by a
guardian, trustee, executor or administrator, an officer of a corporation, or
anyone in a representative capacity, proof of his authority to act must
accompany the bond.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a
Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: _____

SCHEDULE I

Name of Issuer **CITY OF LANSING**
DEQ Project No: **5005-23**
DEQ Approved Amount:

SCHEDULE I

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

Due Date	Amount of Principal Installment Due
_____	_____

Interest on the Bond shall accrue on that portion of principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of 2.50% per annum, payable _____ 1, 20__, and semiannually thereafter.

The Issuer agrees that it will deposit with The Bank of New York Mellon Trust Company, N. A., or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of and interest on this Bond in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 p.m. (noon) on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Chris Swope, City Clerk
City of Lansing

STATE OF MICHIGAN)
) SS
COUNTY OF INGHAM)

I, Chris Swope, the duly qualified and acting Clerk of the City of Lansing, Ingham and Eaton Counties, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on _____, 2018, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of _____, 2018.

Chris Swope, City Clerk
City of Lansing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND

CHAPTER 656.05 OF THE LANSING CODIFIED ORDINANCES BY PROVIDING FOR

THE TIMES ~~CITY~~ PARKS ARE CLOSED. THE CITY OF LANSING ORDAINS:

Deleted: AND PORTIONS OF THE RIVER TRAIL

Section 1. That Chapter 656.05, Sections (a) and (b), of the Codified Ordinances of the

City of Lansing, Michigan, be and is hereby amended to read as follows:

656.05. Persons in closed park prohibited; exception.

(a) Except as otherwise provided in this section, all City parks ~~INCLUDING~~ all parking lots

Deleted: E

that serve City parks ~~WITHIN THE CITY~~ shall close ~~DUSK TO DAWN UNLESS A CITY~~

Deleted: and

~~SPONSORED OR APPROVED ACTIVITY AT A LIGHTED PARK IS OCCURRING.~~

Deleted: AND PORTIONS OF THE RIVER TRAIL THAT ARE

Deleted: at 10:00 p.m.

(b) If the closing time ~~of~~ a city park is set at a time ~~DIFFERENT THAN DUSK TO DAWN,~~

Deleted: OF

notice of the closing time of that park shall be posted at the regular entrance to the park. If no

Deleted: in

regular entrance to the park exists, the notice of the ~~EXPANDED~~ closing time of that park shall

Deleted: earlier than 10:00 p.m.

be posted at such other places which, in the sole discretion of the Director of Parks and

Recreation, are likely to inform persons coming into the park of the park's closing time.

(c) No person or vehicle shall enter or be within any park or portion thereof or any parking lot or

portion thereof which serves any City park when it is closed, except City or other public officials

or employees in the course of their duties, unless such person has written permission to do so

from the Director of Parks and Recreation or an authorized representative thereof.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules,

inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and

of no effect.

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

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

6 Approved as to form:
7
8

9 _____
10 City Attorney
11
12

Dated: _____

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

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

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 656.05, of the Lansing Codified Ordinances by changing all City parks including all parking lots that serve City parks within the City shall close dusk to dawn unless a city sponsored or approved activity at a lighted park is occurring, subject to ordinance requirements.

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, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

INTRODUCTION OF ORDINANCES

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

Z-1-2018: Rezone from “H” Light Industrial district to “G-1” Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

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, _____, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2018: Rezone from “H” Light Industrial district to “G-1” Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-1-2018

Parcel Number's: 33-01-01-16-428-002/-031/-041/-051/-061/-131/-141/-151/-161/-171/-181/-191/-201/-211 and the north 16.5 feet of 33-01-01-16-428-092

Legal Descriptions: Lots 1 through 4, Lots 6 through 12 and the East 4 feet of Lot 13, Connards Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, the alley, including the vacated portion thereof, located south of Lots 1 through 19 of Connards Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, Lots 1 through 24 of Barnard's Subdivision, except Lots 2, 3, 21, 22, 23, the South 36.25 feet of Lot 20, the North 8 feet of the West 165 feet of Lot 2, Block 242 of the Original Plat of the City of Lansing and the South 35.31 feet of the North 43.31 feet of the West 135 feet of Lot 2, Block 242 of the Original Plat of the City of Lansing, Ingham County, MI, from "H" Light Industrial district to "G-1" Business district.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2018, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

**Z-1-2018 - Rezoning from “H” Light Industrial District to “G-1” Business District
Act-1-2018 – Alley Vacation**

The Lansing City Council will hold a public hearing on Monday, _____, 2018 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider the following requests by GG Acquisitions, LLC:

Z-1-2018: Rezone the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad property to the east from “H” Light Industrial to “G-1” Business district, with the following exceptions (property not included in the rezoning): 628 E. Michigan Avenue, 629 Barnard Street and the adjacent parcel to its east, the parcel of land located at the southeast corner of E. Michigan Avenue and S. Larch Street (formerly addressed as 608 E. Michigan Avenue), 119 S. Larch Street, except the north 16.5 feet thereof and the 2 parcels located immediately south of 119 S. Larch Street.

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard’s Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing.

The purpose of the rezoning and alley vacation is to allow for future mixed use development of the site.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, _____, 2018 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT: GG Acquisitions, LLC
330 Marshall Street, Suite 100
Lansing, MI 48912

OWNERS: See attached.

REQUESTED ACTIONS: Rezone from "H" Light Industrial to "G-1" Business District
Alley vacation

EXISTING LAND USE: Commercial, Industrial, Single and Multi-Family Residential

EXISTING ZONING: "H" Light Industrial District

PROPOSED ZONING: "G-1" Business District

PROPERTY SIZE: 159,244 square feet – 3.65 acres – total area to be rezoned
including the alley to be vacated

SURROUNDING LAND USE: N: Various commercial & office uses, Lansing Rescue
Mission
S: Commercial, industrial, single and multi-Family
Residential
E: Railroad/office Building
W: Stadium District (multi-family residential &
commercial)

SURROUNDING ZONING: N: "G-1" Business & "H" Light Industrial Districts
S: "H" Light Industrial District
E: "H" Light Industrial District
W: "G-1" Business & "H" Light Industrial Districts

MASTER PLAN: The Central Lansing Comprehensive Plan designates the
subject property for retail/commercial with upper floor mixed
use. The Design Lansing Master Plan designates the subject
property for Downtown Mixed-Use Center: Edge. E.
Michigan Avenue is designated as a minor arterial. S. Larch
Street is designated as an activity corridor. Barnard Street is
designated as a local road.

DESCRIPTION:

The following requests by GG Acquisitions, LLC, are to facilitate a future mixed use development on the property described below, including the alley to be vacated:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

AGENCY RESPONSES

BWL:

BWL Electric: Approved. No comments. Contact person: Jerry Wheeler, ph: 517-702-6644

BWL Street Lighting: Approved. No Comments.

BWL Water & Steam Distribution: Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- General Comments:
 - o All service piping, up to and including the service risers are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. BWL jurisdiction for domestic services ends at the outlet of the domestic meter setting. BWL jurisdiction for fire services ends at the connection point to the backflow preventer. Service risers to the building will only be constructed by LBWL forces or a LBWL approved contractor.
 - o It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The LBWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - o The Customer is responsible for coordinating with the Fire Marshall of Jurisdiction for hydrant placement on the site. Note that if the installation of fire

- hydrants is required, then the installation will require permitting by the MDEQ, and the owner will be responsible for meeting all requirements for the installation of water main. The BWL's experience is that the Fire Marshall will require a fire hydrant be installed within 100 feet of any proposed fire department connection.
- o MDEQ permits and signed easements shall be established prior to construction, if applicable.
 - Site Specific Comments:
 - o Commercial zoning requires 2500 gpm of fire flow protection. Therefore, the following must be considered for future development:
 - ☐ In order to meet commercial fire flow requirements, any proposed water main for future development must connect to the existing 24-inch main in Michigan Avenue. Commercial fire flow is not available from a connection taken solely off of Larch or Barnard.
 - ☐ Based on the lengths and layout of proposed water main, the BWL will enforce looping requirements.
 - ☐ It is the BWL's experience that the Lansing Fire Marshall will require a fire hydrant to be placed within 100' of new building fire department connections. Developer is to coordinate fire protection requirements for any future development with the Lansing Fire Marshall, and communicate those requirements to the BWL so connection and looping requirements can be determined.

BWL Water Operations: I have no comments or concerns.

BWL Environmental Wellhead Protection: We have no Wellhead Protection Concerns in this area.

Building Safety:	The BSO has no objections.
Development Office:	No comments pertaining to the Development Office.
Fire Marshal:	No response received.
Parks & Recreation:	The removal of any right-of-way trees and or altering of any right-of-way rain gardens for future development plans would require review and approval by the Forestry division.
Public Service:	Regarding the impacts of this vacation to sanitary sewer service, all of the parcels fronting Michigan Ave. have service in the "new" sanitary sewer on Michigan Ave. Further, regarding sanitary sewer service at the parcel at the west end of the east/west alley (i.e., Liskey's), their sanitary sewer service is off of Cedar St. However, it's not clear how or whether the steel "pole barn-type" building south of the east/west alley (i.e.,

Parcel #33-01-01-16-428-100) is served, but there is no existing public sewer in the east/west alley, so the question of sanitary service to that building is probably moot. The county's info shows Parcel #33-01-01-16-428-100 as owned by Brogan's and I believe they simply store tires in there, but there is and would be no sanitary service available to that parcel (again, this probably isn't an issue, because there apparently has never been sanitary service to that building)

Regarding any access issues, the large parcel that is kind of a parking lot, Parcel #33-01-01-16-428-002, has access off of their driveway approach on Michigan Ave. HOWEVER, again regarding the steel building that encompasses Parcel #33-01-01-16-428-100, it looks like that'd be land-locked, if we vacate the east/west alley. Although the steel building is only a few feet from Brogan's tire shop, they have to cross the east/west alley to access the steel building.

Further, regarding utilities in that alley, the attached map from Consumers Energy shows a 2" medium pressure gas main in the alley. I'm pretty sure this main serves the structures north of the alley along the south side of Michigan Ave.

To summarize, it appears the only issue relative to vacation of both of these alleys is access to the steel building/Parcel #33-01-01-16-428-100, if the east/west alley is vacated.

Transportation Engineer:

There is no objection to the rezoning, however, driveway access points will need to be consolidated and will be subject to City and/or MDOT driveway location standards as appropriate. A traffic study may also be required, depending on the proposed use. If any parcels that have access exclusively off the alley are not owned by the applicant, alternate access will have to be provided by the applicant for these parcels. Any public utilities in the alleys will need to be addressed with relocation/abandonment costs paid for as part of the development.

ACT 33 – ALLEY VACATION

An Act 33 Review is conducted in accordance with Section 208 of the Administration Code when the City purchases, sells or substantially changes the use of property. The Michigan Municipal Planning Act (P.A. 33 of 2008, as amended) requires a review of the location, character, and extent of the proposal by the Planning Board, prior to consideration by the City Council. The following is a review of Act-1-2018 in accordance with these standards.

ANALYSIS

Location: The alley to be vacated runs east off of S. Larch Street along the south lines of the properties fronting along the south side of the 600 block of E. Michigan Avenue, for a distance of 348.82 feet. The alley that runs north for a distance of 109.92 feet to the E. Michigan Avenue right-of-way line is also proposed to be vacated. The east and west alley is platted and originally extended from Larch Street to what was formerly East Street and is now a railroad right-of-way. The east 77 feet of the alley was vacated in 1961. The City then acquired the property that runs north and south to provide a connection between the remaining alley and E. Michigan Avenue.

The alley is located in the midst of properties that are being assembled for a larger building site on East Michigan Avenue. As such, all utilities within the alley will need to be relocated, and lots combined so as to eliminate land-locked parcels.

Character: The alley will change from being a utilitarian means of access to the rear of the buildings in a quasi-industrial setting to being incorporated in a larger mixed-use development with the character and intensity of downtown Lansing.

Extent: Analysis of the extent of a proposal evaluates whether the level or magnitude of the proposed request is appropriate in relation to the intended land use pattern, public facilities, and services in the area. The alley would impede the proposed development in accordance with the shared vision expressed in the Design Lansing Comprehensive Plan.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The proposal is to rezone the block bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad to the east from "H" Light Industrial to "G-1" Business district, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

The subject property is located in an area that contains an eclectic mix of uses. The site is located just east of the Stadium District site which is a commercial/residential mixed use building.

The Cooley Law School baseball stadium is located to its north. The block directly north of the subject property includes the Lansing Rescue Mission and various first floor commercial/office uses with upper floor residential units. The property directly adjoins an active rail line to the east and residential uses of varying densities to the south. Several of the parcels of land that are included in the rezoning request are vacant or being used strictly for parking. The dominant land uses on the site are automotive repair facilities.

The existing uses on the subject property are out of character with the general land use pattern along E. Michigan Avenue which consists of commercial/residential uses and entertainment venues. These types of uses support each other, draw people to the area, many of whom utilize the bus system for transportation, create activity outside of normal business hours, and generally contribute to the vibrancy of an area located in close proximity to the core downtown. Parking lots and automobile repair facilities, by contrast, do not produce activity outside of normal business hours, do not provide support for other businesses in the area and do not draw pedestrian traffic to the area. A mixed use development on the site would provide a renewed sense of vitality to the area site and is a strategic location for the realization of the overall mixed land use pattern being advanced in the Master Plans for this area.

COMPLIANCE WITH MASTER PLAN:

The Central Lansing Comprehensive Plan designates the subject property for retail/commerce with upper floor mixed use. The Design Lansing Master Plan designates the subject property for Downtown Mixed-Use Center: Edge. The purpose of this designation as described 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.”

With respect to placemaking characteristics, the Plan states that:

“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 G-1 Business district is the most appropriate zoning designation to facilitate the mixed use development strategy being advanced in the Central Lansing and Design Lansing Master Plans. It is specifically designed for the downtown in that it allows a mix of retail, office, and high density residential uses as a matter of right. It is also the zoning designation that allows for development in

accordance with the placemaking characteristics described above (no parking or setback requirements and no building height or lot coverage limitations).

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

No negative impacts on vehicular or pedestrian traffic are anticipated to result from future mixed use development of the site. A mixed use development will generate additional pedestrian traffic which is very positive for the area. The current pedestrian walkway system and traffic controls in the area are designed to accommodate large volumes of pedestrian traffic in a safe manner. With respect to vehicular traffic, access to the site will likely be from S. Larch Street which is a major road, designed to carry a high volume of traffic.

The subject property is located on two major bus routes (E. Michigan and Larch) and thus, the occupants of a future mixed use building can be less dependent on privately owned automobiles. It is also within walking distance of several major employers and institutional facilities such as Sparrow Hospital, State of Michigan offices, Lansing city hall, the Accident Fund, Lansing Community College, Cooley Law School and Davenport University. Despite its location, a future developer will have to provide adequate on-site parking to accommodate the needs of the occupants of a mixed use building, even though on-site parking is not required under the "G-1" zoning district. It is anticipated that the site will be developed in a manner similar to the Stadium District to the west with the building located at the front property line along E. Michigan Avenue and parking to its south, accessible primarily from S. Larch Street with secondary access from Barnard Street.

IMPACT ON PUBLIC FACILITIES:

New development will require administrative site plan review at which time the specific details of the the utility systems to accommodate the development will be evaluated. No concerns about the availability of utilities have been expressed by any of the reviewing agencies.

ENVIRONMENTAL IMPACT:

Given the amount of human intervention already occurring on this site, the zoning proposal will have little impact on the physical environment. Redevelopment of the site will be required to go through the City's administrative site plan approval process, during which the drainage system as well as all other physical aspects of the development will be reviewed for compliance with city codes. Furthermore, Michigan Avenue and Larch Street are major bus routes which allow residents of the area to be less dependent on private transportation. Reducing motorized traffic has a positive impact on the environment since less traffic results in less pollution created by the greenhouse gas emissions that motorized vehicles produce and less wear and tear on roads.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The rezoning is intended to accommodate redevelopment of the site for a mixed residential/commercial building which would have a positive impact on future development patterns in the area and strengthen the linkage between the E. Michigan Avenue corridor east of the River and the core downtown. New residential units will provide convenient housing for people who work, attend

school or simply choose to live in an area that is within walking distance of the goods, services and entertainment venues already available in Lansing's core downtown. In addition, the occupants of the residential units will have convenient access to public transportation and will provide a strong customer base for the existing commercial uses in the area.

The "G-1" Business district is the appropriate zoning designation to facilitate the mixed land use development pattern being advanced in the Central Lansing and Design Lansing Comprehensive Plans. Redevelopment of the site may encourage more redevelopment projects in the area that will further the goals of the Master Plans to create a vibrant mixed use area surrounding the core downtown. The "G-1" district allows for a mix of office, commercial and residential uses to the highest density permitted under the Zoning Ordinance (up to 87 dwelling units per acre). It also has no setback or parking requirements and no limitations on building height or lot coverage which is why the overwhelming majority of the land in and around the core downtown area is currently zoned "G-1" Business.

SUMMARY

These are requests by GG Acquisitions, LLC, to facilitate a future mixed use development on the property described below, including the alley to be vacated:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

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

RECOMMENDATIONS

Pursuant to the findings described above, staff is recommending approval of the following requests:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, contingent on the combination of parcels adjacent to the alley to eliminate land-locking any parcel.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

Respectfully Submitted,

Bill Rieske
Assistant Planning Manager

Susan Stachowiak
Zoning Administrator

SUPPLEMENT TO ACT 33 REVIEW APPLICATION

Submitted by GG Acquisitions, LLC

The alley sought to be vacated: This is an application to vacate an alley as depicted on the survey attached (**Exhibit A**), and legally described in the attached **Exhibit B**. The alley runs east and west between Larch Street and the former East Street. At its eastern end, it turns to the North to E. Michigan Avenue.

The Applicant: The Applicant is GG Acquisitions, LLC. Applicant is an affiliate of The Gillespie Group. The Applicant has entered into agreements to purchase the properties adjacent to the alley (as addressed further herein), with the exception of the property owned by 600 E. Michigan-Lansing, LLC.. 600 E. Michigan-Lansing, LLC is an affiliate of Applicant / The Gillespie Group and said property is to be included in the contemplated development.

The Properties Abutting the Alley:

1. The property owned by 600 E. Michigan-Lansing, LLC and described on **Exhibit C**. This property abuts the alley to the North and generally at the corner of Larch and E. Michigan. It includes the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Plat of Connards Subdivision of Lot 1, Block 242, of the Original Plat of the City of Lansing ("Connards Subdivision"). The contact for this property is the Applicant.
2. The property owned by James E. Brogan as described on **Exhibit D**. This property is to the East of the 600 E. Michigan-Lansing, LLC property and is located along E. Michigan Avenue (North side of the alley)—Lots 6, 7, 8, 9, 10, 12 and 13 of Connards Subdivision; and, part of Lot 24 of said subdivision which lies to the South of the alley. Mr. Brogan's address is 1270 Whittier Drive, East Lansing, MI 48823. His phone number is (517) 332-6153 and his email address is sarastanbrog@gmail.com.
3. The property owned by 621 East Michigan, LLC as described on **Exhibit E**. This property is to the East of the Brogan property along east Michigan Avenue, and is to the North and West of the alley—being Lot 5 of Connards Subdivision. The contact for 621 East Michigan, LLC is Fady Samuel Albout, 625 E. Michigan Ave., Lansing MI, 48912.

4. The property owned by Michigan Avenue Development Co., LLC as described on **Exhibit F**. This property is to the West of the Alley (Lots 1, 2, 3 and part of Lot 4 of Connards Subdivision) and to the South (Lot 24 of Connards Subdivision). The contact for Michigan Avenue Development Company, L.L.C is Lawrence A. Bass, 405 E. Maple Street, Lansing, MI, P.O. Box 14180, Lansing, MI 48901.
5. The property owned by Edward C Carpenter Family Trust dated March 28, 2002 described as Parcel on **Exhibit G**. Applicant's agreement to purchase also includes the balance of the property describe in Exhibit G, but only "Parcel 5" abuts the alley. Parcel 5, being the North 16.50 feet of Lot 20 of Connards Subdivision, is abuts the south of the alley, across from the 600 E. Michigan-Lansing, LLC property and part of the Brogan property (Lot 12 of Connards Subdivision). The contact person for this property is Edward Carpenter, 119 S. Larch St., Lansing, MI.; phone number 417-204-5856.

The Requested Action

Applicant requests that the alley be vacated to its full extent and width. It is requested that the resolution approving this vacation provide that the effective date of the vacation, and the conveyance of title be the date of site plan approval for the development of a project including properties outlined above and described in Exhibits D through G (or immediately thereafter).

Miscellaneous

Based upon conversation with the City's staff it is Applicant's understanding that (a) neither an appraisal or an environmental report will be required as part of this application or the approval being requested; and (b) the owners of the property abutting the alley need not sign the application. If this understanding is not accurate please advise at your earliest opportunity.

SUPPLEMENT TO PETITION FOR RE-ZONING

Submitted by GG Acquisitions, LLC

The property to be re-zoned: This is an application to rezone the property described below and depicted on the survey attached (**Exhibit A**), and legally described in the attached Exhibits B through E (and the alley (as addressed below and in a separate application to vacate the alley brought pursuant to Act 33)). The request is to re-zone the property from H (Light Industrial) to G-1 (Business) to allow the property to be developed for mixed commercial and residential uses. In referencing the survey, please note this application does not apply to the property owned by 600 E. Michigan-Lansing, LLC (generally at the corner of Larch and E. Michigan) being the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Plat of Connards Subdivision of Lot 1, Block 242, of the Original Plat of the City of Lansing ("Connards Subdivision"), as that property is currently zoned G-1. Also this application does not include the property owned by 621 East Michigan, LLC—(628 E. Michigan) being Lot 5 of Connards Subdivision as that property is zoned G-1; or Lots 2 and 3 of Block 1, of Barnard's Subdivision (even though they are depicted in the survey being provided).

The Applicant: The Applicant is GG Acquisitions, LLC. Applicant is an affiliate of The Gillespie Group. The Applicant has entered into agreements to purchase the properties sought to be re-zoned (addressed further herein), has also entered into an agreement to purchase the property owned by 621 East Michigan, LLC (common address 628 E. Michigan which is zoned G-1) and 600 E. Michigan-Lansing, LLC., the owner of the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Connards Subdivision (zoned G-1), is an affiliate of Applicant / The Gillespie Group.

The Properties to Be Re-Zoned:

1. The property owned by James E. Brogan as described on **Exhibit B**. This property is to the East of the 600 E. Michigan-Lansing, LLC property and is located along E. Michigan Avenue—Lots 6, 7, 8, 9, 10, 12 and 13 of Connards Subdivision; and, part of Lot 24 of said subdivision which lies to the South of the alley. This property consists of 27,075 sqft. Mr. Brogan's address is 1270 Whittier Drive, East Lansing, MI 48823. His phone number is (517) 332-6153 and his email address is sarastanbrog@gmail.com.
2. The property owned by Michigan Avenue Development Co., LLC as described on **Exhibit C**. This property is to the East of the Brogan Property (Lots 1, 2, 3 and part of Lot 4 of Connards Subdivision) and to the South (Lot 24 of Connards Subdivision). This property consists of 35,163 sqft. The contact for Michigan Avenue Development Company, L.L.C is Lawrence A. Bass, 405 E. Maple Street, P.O. Box 14180, Lansing, MI 48901.
3. The property owned by Carpenter Apartments, LLC (as to Parcels 1-4 and 8 described on **Exhibit D**), Edward C Carpenter Family Trust dated March 28, 2002 (as to the property described as Parcels 5 and 6 on **Exhibit D**), and Edward C. Carpenter, (as to Parcel 7 on **Exhibit D**). Theses parcels include Lots 6, 7 and 8 and a portions of Lots 9 and 10 of Block 1 of the Barnard's Addition to the City of Lansing ("Barnards Subdivision"), and portions of Lots 2 and 20 of Connards Subdivision, all of which are more particularly

described on the survey. Note, this request for rezoning does not include all of the property owned by Carpenter, just the land as described in **Exhibit D** and the survey. This property consists of 79,323 sqft. The contact person for these properties is Edward Carpenter, 119 S. Larch St., Lansing, MI. 48912; phone number 417-204-5856.

4. The property owned by the Ingham County Treasurer—being Lots 4 and 5, Block 1, of Barnards Subdivision, as described on **Exhibit E**. This property consists of 10,202 sqft. The contact information for the Ingham County Treasurer is Eric Schertzing, Treasurer, 313 W. Kalamazoo St. Lansing, MI 48933. (517) 483-6503
5. The Alley-- the alley runs east and west between Larch Street and the former East Street. At its eastern end, it turns to the North to E. Michigan Avenue. The alley consists of 7,481 sqft.

The Requested Action

Applicant requests the above referenced property be rezoned from H to G-1 Business so that it may be developed for a mixed commercial and residential use. Upon rezoning, all of Connards Subdivision will be zoned G-1, with the exception of the Liskey's (Carpenter) operation/property not being purchased. The size and nature of residential uses and structures and, as to commercial uses, the number of employees, parking spaces, and hours / days of operation have yet to be determined.

Miscellaneous

This Petition pertains to 159,244 sqft of property or 3.65 acres= $\frac{1}{2}$ -. An \$800.00 filing fee is therefore being provided.

Applicant is represented by John R. Fifarek, Lasky Fifarek, P.C. with respect to this Petition. Any comments, questions or concerns may be directed to him at 120 N. Washington Square, Suite 625, Lansing, MI 48933. His phone number is (517) 267-2226 and email jfifarek@laskyfifarek.com.

 First American Title™	Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174761

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Parcel 1:

Lot 7, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 2:

The East 45 feet of Lots 9 and 10, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 3:

The West 90 feet of Lot 9, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 4:

The West 90 feet of Lot 10, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 5:

The North 16.50 feet of Lot 20, of Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, according to the recorded Plat thereof, as recorded in Liber 1 of Plats, Page(s) 31, Ingham County Records.

Parcel 6:

The South ½ of the North ½ of the West 135 feet of Lot 2, Block 242 of the Original Plat of the City of Lansing, according to the recorded Plat thereof, as recorded in Liber 1 of Plats, Page(s) 31, Ingham County Records.

Carpenter

Parcel 7:

Lot 8, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 8:

Lot 6, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

 First American Title™	Commitment for Title Insurance
	ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174556

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lot 4 and 5, Block 1, of Barnards Subdivision of Lots 2, 3 and 4, Block 242 of the Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Ingham County Treasurer



First American Title™

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Exhibit A

File No.: 174691

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lot 6, 7, 8, 9, 10, 11, 12 and 13, except the West 18 feet thereof, of Connard's Subdivision of Lot 1, Block 242 of Original Plat of the, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 31, Ingham County Records, ALSO that part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 62.63 feet; thence South 89°49'30" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

Brogan Property

 First American Title™	Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174555

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lots 1, 2, 3, 24, and the East 10 feet of the North 51.55 feet of Lot 4, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof; ALSO beginning at the Southeast corner of said Lot 1; thence South 16 feet; thence West 77 feet; thence North 16 feet; thence East 77 feet to the point of beginning; ALSO Lot 1 of Block 1 of Barnard's Subdivision, recorded in Liber 1 of Plats, Page 32, Ingham County Records; ALSO the North 1/2 of Lot 2, Block 242, except the West 135 feet thereof and except the East 30 feet of the West 165 feet of the North 8 feet thereof, Original Plat of the City of Lansing. The said property may also be described as: Beginning at the Northeast corner of Lot 1 of Connard's Subdivision of Lot 1 of Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof; thence South along the Eastern boundaries of Lot 1, Lot 1 extended; and Lot 24 of Connard's Subdivision, the North 1/2 of Lot 2, Block 242 and Lot 1 of Block 1 of Barnard's Subdivision, a measured distance of 521.30 feet to an "X" cut on concrete marking the Southeast corner of Lot 1 of Block 1 of Barnard's Subdivision; thence West 42 feet to a point being the Southwest corner of said Lot 1, Block 1 of Barnard's Subdivision; thence North 121.5 feet to a point, which point is a measured distance of 41.87 feet West of the Eastern boundary line of Lots 1 and 24 aforesaid, being the Northwest corner of said Lot 1, Block 1 of Barnard's Subdivision; thence West 251.21 feet to a point being the Northwest corner of Lot 7, Block 1, of Barnard's Subdivision; thence North 78.62 feet; a point 135 feet East of the East Boundary of Larch Street; thence East 30 feet to a point being 8 feet South of the North line of Lot 2, Block 242; thence North a measured distance of 195.9 feet along the West boundary line of Lot 24 of Connard's Subdivision of Block 242 to a point being the Northwest corner of said Lot 24; thence East 183.04 feet along the Northern boundary line of said Lot 24 to a point 16 feet South of the Southwest corner of Lot 3 of Connard's Subdivision; thence Northerly 16 feet to a point being the Southwest corner of Lot 3 of Connard's Subdivision; thence continuing North along the West boundary line of said Lot 3, 59.5 feet to an "X" cut therein; thence West 10 feet to an "X" cut; thence North a measured distance of 51.55 feet to a point in the North Boundary line of Lot 4 and the South boundary line of Michigan Avenue; thence East along the South boundary of Michigan Avenue and the North boundary lines of Lots 4, 3, 2, and 1 of Connard's Subdivision to place of beginning.

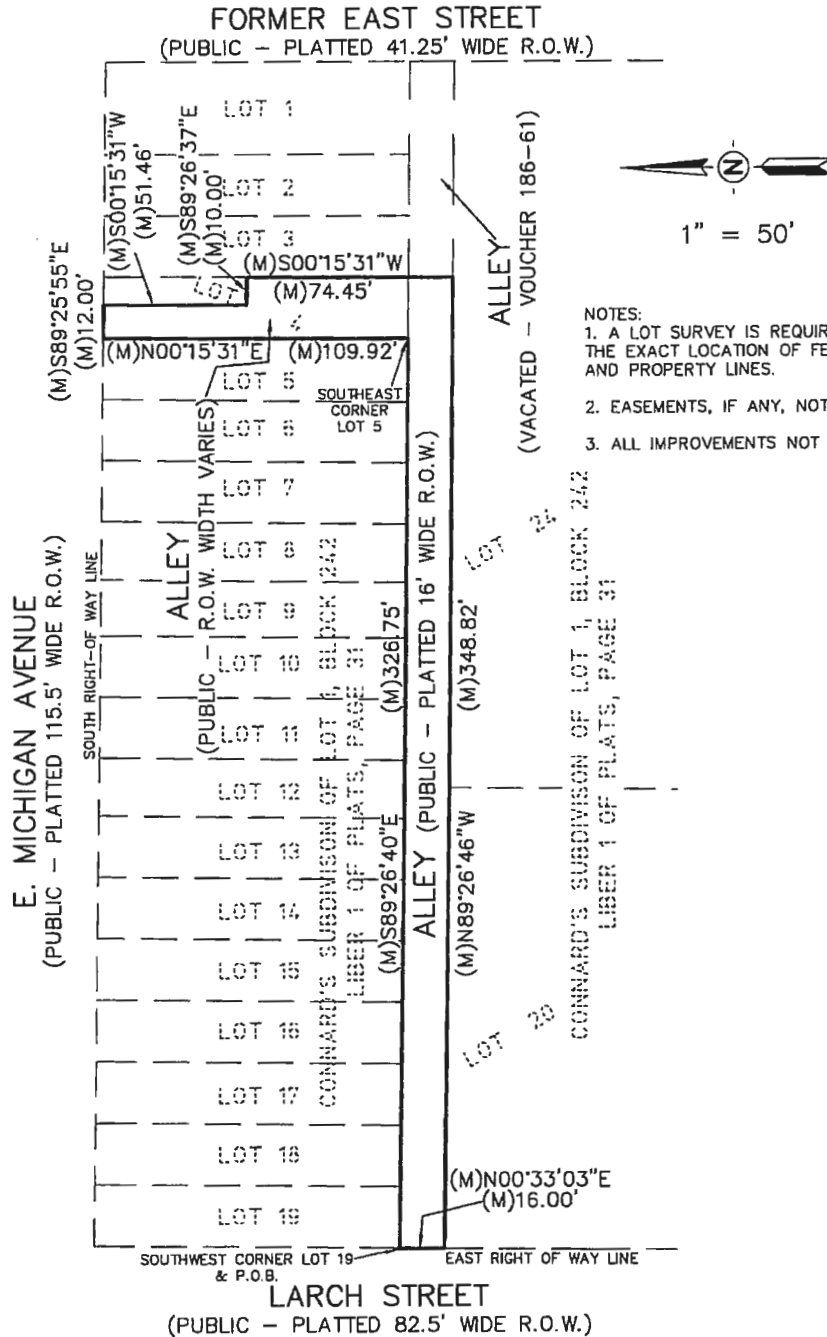
EXCEPT:

Part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 62.63 feet; thence South 89°49'30" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

Michigan Avenue Development Co., LLC

PLOT PLAN

For:
Gillespie Group
330 Marshall Street
Lansing, MI 48912



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

R = Recorded Distance
M = Measured Distance
--- = Deed Line
--- = Distance Not to Scale



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49088
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY SLH

SECTION 16, T4N, R2W

FIELD WORK BY ---

JOB NUMBER:

SHEET 1 OF 2

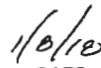
92950.PLT-ALLEY

PLOT PLAN

ALLEY DESCRIPTION:

A parcel of land being part of the Plat of Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 31, Ingham County Records; said parcel is more particularly described as: Beginning at the Southwest corner of Lot 19, of said Plat of Connard's Subdivision; thence S89°26'40"E along the North line of an alley of said plat a distance of 326.74 feet to the Southeast corner of Lot 5 of said plat; thence N00°15'31"E along the East line of said Lot 5 a distance of 109.92 feet to the South Right of Way line of East Michigan Avenue; thence S89°25'55"E along said South line a distance of 12.00 feet; thence S00°15'31"W 51.46 feet; thence S89°26'37"E 10.00 feet to a point on the West line of Lot 3 of said plat; thence S00°15'31"W 74.45 feet to a point on the South line of said alley; thence N89°26'46"W along said South line 348.82 feet to the East Right of Way line of South Larch Street; thence N00°33'03"E along said East Right of Way line 16.00 feet to the point of beginning; said alley containing 0.17 acre, more or less; said alley subject to all easements and restrictions if any.


DANE B. PASCOE
PROFESSIONAL SURVEYOR


DATE
No. 54434



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY SLH

SECTION 16, T4N, R2W

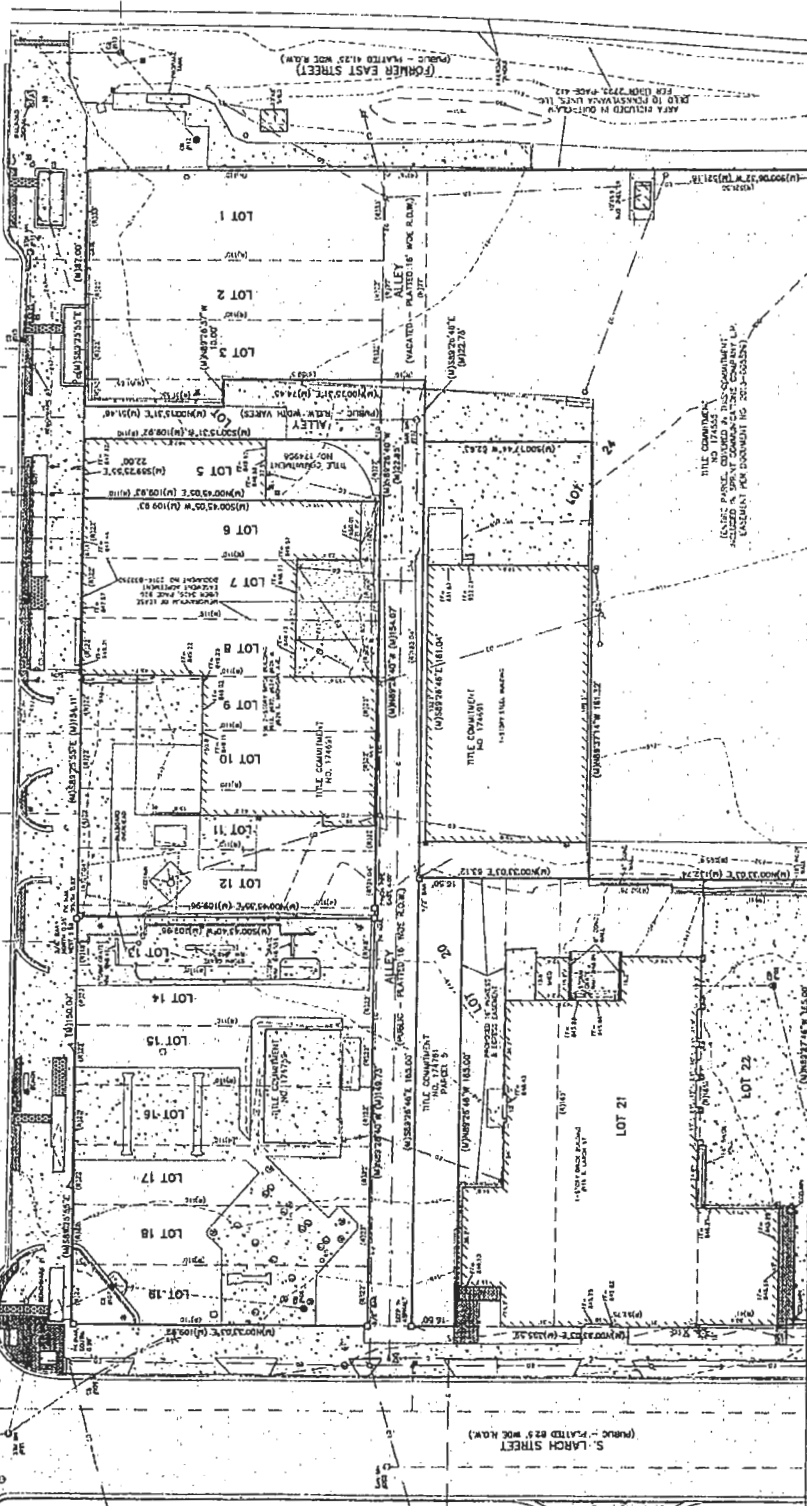
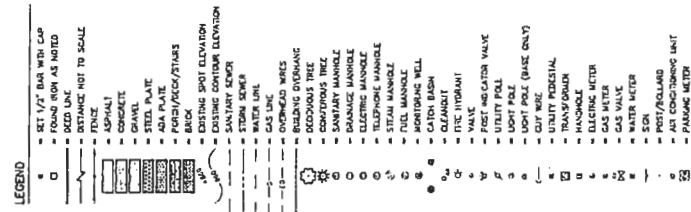
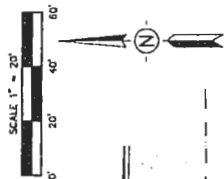
FIELD WORK BY ---

JOB NUMBER:

SHEET 2 OF 2

92950.PLT-ALLEY

FOR: GILLESPIE GROUP



WATCH LINE SEE SHEET 2

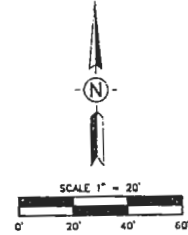
REVIEWS	COMMENTS	 KEBS, INC. CONSULTING AND ENGINEERING 3114 KINGSBURY PARKWAY PH. 517-338-7400 FAX 517-338-6617 WWW.KEBS.USA Maryland, Odessa - Ph. 202-711-1600
11/03/2011	11/03/2011	
12/16/2011	01/25/2012	

E. H. R. 12/10/77

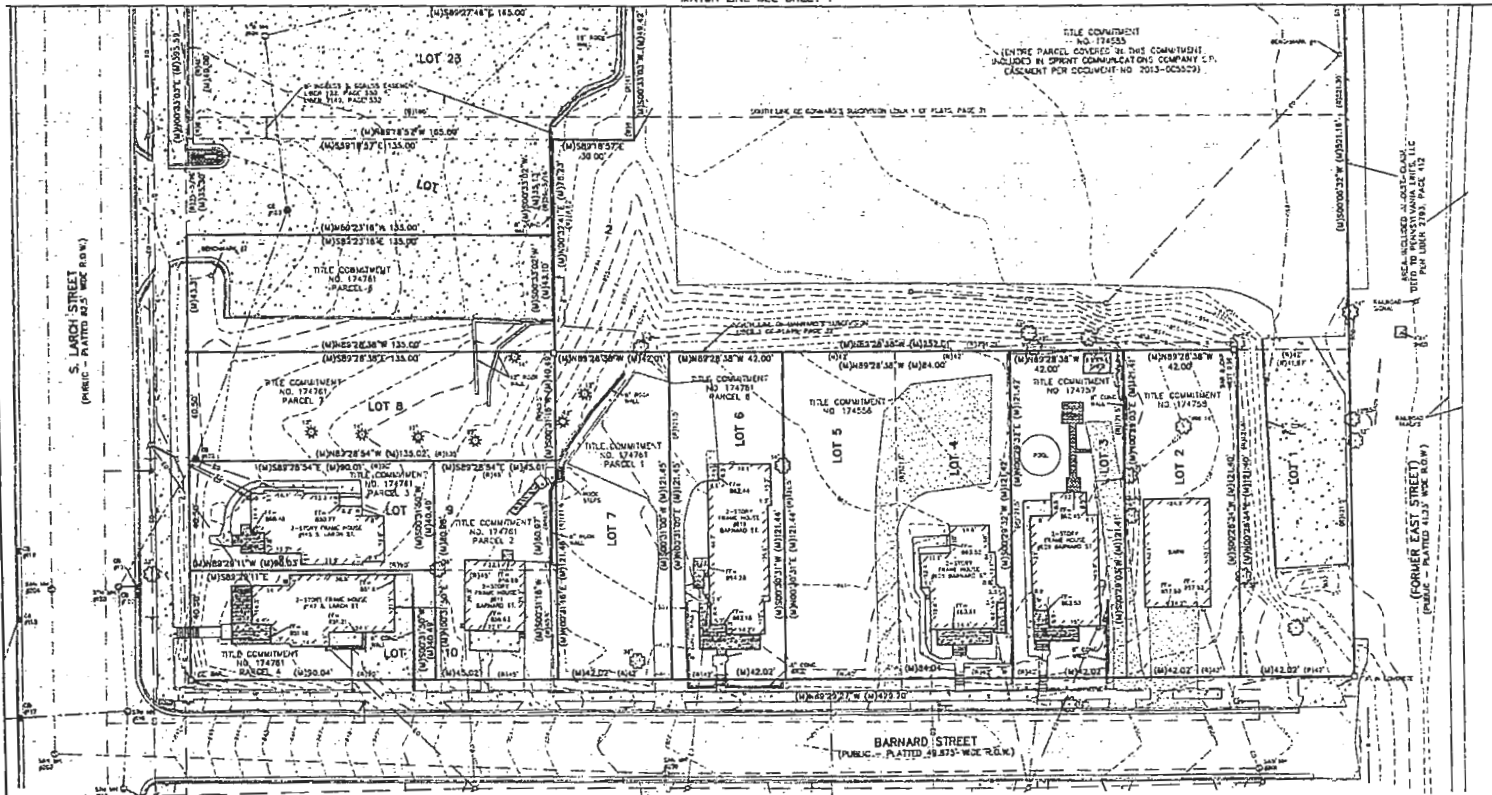
BOUNDARY & TOPOGRAPHIC SURVEY

FOR: GILLESPIE GROUP

"600 E. MICHIGAN PROJECT"



MATCH LINE SEE SHEET 1



LEGEND

- SET 1/2" BAR WITH CAP
- FOUND HIGH AS NOTED
- DEED LINE
- DISTANCE NOT TO SCALE
- FENCE
- ASPHALT
- CONCRETE
- GRAVEL
- STEEL PLATE
- ADA PLATE
- PORCH/DECK/STAIRS
- BRICK
- EXISTING SPOT ELEVATION
- EXISTING CONTOUR ELEVATION
- SANITARY SEWER
- STORM SEWER
- WATER LINE
- GAS LINE
- OVERHEAD WIRES
- BUILDING OVERHANG
- DECIDUOUS TREE
- CONIFEROUS TREE
- SANITARY MANHOLE
- DRAINAGE MANHOLE
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- STEAM MANHOLE
- FUEL MANHOLE
- MONITORING WELL
- CATCH BASIN
- CLEANOUT
- FIRE HYDRANT
- VALVE
- POST INDICATOR VALVE
- UTILITY POLE
- LIGHT POLE
- LIGHT POLE (BASE ONLY)
- DUTY ROSE
- UTILITY FEDERAL
- TRANSFORMER
- HANDHOLE
- ELECTRIC METER
- GAS METER
- GAS VALVE
- WATER METER
- SIGN
- POST/BOLLARD
- AIR CONDITIONING UNIT
- PARKING METER

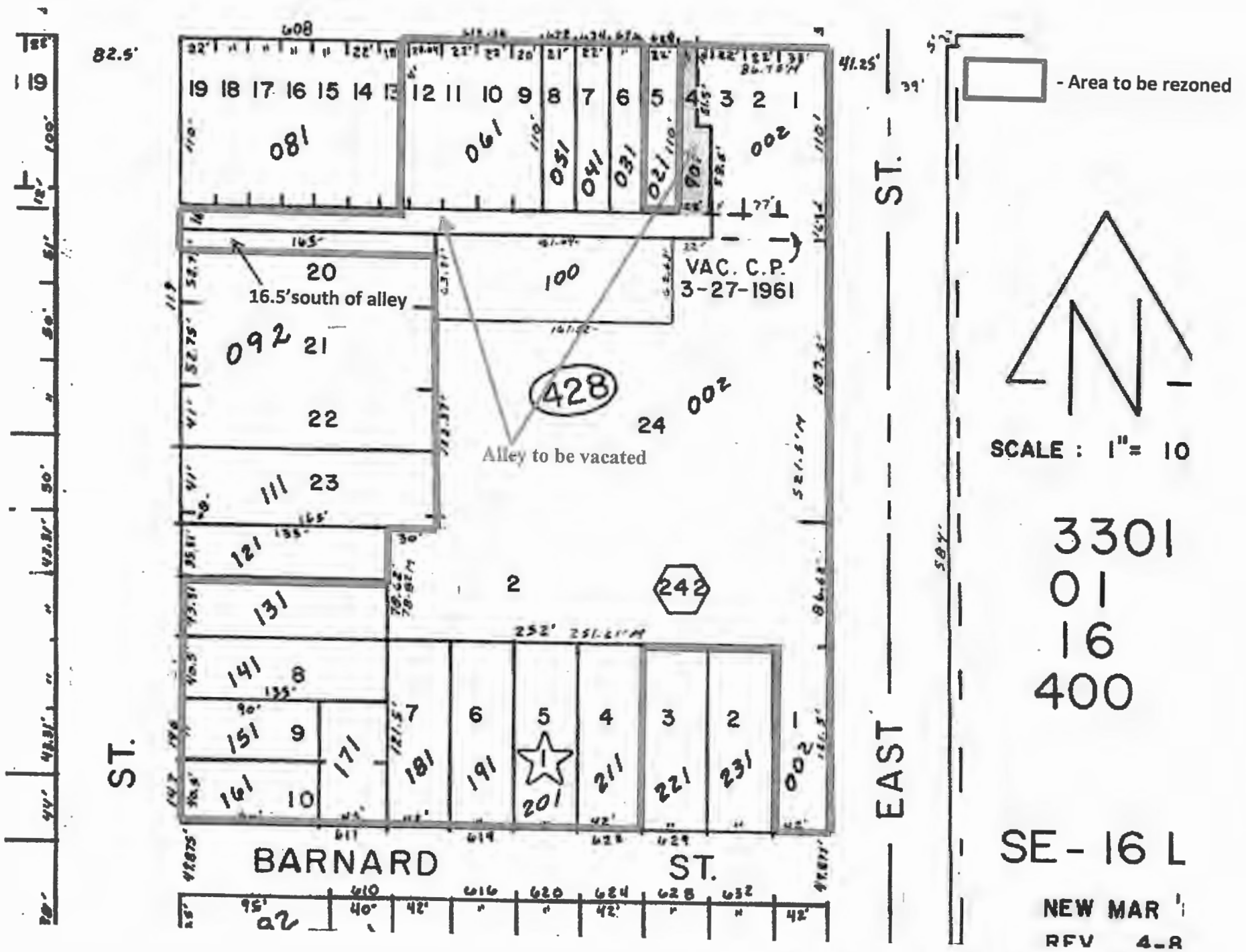


Erik R. Freestrom 12/1/17
ERIK R. FREESTROM DATE
PROFESSIONAL SURVEYOR NO. 53457

REVISIONS	COMMENTS	DATE	BY
12/1/2017	PRELIMINARY		
12/1/2017	FINAL		

DESIGNED BY	SSP	SECTION	16, 17A, 17B
FIELD WORK BY	NAW	JOB NUMBER	
SHEET	2 OF 3		92501040

KEBS, INC. ENGINEERING AND LAND SURVEYING
204 PARKWAY SOUTH, ANN ARBOR, MI 48106
PH: 734-769-1800 FAX: 734-769-1807
www.kebsinc.com
Professional Office - PH: 734-769-1800





Legend

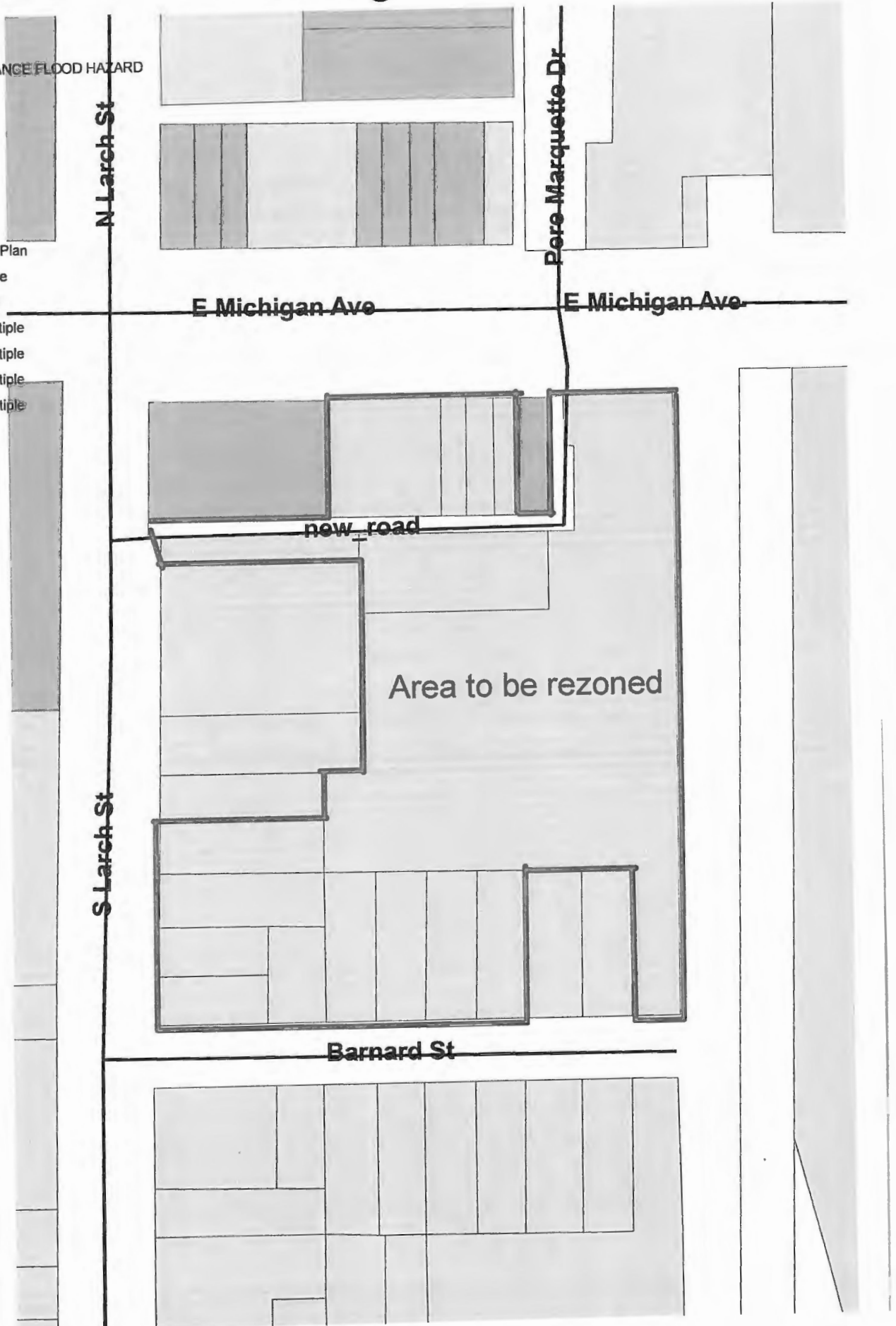
roads_final

FEMA Flood Zones

Flood Zone

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  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

Zoning



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

WHEREAS, fees for services are to be approved by Lansing City Council; and

WHEREAS, administration is submitting fees for considered and approval prior to program implementation; and

WHEREAS, the Parks and Recreation Department desires to make a program of recreation services available to residents of Lansing and non-residents of Lansing; and

WHEREAS, the Parks and Recreation Department desires to offer these services at fees that recover the costs of providing these services;

WHEREAS, the new fees proposed are to compensate the Department of Parks and Recreation and help offset the costs involved in facilitating a Men's Adult Baseball League;

ADULT BASEBALL PROPOSED FEES:

	<u>Current fee</u>	<u>Proposed fee</u>
30+ Adult Baseball	\$ 907.00	\$1,007.00
40+ Adult Baseball	\$ 907.00	\$1,007.00
Adult Baseball City League	\$1,249.00	\$1,350.00

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves the fee schedule as stated below in this resolution, effective on the date of passage of this resolution for Recreation Equipment and Services:

Approved for Placement on
City Council Agenda:

City Attorney

Date:

INTRODUCTION OF ORDINANCES

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

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

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

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, _____, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

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

GENERAL INFORMATION

APPLICANT: Emerge Holding Company
P.O. Box 4901
East Lansing, MI 48826

OWNER: Oliver Building, LLC
6414 Delta River Drive
Lansing, MI 48906

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

EXISTING LAND USE: Vacant Building

EXISTING ZONING: "D-1" Professional Office District

PROPOSED ZONING: "F" Commercial District

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

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

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

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

DESCRIPTION:

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

The subject property is currently being used for a medical marijuana dispensary. Since the property is zoned "D-1" Professional Office, the dispensary is in violation of the newly adopted ordinance regulating such uses. The applicant has applied for a license to operate a dispensary on the subject property and will be eligible for consideration if the rezoning is approved.

AGENCY RESPONSES

BWL:

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

Development Office: Development has no comment.

Fire Marshal:

Parks & Recreation: No comments.

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

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

COMPATIBILITY WITH SURROUNDING LAND USE:

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

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

COMPLIANCE WITH MASTER PLAN:

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

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

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

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

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

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

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

IMPACT ON PUBLIC FACILITIES:

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

ENVIRONMENTAL IMPACT:

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

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

As depicted on the attached zoning map, the site directly east of the subject property is currently zoned “F” Commercial and therefore, the request will not result in a “spot zone”. There is also “F” Commercial zoning to the northwest. The property directly north of the subject property is zoned

“H” Light Industrial which district permit all commercial land uses. Given the surrounding zoning pattern, if the rezoning were to be denied, it would deprive the property owner of land use rights that are already afforded to many other property owners in the vicinity of the subject property.

SUMMARY

Z-1-2017. This is a request by Emerge Holding Company to rezone the property at 4215 N. Grand River Avenue from “D-1” Professional Office District to “F” Commercial District. The purpose of the rezoning is to permit commercial use of the subject property.

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

RECOMMENDATIONS

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

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

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

ADDENDUM TO PETITION FOR RE-ZONING BY APPLICANT FIRST CLASS, INC.

December 15, 2017

If so, please describe and/or explain the specific land use proposed for this property:

Applicant will apply for licenses under MCL §§ 333.27101 et seq., and is currently applying for licenses under the Lansing Code of Ordinances §§ 1300.01 et seq. Applicant intends to operate a medical marijuana provisioning center in full compliance with all state and local laws and ordinances. See *also* attached Certificate of Occupancy (for Subject Property).

Explain what changes or changing conditions make the passage of this rezoning necessary:

Lansing Code of Ordinances § 1268.02(l) provides that in an F or F-1 Commercial District, the following principal use is permitted, "[a] medical marijuana establishment, as specified in Chapter 1300." (Ord. No. 735, 11-24-86; Ord. No. 1168, § 1, 6-27-11).

As explained, Applicant intends to apply for licenses and thereafter operate a lawful medical marijuana establishment; however, the property must be re-zoned from D-1 to F or F-1 to be compliant with the Lansing Code of Ordinances, thus necessitating this proposal.

Comment on other circumstances which justify the amendment:

The instant zoning amendment is justified because it is consistent with adjacent land uses and the Design Lansing Comprehensive Plan. Adjacent to the Subject Property is a small grocery and convenience store, zoned F (parcel 252-221-4209).

In addition, the proposed amendment is compliant with key aspects of the Design Lansing Comprehensive Plan. For example, the "Future Land Use" Map designates the Subject Property as "Suburban Commercial", as does the "Economic Concepts for Change" Map. The Comprehensive Plan describes Suburban Commercial uses as including retail and automobile uses, primarily. See Comp. Plan., pg. 60 ("In addition to retail and automobile-oriented uses, higher-density residential, office, research and light industrial should be encouraged on suburban commercial corridors, especially those that serve as major transit corridors (see Chapter 6. Transportation.>"). Thus, the proposal to re-zone the Subject Property to a Commercial District is consistent with the economic development and land uses contemplated by Comprehensive Plan.

As a final matter, Applicant observes that one of the many goals of the Comprehensive Plan is to enhance green space and soften the visual impact of large paved areas. Although Applicant's parking lot is already behind the building, to the extent Applicant can further the City's goal with the City's preferred design modifications, the Applicant will do so.



N Grand River Ave

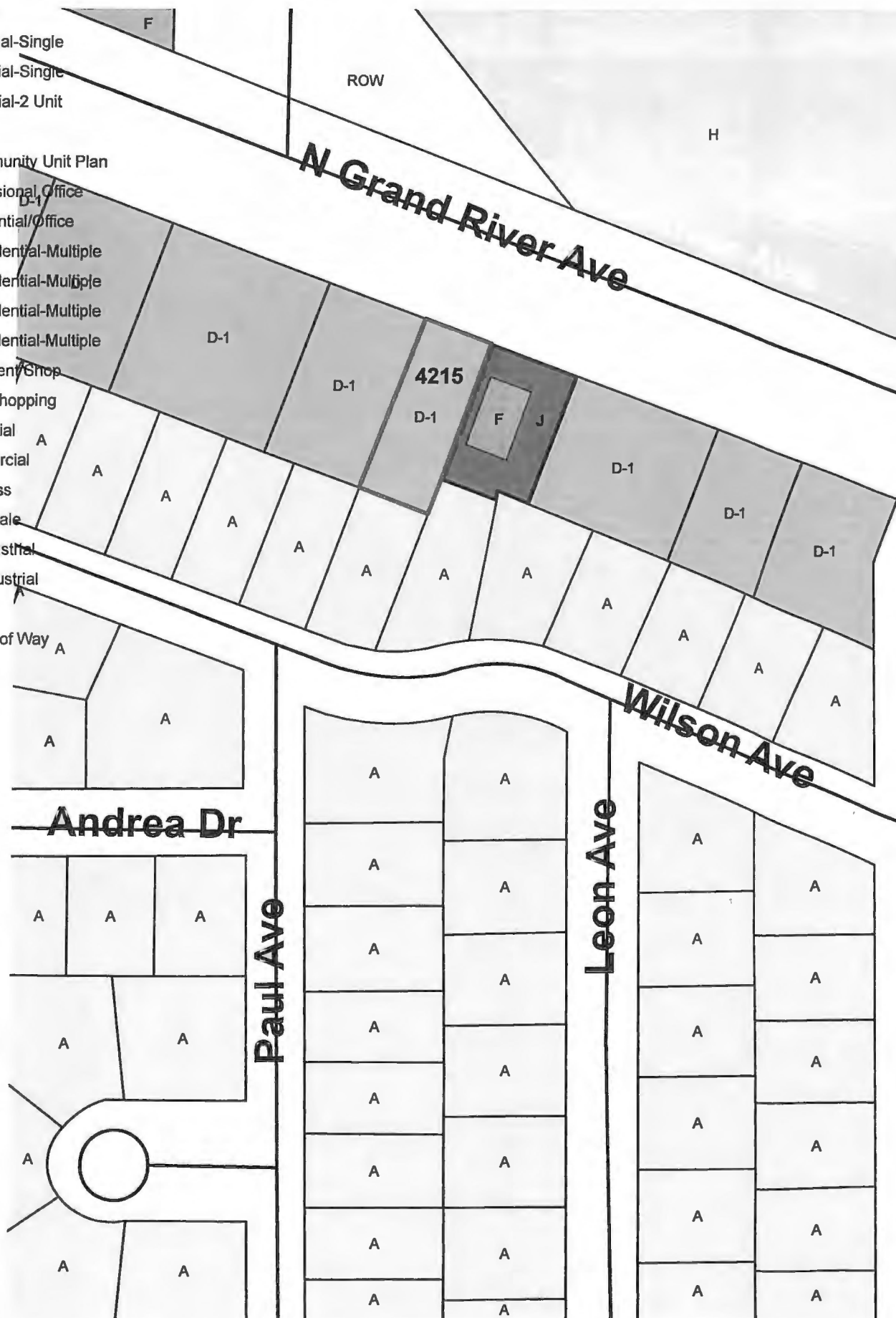
4215



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

Zoning



ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-1-2017

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

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

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2018, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

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

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

The Lansing City Council will hold a public hearing on Monday, _____, 2018 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-1-2017. This is a request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue from “D-1” Professional Office District to “F” Commercial District. The purpose of the rezoning is to permit commercial use of the subject property.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, _____, 2018 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2017, 3440 N. East Street

Rezoning from “F” Commercial District to “G-2” Wholesale District

The Lansing City Council will hold a public hearing on Monday, _____, 2018 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2017. This is a request by Jeffrey & Sheryl Landgraf to rezone the property at 3440 N. East Street from “F” Commercial District to “G-2” Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance facility on the subject property.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, _____, 2018 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number: Z-8-2017

Parcel Number's: 33-01-01-03-102-002

Address: 3440 N. East Street

Legal Descriptions: Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from "F" Commercial District to "G-2" Wholesale District.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2018, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

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

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, _____, 2018, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2017: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2”
Wholesale District

INTRODUCTION OF ORDINANCES

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

Z-8-2017: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2”
Wholesale District

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

GENERAL INFORMATION

APPLICANT/OWNER: Jeffrey & Sheryl Landgraf
FTZ Laboratories, LLC
110 N. Market Street
Dewitt, MI 48820

REQUESTED ACTIONS: Rezone 3440 N. East Street from "F" Commercial District to
"G-2" Wholesale District

EXISTING LAND USE: 858 Square Foot Office Building

EXISTING ZONING: "F" Commercial District

PROPOSED ZONING: "G-2" Wholesale District

PROPERTY SIZE: 94' x 115' = 10,810 square feet - .248 acres

SURROUNDING LAND USE: N: Commercial
S: Vacant
E: Single Family Residential
W: U-Haul

SURROUNDING ZONING: N: "F" Commercial & "J" Parking Districts
S: "F" Commercial District
E: "A" Residential District
W: "G-2" Wholesale District

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

DESCRIPTION:

This is a request by Jeffrey & Sheryl Landgraf, FTZ Laboratories, LLC to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance (testing) facility on the subject property.

AGENCY RESPONSES

BWL:

Building Safety:

Development Office:

Fire Marshal: No comments

Parks & Recreation: No comments.

Public Service:

Traffic Engineer:

COMPATIBILITY WITH SURROUNDING LAND USE:

The applicant is requesting a rezoning of the subject property to the "G-2" Wholesale District to allow for a medical marijuana testing facility. Under the City's new medical marijuana ordinance, testing facilities are permitted only in the "G-2" Wholesale, "H" Light and "I" Heavy Industrial zoning districts. As evidenced by the attached map, the subject property is located in an area that has no consistent zoning or land use patterns. The site is surrounded by "A" residential zoning to the east, "F" Commercial zoning to the north and south and "G-2" Wholesale zoning to the west. Since the property to the west is already zoned "G-2", rezoning the subject property to the "G-2" district would not be considered a "spot zone", even though the sites are located on opposite sides of the street. In fact, the majority of the properties in the 3400 and 3500 blocks of the west side of N. East Street are currently zoned "G-2" Wholesale and thus, the proposed rezoning will be consistent with the general zoning pattern in the area.

The land uses in the area include offices, single family residential homes, various retail uses, vehicles sales/rentals, repair shops and storage facilities. Given the eclectic mix of existing land uses, it is not anticipated that the proposed medical marijuana testing facility will be incompatible or disruptive to the surrounding area. Medical marijuana safety compliance (testing) facilities typically do not generate much traffic, noise, odors or other nuisances and do not involve hazardous materials that would be detrimental to the health, safety and welfare of the community. Such uses are generally in operation during normal business hours only, traffic is limited to employees or small delivery trucks and all activities are confined to the building with controls in place to prevent odors/fumes from emanating outside.

COMPLIANCE WITH MASTER PLAN:

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

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

The Plan lists the following as "typical uses" for the "Suburban Commercial" land use category:

"General and convenience retail uses; medium-density residential in a suburban format (see Medium-Density Residential, above); office; **and light industrial with special approval.**

The proposed testing facility would qualify as a "light industrial" use and is therefore, consistent with the future land use being advanced in the master plan for the subject property. It is also consistent with some of the existing light industrial uses in the area such as storage facilities and repair shops.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposed rezoning will have no negative impacts on vehicular or pedestrian traffic. Testing facilities typically generate a very low volume of traffic, particularly in comparison to most highway commercial uses such as gasoline stations, convenience stores, restaurants and other uses that would be permitted by right under the current "F" Commercial zoning. Traffic for testing facilities is generally limited to employees and small delivery trucks. Furthermore, since it is not a customer oriented business, it is not anticipated to generate any pedestrian traffic.

Primary access to the site will continue to be via N. East Street which is a principal arterial designed to carry a high volume of traffic. There is a secondary access to the site on Sanford Street but given the projected low volume of traffic for the testing facility, additional traffic on the side street should be negligible.

IMPACT ON PUBLIC FACILITIES:

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

ENVIRONMENTAL IMPACT:

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

If the rezoning is approved, the applicant will be required to obtain a building permit to change the use of the building at 3440 N. East Street from an office to a medical marijuana safety compliance (testing) facility. As part of the building permit process, the applicant will be required to disclose the type of hazardous chemicals that will be used, the quantity of said chemicals that will be stored in the building, how the materials will be stored and by what method they will be disposed of. The building will then be inspected to ensure compliance with all codes relating to the use and storage of hazardous chemicals.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The applicant's request will not be disruptive to the development pattern in the area which is already characterized by a variety of land uses and zoning designations. The site is currently zoned "F" Commercial and the applicant is requesting that the site be rezoned to "G-2" Wholesale. The only significant differences between the 2 zoning districts is that the "G-2" Wholesale district permits, warehouses, storage and medical marijuana safety compliance facilities. The applicant's proposal to

establish a medical marijuana safety compliance facility on the site is anticipated to be compatible with the adjoining residential land uses, particularly in comparison to many other uses that would be permitted by right under the current "F" Commercial zoning such as a fast food restaurant, gas station, car wash, or auto repair facility. Such uses would generate a high volume of traffic, activity beyond normal daytime business hours, light glare, noise, etc. that could be disruptive to the peaceful enjoyment of the adjoining houses to the east. The safety compliance facility, by contrast, will be quiet, generate very little traffic and all activity will be confined to the building. It is also not anticipated that the facility will generate fumes that can be detected outside of the building. If that were to occur, the City has an ordinance in place to take corrective action against the facility.

SUMMARY

This is a request by Jeffrey & Sheryl Landgraf, FTZ Laboratories, LLC to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District. The purpose of the rezoning is to permit a medical marijuana safety compliance (testing) facility on the subject property.

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

RECOMMENDATIONS

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

Z-8-2017 be approved to rezone the property at 3440 N. East Street from "F" Commercial District to "G-2" Wholesale District.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

Planning Board

Re: Z-8-2017; 3440 N. East Street

Good evening:

We would like to take this opportunity to tell you a bit about FTZ Laboratories and its owners, Jeff and Sheryl Landgraf.

A strange series of events led us to start a medical marijuana Safety Compliance Facility. We have long been advocates of medicinal marijuana, but it was witnessing a family member's positive experience during his battle with pancreatic cancer in February 2017 which affected us deeply. We subsequently learned medical marijuana was not mandated to be tested for dangerous chemicals and microorganisms but that new state legislation which went into effect December 2017 would address this. We decided shortly thereafter this was something we could contribute to. Jeff is a Ph.D. scientist who has worked at Michigan State University for the last 18 years in the Research Technology Support Facility with experience in Molecular Biology and Analytical Chemistry. Sheryl has worked in Information Technology, 8 years with the Michigan Supreme Court-Judicial Information Services and most recently with IBM. We feel our combined strengths in scientific analysis and data management are perfectly suited to provide these new, and long overdue, services to medical marijuana patients in the State of Michigan.

During the course of 2017, we paid close attention to how the State of Michigan and municipalities within the state were preparing for the implementation of Public Act 281. The City of Lansing has taken great strides, in our opinion, to be a progressive community. We applaud the City for the actions it has taken on behalf of the patients who rely on this medicine.

Deciding to do business in a progressive city, we pursued property and happened upon what we believe is a perfect place to do business: 3440 N. East Street, currently zoned F1-Commercial which, at the time, allowed laboratories with Special Land Use Permit. We saw an opportunity, purchased the property and began some of the necessary rehab with an eye on the developing Lansing ordinance. Ultimately the ordinance requires facilities such as ours to be situated in G2, H or I zoned properties. We reviewed the zoning of the surrounding businesses and learned a majority of properties on the west side of the street are zoned G2-Wholesale. We are therefore appealing to the City for rezoning to allow our business to move forward.

To give you some sense of what impact our business would have locally we have assembled a few items that may be of concern to the surrounding residents:

*The facility is closed to the public. There will be no foot traffic. There is nothing being bought or sold. We will simply be testing small amounts of material to ensure its safety.

*The only vehicular traffic will be deliveries of equipment, supplies and mail.

*Initially, there will be up to 2 vehicles on site during business hours. Based on our 5-year projections, there will be at most 4 vehicles during business hours.

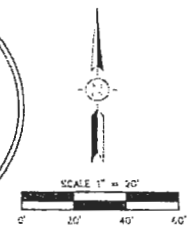
*We intend to maintain the residential appearance of the house with upkeep and landscaping contributing to the attractiveness of the area.

It is our hope the Planning Board will find no objection to this property being rezoned to G2. We will be attending the meeting on Tuesday to address any additional questions or concerns you may have.

Thank you,

Jeff and Sheryl Landgraf

3440 N. East Street CITY OF LANSING, INGHAM COUNTY, MICHIGAN REZONING PLAN



LEGAL DESCRIPTION:

(As provided in Township Clerk, File No. 222454-446, Dated September 22, 2017)

Parcel 1: Lots 1 and 2 of the Eastern Subdivision of a part of the Northwest 1/4 of the Northwest 1/4 of Section 2, Town 8 North, Range 2 East, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Parcel 2: Lots 3 and 4 of the Eastern Subdivision of a part of the Northwest 1/4 of the Northwest 1/4 of Section 2, Town 8 North, Range 2 East, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

PREPARED BY:

1. This plan was made at the request of the parcel owner and is intended only for the limited purpose stated. No other use or purpose is intended.

2. All surveys and distances are true unless otherwise indicated.

3. All measurements are in feet and decimal fractions thereof.

4. All measurements are made from the corner of the lot.

5. All measurements are made from the corner of the lot.

6. There are no easements or other interests in the property shown on this plan.

7. All information on this plan was obtained from the parcel owner and is intended only for the limited purpose stated.

8. Easements and other interests are shown as indicated.

CURRENT ZONING = F - PARCEL 1 & 2
PROPOSED ZONING = G-2 - PARCEL 1 ONLY
PROPOSED USE = MEDICAL MARIJUANA SAFETY COMPLIANCE FACILITY
TOTAL AREA PARCEL 1 = 0.25 AC M/L

REQUIRED BUILDING SETBACKS:

FRONT YARD - 20'
(EX. 12' FROM US-27)
(EX. 14.1' FROM SANFORD ST.)

SIDE YARDS 0-25'
(EX. 14.5' TO GARAGE FROM EAST)
(EX. 0' TO GARAGE FROM SOUTH)

REAR YARD 15'
(EX. 14.5' TO GARAGE FROM EAST)
(EX. 0' TO GARAGE FROM SOUTH)

OWNER:

3440 N. East Street
Lansing, MI 48906
(517) 222-1111

ENGINEER/PLANNER:

KEBS, INC.
2114 FARMER ROAD, N.E. 4000
LANSING, MI 48906
(517) 222-1111

DATE: 03/01/2018
TAX ID: 31-01-01-000000



KEBS, INC. 2114 FARMER ROAD, N.E. 4000 LANSING, MI 48906 (517) 222-1111	
3440 N. East Street REZONING PLAN	
DATE: 03/01/2018 TIME: 10:00 AM BY: JEFFREY M. KEBS	DATE: 03/01/2018 TIME: 10:00 AM BY: JEFFREY M. KEBS

EXISTING ZONING:

EXISTING ZONING G-2 & F
EXISTING USE COMMERCIAL

EXISTING ZONING F
EXISTING USE COMMERCIAL

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Sanford St

N East St

3440

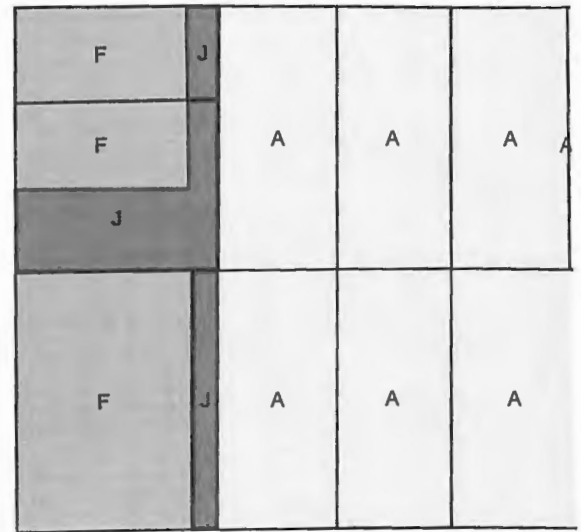
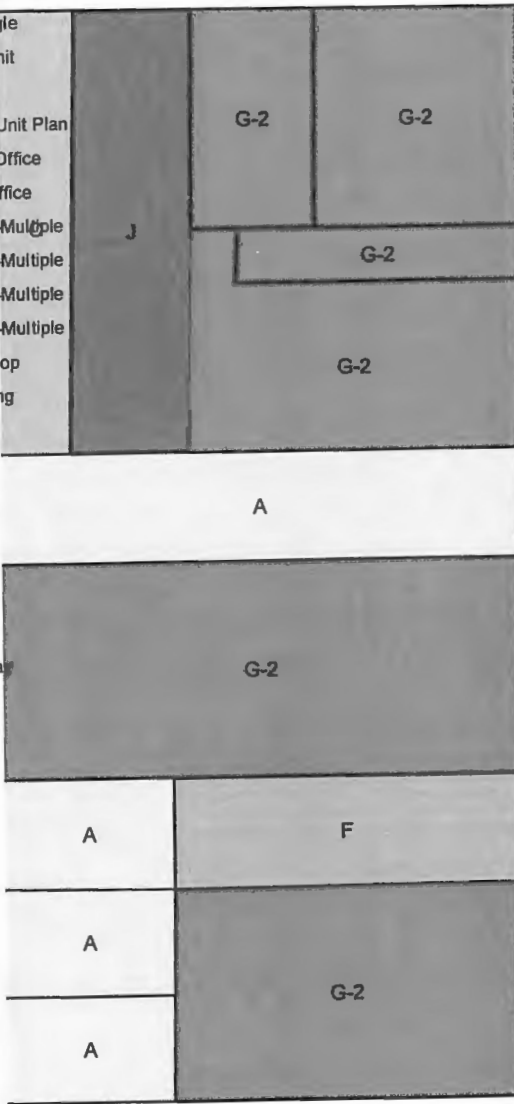
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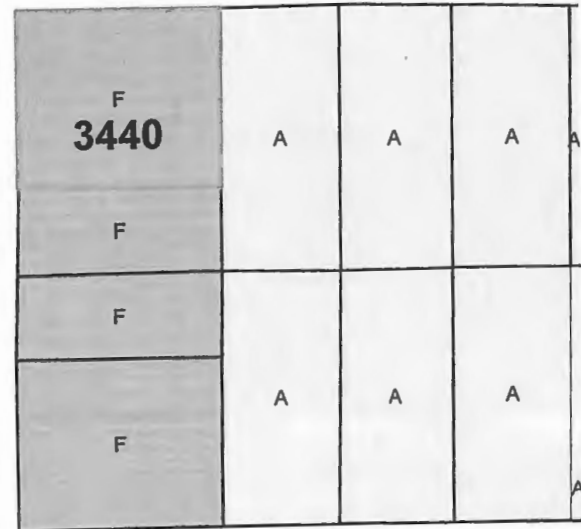
Zoning

Legend

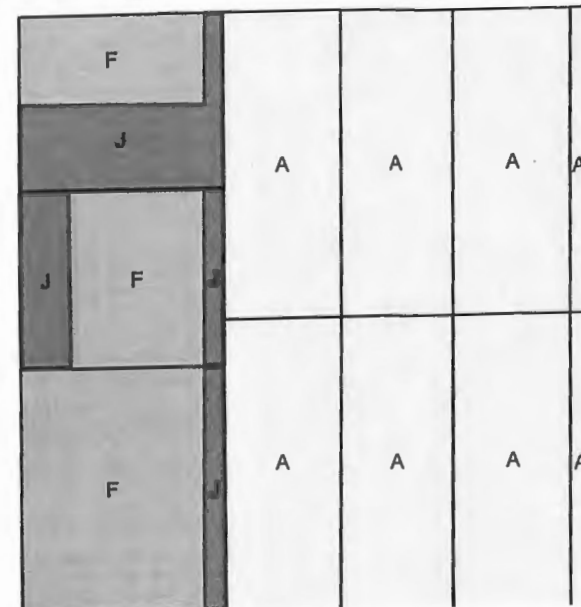
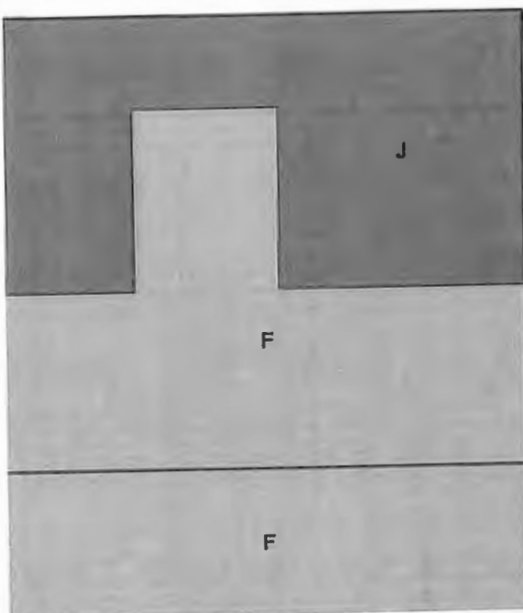
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- Tax Parcels
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- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way



Sanford St



E Frederick Ave



N East St



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

WHEREAS, the Baseball Tomorrow Fund has available funding for improving fields for youth baseball/softball; and

WHEREAS, the grant will be used to improve the baseball/softball fields at Quentin Park; and

WHEREAS, the grant will be carried through by Lansing Parks and Recreation; and

WHEREAS, the total for these activities is \$120,000.00; and

WHEREAS, the improvements provided will include improved drainage and the addition of fencing and dugouts to both fields at Quentin Park;

NOW, THEREFORE BE IT RESOLVED that the City Council approves the acceptance of the Grant from the Baseball Tomorrow Fund for \$60,000.00 for February 2018-June 2018; and

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

Approved for Placement on
City Council Agenda:

City Attorney

Date:

RESOLUTION

BY THE COMMITTEE _____

Upon Motion made by _____, seconded by
 _____, the following Resolution was adopted:

“RESOLVED, that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Twenty Two Thousand Five Hundred (\$22,500.00) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.



MICHIGAN NATURAL RESOURCES TRUST FUND
LAND ACQUISITION PROJECT AGREEMENT

Project Number: TF16-0081

Project Title: Lansing Boat Club Land Acquisition

This Agreement is between the Michigan Department of Natural Resources for and on behalf of the State of Michigan ("DEPARTMENT") and City of Lansing IN THE COUNTY OF Ingham County ("GRANTEE"). The DEPARTMENT has authority to issue grants to local units of government for the acquisition of land for resource protection and public outdoor recreation under Part 19 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended. In PA **93 of 2017**, the Legislature appropriated funds from the MNRTF to the DEPARTMENT for a grant-in-aid to the GRANTEE. As a precondition to the effectiveness of this Agreement, the GRANTEE is required to sign and return it to the DEPARTMENT with the necessary attachments by **09/12/2017**.

1. The legal description of the project area (APPENDIX A); boundary map of the project area (APPENDIX B) and Recreation Grant application bearing the number **TF16-0081** (APPENDIX C) are by this reference made part of this Agreement. The Agreement together with the referenced appendices constitute the entire Agreement between the parties and may be modified only in writing and executed in the same manner as the Agreement is executed.
2. The time period allowed for project completion 07/14/2017 through **07/31/2019**, hereinafter referred to as the "project period." Requests by the GRANTEE to extend the project period shall be made in writing before the expiration of the project period. Extensions to the project period are at the discretion of the DEPARTMENT. The project period may be extended only by an amendment to this Agreement.
3. This Agreement shall be administered on behalf of the DEPARTMENT through Grants Management. All reports, documents, or actions required of the GRANTEE shall be submitted through the MiRecGrants website unless otherwise instructed by the DEPARTMENT.
4. The grant herein provided is for the acquisition by the GRANTEE of **9 acres of land in Fee Simple title** free of all liens and encumbrances, situated and being in the city/village/township of **Delta Township**, in the County of **Eaton, STATE OF MICHIGAN** as described in the attached legal description (APPENDIX A) and shown on the attached boundary map (APPENDIX B). As used in this Agreement, the words "project area" shall mean the lands acquired under this Agreement as described in this Section.
5. The project area shall be used for **general riverfront outdoor recreation, as further described in the GRANTEE'S proposal to the DEPARTMENT and approved by the MNRTF Board**. Significant changes in the use of the project area as described in this Section require the prior written authorization of the DEPARTMENT.
6. In order to preserve the financial resources of the State and to prevent an unjust enrichment of a third party interim owner, if the landowner listed in the project application grants any rights in the real property to an individual or agency other than the GRANTEE, the DEPARTMENT may inspect the terms of the

conveyance as a condition to approving the GRANTEE to close.

7. The DEPARTMENT agrees as follows:

- a. To grant to the GRANTEE a sum of money equal to **Seventy-Five (75%) percent** as reimbursement or as payment into an escrow account for escrow closing, of the total eligible cost of acquisition of fee simple title free of all liens and encumbrances to the lands in the project area, not to exceed the sum of **Sixty-Seven Thousand Five Hundred (\$67,500.00) dollars**.
- b. To include the following in the total cost of acquisition eligible for grant funding (based on grant percentage) as provided for in Section 7(a):
 - i. Purchase price of the land, up to the fair market value, in the project area acquired by the GRANTEE during the project period as provided for in this Agreement;
 - ii. Reasonable and appropriate costs incurred and paid by the GRANTEE during the project period for recording fees, title insurance, and environmental assessments; and
 - iii. Costs incurred and paid by the GRANTEE for appraisal(s) as provided for in Section 9(f) and approved by the DEPARTMENT.
- c. To grant funds to the GRANTEE for eligible costs and expenses incurred, as follows:
 - i. Payments will be made on a reimbursement basis or to an escrow account for escrow closing for **Seventy-Five (75%) percent** of the eligible expenses incurred by the GRANTEE up to 90% of the maximum amount allowable under the grant.
 - ii. Reimbursement (or payment to an escrow account for escrow closing) will be made only upon DEPARTMENT review and approval of a complete reimbursement (or escrow closing) request submitted by the GRANTEE on forms provided by the DEPARTMENT that meet all documentation requirements set forth by the DEPARTMENT. A complete reimbursement or escrow closing request must document the total cost of the acquisition and the GRANTEE's compliance with Section 8 of this Agreement and DEPARTMENT acquisition project procedures.
 - iii. The DEPARTMENT shall conduct an audit of the project's financial records upon approval of the final reimbursement request or completion of the escrow closing. The DEPARTMENT may issue an audit report with no deductions or may find some costs ineligible for final audit reimbursement.
 - iv. The final 10% of the grant amount will be released upon completion of a satisfactory audit by the DEPARTMENT and documentation that the GRANTEE has erected proper signage acknowledging MNRTF assistance in compliance with Section 9(q) of this Agreement.

8. Closing Options:

a. FOR REIMBURSEMENT PROJECTS:

The GRANTEE shall be eligible for reimbursement only upon GRANTEE'S completion of all of the following:

-
- i. Electing to use the grant reimbursement closing process at time of signing this project agreement (See grey box prior to signature section).
 - ii. Acquisition by GRANTEE of fee simple title free of all liens and encumbrances of all land in the project area.
 - iii. Submission of proof of acquisition of marketable record title to the DEPARTMENT in the form of a policy of title insurance insuring the GRANTEE is possessed of marketable record title in fee simple, free of all liens and encumbrances to the land in the project area. Said policy is to insure the GRANTEE against loss or damage at least equal to the purchase price of the subject land.
 - iv. Proper conveyance to the State of Michigan of all mineral interest to which the State is entitled under this Agreement as outlined in Section 9(m).
 - v. Submission of a complete request for reimbursement as set forth in this Agreement.

b. FOR ESCROW CLOSING PROJECTS:

The GRANTEE shall be eligible for grant funding through escrow closing process only upon GRANTEE'S completion of the following:

- i. Electing to use the escrow closing process at time of signing this project agreement (See grey box prior to signature section).
- ii. Securing the services of a reputable title company who will agree to serve as the escrow closing agent.
- iii. Execution of escrow closing agreement by GRANTEE, DEPARTMENT, LANDOWNER/SELLER and title company (agent).
- iv. Provide Department and title company an approximate desired timeframe for closing.
- v. Send DEPARTMENT draft closing packet (reference Land Acquisition Escrow Closing Package Checklist) at least 60 days prior to desired closing date.
- vi. Coordinate with title company to schedule exact closing date after DEPARTMENT'S approval of draft closing documents and submit to DEPARTMENT an updated closing statement from the title company at least 10 days before desired closing date.
- vii. Submit local matching funds plus 10% of the eligible grant amount to title company for deposit into escrow account and provide proof of escrowed funds to the DEPARTMENT.

9. The GRANTEE agrees as follows:

- a. To immediately make available all funds needed to pay all necessary costs required to complete the project and to provide **Twenty-Two Thousand Five Hundred (\$22,500.00) dollars** as local match to this project. This sum represents **Twenty-Five (25%) percent** of the total eligible cost of acquisition including incidental costs. Any cost overruns incurred to complete the project called for by this Agreement shall be the sole responsibility of the GRANTEE.

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- b. To complete the acquisition in compliance with the acquisition project procedures set forth by the DEPARTMENT.
 - c. To make no written offer or commitment to purchase lands in the project area before execution of this Agreement and before written DEPARTMENT approval as provided for in Section 9. Failure to comply with this requirement shall, at the option of the DEPARTMENT, make the cost of the property an ineligible expense under this Agreement and subject this Agreement to termination by the DEPARTMENT.
 - d. To provide verification that the site is not a facility as defined by State Law , based on the results of due diligence and, if needed, an environmental assessment or if the site has been determined to be a facility, to provide documentation of due care compliance. The results of the due diligence must be accounted for in the appraisal(s).
 - e. To complete a 40-year title review on the property. The results of the title review must be accounted for in the appraisal(s).
 - f. To complete an appraisal of the project area in accordance with standards established by the DEPARTMENT to determine the fair market value thereof; two appraisals meeting these standards being required for properties valued at \$750,000 or more. Failure to complete the appraisal in this manner shall make the cost of said appraisal(s) an ineligible expense under this Agreement.
 - g. To submit the appraisal(s) to the DEPARTMENT for approval no later than 120 days after the date of execution of this Agreement. No written offer or commitment to purchase land in the project area shall be transmitted by the GRANTEE until after approval has been given in writing by the DEPARTMENT .
 - h. To perform, or to directly contract for the performance of, all appraisals, appraisal reviews, title review and closing, actual acquisition of all lands in the project area.
 - i. To eliminate all pre-existing non-recreation uses of the project area within 90 days of the date of acquisition, unless otherwise approved by the DEPARTMENT in writing.
 - j. To remove existing structures or make ready for an appropriate use in a reasonable time frame after completion of the acquisition.
 - k. To complete acquisition of the entire project area before 10/31/2019. Failure to acquire the project area by 10/31/2019 shall constitute a breach of this Agreement and subject the GRANTEE to the remedies provided by law and set forth in Section 23 of this Agreement.
 - l. To provide the DEPARTMENT all documents and information as specified in Sections 8a or 8b of this Agreement. If utilizing reimbursement process, documents must be submitted within 60 days after the transaction is closed. If utilizing escrow closing process, documents must be submitted no later than 60 days prior to desired closing.
Failure to submit the required documents and information for review shall constitute a breach of this Agreement and subject the GRANTEE to remedies provided for by law and Section 22 of this Agreement. Proof of payment to seller (such as cancelled check, wire confirmation, etc.), recorded warranty deed, recorded mineral royalty deed and recorded Declaration and Notice must be submitted to the DEPARTMENT within 60 days after closing. The final 10% of eligible grant amount will be

released upon satisfactory audit review and approval by the DEPARTMENT .

- m. For parcels over 5 acres, to execute, acknowledge and deliver to the DEPARTMENT a deed conveying to the State of Michigan a perpetual nonparticipating 1/6 interest in all of the rights acquired by the GRANTEE in coal, oil, gas, sand, gravel or any other minerals in, on or under the lands in the project area.
- n. To retain all rights acquired by the GRANTEE in coal, oil, gas, sand, gravel or any other minerals in, on or under the lands in the project area in perpetuity.
- o. To not develop any rights acquired by the GRANTEE in coal, oil, gas, sand, gravel or any other minerals in, on or under the lands in the project area in a manner that diminishes the usefulness of the project area for its intended purposes. In addition, GRANTEE agrees not to develop, or allow others to develop, any such minerals from sites adjacent to the project area in a manner that diminishes the usefulness of the project area for its intended purposes.
- p. To maintain satisfactory financial accounts, records, and documents and to make them available to the DEPARTMENT for auditing upon request. Such accounts, records, and documents shall be retained by the GRANTEE for not less than three years following submittal of the final audit reimbursement request.
- q. To erect and maintain a sign or other acknowledgement as approved by the DEPARTMENT on the property which designates this project as one having been acquired with the assistance of the MNRTF . The size, color, and design of this sign shall be in accordance with DEPARTMENT specifications .
- r. To conduct a dedication/ribbon-cutting ceremony as soon as possible after the project is completed and the MNRTF sign is erected within the project area. At least 30 days prior to the dedication/ribbon-cutting ceremony, the DEPARTMENT must be notified in writing of the date, time, and location of the dedication/ribbon-cutting ceremony. GRANTEE shall provide notice of ceremony in the local media. Use of the grant program logo and a brief description of the program are strongly encouraged in public recreation brochures produced by the GRANTEE. At the discretion of the DEPARTMENT, the requirement to conduct a dedication/ribbon-cutting ceremony may be waived.
- s. To provide the DEPARTMENT for approval, a complete tariff schedule containing all charges to be assessed against the public utilizing the project area and/or any facilities constructed thereon, and to provide the DEPARTMENT for approval, all amendments thereto before the effective date of such amendments. Any tariff schedule proposed shall provide solely for sufficient revenues to cover the costs of operating, maintaining and/or developing the premises and/or any facilities provided thereon. Preferential membership or annual permit systems are prohibited at this site. Differences in admission and other fees may be instituted on the basis of residence. Nonresident fees shall not exceed twice that charged residents. If no resident fees are charged, nonresident fees may not exceed the rate charged residents at other comparable state and local public recreation facilities.
- t. To separately account for any revenues received from the project area which exceed the demonstrated operating costs and to reserve such surplus revenues for the future maintenance and/or expansion of the GRANTEE'S park and outdoor recreation program.
- u. To furnish the DEPARTMENT, upon request, detailed statements covering the annual operation of project area and/or facilities, including income and expenses and such other information the

DEPARTMENT might reasonably require.

- v. To adopt such ordinances and/or resolutions as shall be required to effectuate the provisions of this Agreement; certified copies of all such ordinances and/or resolutions adopted for such purposes shall be forwarded to the DEPARTMENT before the effective date thereof.
 - w. To maintain the premises in such condition as to comply with all federal, State, and local laws which may be applicable and to make any and all payments required to pay any and all taxes, fees, or assessments legally imposed against the project area.
 - x. To make the project area and any facilities located thereon and the land and water access ways to them open to the public within 90 days of the date of acquisition and to keep them open to the public at all times on equal and reasonable terms. No individual shall be denied ingress or egress thereto or the use thereof on the basis of sex, race, color, religion, national origin, residence, age, height, weight, familial status, marital status or disability.
 - y. To make the project area and any future facilities provided thereon available for public outdoor recreation in perpetuity and in accordance with uses described in this Agreement and APPENDIX C , to regulate the use thereof and to provide for the maintenance thereof to the satisfaction of the DEPARTMENT, and to appropriate such moneys and/or provide such services as shall be necessary to provide such adequate maintenance.
10. The GRANTEE shall acquire fee simple title, free of all liens, encumbrances, or restrictions on future use to the lands in the project area. The fee simple title acquired shall not be subject to (1) any possibility of reverter or right of entry for condition broken or any other executory limitation which may result in defeasance of title or (2) to any reservations or prior conveyance of coal, oil, gas, sand, gravel or any other mineral interests.
11. The GRANTEE shall not allow any encumbrance, lien, security interest, mortgage or any evidence of indebtedness to attach to or be perfected against the project area.
12. The project area and any facilities located thereon shall not be wholly or partially conveyed, either in fee, easement or otherwise, or leased for a term of years, or for any other period, nor shall there be any whole or partial transfer of title, ownership, or right of ownership or control without the written approval and consent of the DEPARTMENT.
13. The assistance provided to the GRANTEE as a result of this Agreement is intended to have a lasting effect on the supply of outdoor recreation, scenic beauty sites, and recreation facilities beyond the financial contribution alone and permanently commits the project area to Michigan's outdoor recreation estate, therefore:
- a. The GRANTEE agrees that lands in the project area are being acquired with MNRTF assistance and shall be maintained in public outdoor recreation use in perpetuity. No portion of the project area shall be converted to other than public outdoor recreation use without the approval of the DEPARTMENT . The DEPARTMENT shall approve such conversion only upon such conditions as it deems necessary to assure the substitution by GRANTEE of other outdoor recreation properties of equal or greater fair market value and of reasonably equivalent usefulness and location. Such substituted land shall become part of the project area and will be subject to all the provisions of this Agreement .

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- b. Approval of a conversion shall be at the sole discretion of the DEPARTMENT .
- c. Before completion of the project, the GRANTEE and the DEPARTMENT may mutually agree to alter the project area through an amendment to this Agreement to provide the most satisfactory public outdoor recreation area.
14. Should title to the lands in the project area or any portion thereof be acquired from the GRANTEE by any other entity through exercise of the power of eminent domain, the GRANTEE agrees that the proceeds awarded to the GRANTEE shall be used to replace the lands affected with outdoor recreation properties of equal or greater fair market value, and of reasonably equivalent usefulness and location. The DEPARTMENT shall approve such replacement only upon such conditions as it deems necessary to assure the substitution with other outdoor recreation properties of equal or greater fair market value and of reasonably equivalent usefulness and location. Such replacement land shall be subject to all the provisions of this Agreement.
15. The GRANTEE acknowledges that:
- a. The GRANTEE has examined the project area and has found the property safe for public use or actions will be taken by the GRANTEE to make the property safe for public use no later than 90 days after the date of acquisition; and
- b. The GRANTEE is solely responsible for development, operation, and maintenance of the project area, and that responsibility for actions taken to develop, operate, or maintain the project area is solely that of the GRANTEE; and
- c. The DEPARTMENT'S involvement in the premises is limited solely to the making of a grant to assist the GRANTEE in acquiring same.
- d. The GRANTEE acknowledges that the DEPARTMENT is not responsible for any tax liability assessed on the property after closing by the GRANTEE. Further, the eligible amount of tax pro-rated at time of closing will be determined by the DEPARTMENT.
16. Before the DEPARTMENT will give written approval to make a written offer to purchase the property included in this project, the GRANTEE must provide documentation to the DEPARTMENT that indicates either:
- a. It is reasonable for the GRANTEE to conclude, based on the advice of an environmental consultant, as appropriate, that no portion of the project area is a facility as defined in Part 201 of the Michigan Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended; or
- b. If any portion of the project area is a facility, documentation that Department of Environmental Quality-approved response actions have been or will be taken to make the site safe for its intended use within the project period, and that implementation and long-term maintenance of response actions will not hinder public outdoor recreation use and/or the resource protection values of the project area.
17. If the DEPARTMENT determines that, based on contamination, the project area will not be made safe for the planned recreation use within the project period, or another date established by the DEPARTMENT in writing, or if the DEPARTMENT determines that the presence of contamination will reduce the overall

usefulness of the property for public recreation and resource protection, the grant may be cancelled by the DEPARTMENT with no reimbursement made to the GRANTEE.

18. The GRANTEE shall acquire and maintain, or cause to be acquired or maintained, insurance which will protect the GRANTEE from claims which may arise out of or result from the GRANTEE'S operations under this Agreement, whether performed by the GRANTEE, a subcontractor or anyone directly or indirectly employed by the GRANTEE, or anyone for whose acts may hold them liable. Such insurance shall be with companies authorized to do business in the State of Michigan in such amounts and against such risks as are ordinarily carried by similar entities, including but not limited to public liability insurance, worker's compensation insurance or a program of self-insurance complying with the requirements of Michigan law. The GRANTEE shall provide evidence of such insurance to the DEPARTMENT at its request.
19. Nothing in this Agreement shall be construed to impose any obligation upon the DEPARTMENT to operate, maintain or provide funding for the operation and/or maintenance of any recreational facilities in the project area.
20. The GRANTEE hereby represents that it will defend any suit brought against either party which involves title, ownership, or any other rights, whether specific or general, including any appurtenant riparian rights, to and in the project area and any lands connected with or affected by this project .
21. The GRANTEE is responsible for the use and occupancy of the premises, the project area and the facilities thereon. The GRANTEE is responsible for the safety of all individuals who are invitees or licensees of the premises. The GRANTEE will defend all claims resulting from the use and occupancy of the premises, the project area and the facilities thereon. The DEPARTMENT is not responsible for the use and occupancy of the premises, the project area and the facilities thereon.
22. Failure by the GRANTEE to comply with any of the provisions of this Agreement shall constitute a material breach of this Agreement.
23. Upon breach of the Agreement by the GRANTEE, the DEPARTMENT, in addition to any other remedy provided by law and this Agreement, may:
 - a. Terminate this Agreement; and/or
 - b. Withhold and/or cancel future payments to the GRANTEE on any or all current recreation grant projects until the violation is resolved to the satisfaction of the DEPARTMENT; and/or
 - c. Withhold action on all pending and future grant applications submitted by the GRANTEE under the Michigan Natural Resources Trust Fund and the Land and Water Conservation Fund; and the Recreation Passport Grant Program and/or
 - d. Require repayment of grant funds already paid to GRANTEE.
 - e. Seek specific performance of the Agreement terms. The GRANTEE agrees that the benefit to be derived by the State of Michigan from the full compliance by the GRANTEE with the terms of this Agreement is the preservation, protection and the net increase in the quality of public outdoor recreation facilities and resources which are available to the people of the State and of the United States and such benefit exceeds to an immeasurable and unascertainable extent the amount of

Required - Please choose one

Acquisition Closing Option Desired:

- ☐ This project will be completed utilizing a grant reimbursement process. Grantee will purchase land and seek reimbursement after closing.
- ☐ This project will be completed utilizing an escrow closing process.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, on this date

Approved by resolution (true copy attached) of the _____,
date

_____ meeting of the _____.
(special or regular) (name of approving body)

GRANTEE

SIGNED:

By: Brett Kaschinske

Title: Director of Parks and Recreation Department

Date: January 18th, 2018

Grantee's Federal ID#

38-6004628

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED:

By: Steve DeBrabander

Title: Manager, Grants Management

Date: _____

money furnished by the State of Michigan by way of assistance under the terms of this Agreement . The GRANTEE agrees that after final audit reimbursement has been made to the GRANTEE, repayment by the GRANTEE of grant funds received would be inadequate compensation to the State for any breach of this Agreement. The GRANTEE further agrees therefore, that the appropriate remedy in the event of a breach by the GRANTEE of this Agreement after final audit reimbursement has been made shall be the specific performance of this Agreement.

24. The GRANTEE may not assign or transfer any interest in this Agreement without prior written authorization of the DEPARTMENT.

25. The rights of the DEPARTMENT under this Agreement shall continue in perpetuity.

26. The Agreement may be executed separately by the parties. This Agreement is not effective until:

- a. The GRANTEE has signed it and returned it together with the necessary attachments within 60 days of the date the Agreement is issued by the DEPARTMENT, and
- b. The DEPARTMENT has signed it.

SAMPLE RESOLUTION
(Acquisition)

Upon motion made by _____, seconded by _____, the following Resolution was adopted:

“RESOLVED, that the _____, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the _____ does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide _____ (\$ _____) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

I, _____, Clerk of the _____, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the _____ at a meeting held _____.

Signature

Title

Dated

BY THE COMMITTEE _____

RESOLUTION #
(Acquisition)
(Resolution #2016-061)

Upon Motion made by _____, seconded by
_____, the following Resolution was adopted:

“RESOLVED, that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Twenty Two Thousand Five Hundred (\$22,500.00) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)
)ss
COUNTY OF _____)

I, Chris Swope, Clerk of the City of Lansing, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the COMMITTEE OF _____ at a meeting held _____, 2018.

Signature

Title

Dated

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

WHEREAS the Michigan Department of Transportation (MDOT) is currently soliciting applications for candidate projects for the Local Bridge Program to be funded in the 2021 fiscal year; and

WHEREAS May 1, 2018 is the anticipated deadline for submitting the applications; and

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

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

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

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

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

#	Project	Estimated Construction Cost	City's Share		
			Match 5%	Engineering 25%	TOTAL
1	Aurelius Rd over Pawlowski Creek	\$396,000	\$19,800	\$99,000	\$118,800
2	E Elm St over Red Cedar River	\$2,965,000	\$148,250	\$741,250	\$889,500
3	S Washington over Grand River	\$330,000	\$16,500	\$82,500	\$99,000
4	N Grand River Ave over Grand River	\$1,501,000	\$75,050	\$375,250	\$450,300
5	N M.L. King Jr Blvd over Grand River	\$158,000	\$7,900	\$39,500	\$47,400

WHEREAS, any one or any combination of the above five projects could be approved for 2021 funding; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of the FY 2021 funding applications for the MDOT's Local Bridge Program as listed in the priority above.

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

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Approved for Placement on
the City Council Agenda:

James Smiertka
City Attorney

Date:

RESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-1-2018, 600 Blk. E. Michigan Ave. (S. Side) Alley Vacation

WHEREAS, Pat Gillespie of GG Acquisitions, LLC, requests the vacation of the east-west alley south of the 600 Block of E. Michigan Ave.; and

WHEREAS, the alley is "L" shaped, beginning in the 100 Block of S. Larch Street, eastward parallel to Michigan Ave., then north between buildings that face Michigan Avenue; and

WHEREAS, at its meeting on February 6, 2018, the Planning Board found, based on a review of the location, character, and extent of the Act-1-2018 proposal, that:

- The alley is located in the midst of properties that are being assembled for a larger building site on East Michigan Avenue and all utilities within the alley will need to be relocated, and lots combined so as to eliminate land-locked parcels,
- The alley will change from being a utilitarian means of access to the rear of the buildings in a quasi-industrial setting to being incorporated in a larger mixed-use development with the character and intensity of downtown Lansing.
- Retaining the alley would impede the proposed development in accordance with the shared vision expressed in the *Design Lansing Comprehensive Plan*; and

WHEREAS, the Planning Board voted unanimously (4-0) to recommend approval of Act-1-2018, the vacation of the entire alley, contingent on the combination of parcels adjacent to the alley to eliminate land-locking any parcel; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2018, and vacates the subject alley as requested, legally described as:

Commencing at the Southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, Except the East 10 Feet of the North 51.5 Feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing,

contingent on the combination of parcels adjacent to the alley to eliminate land-locking any parcel;

BE IT FINALLY RESOLVED, that the City Clerk within 30 days of passage of the resolution shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation (OLSR), the Planning and Development and Assessor's Offices, the Department of Public Service, and the applicant.

GENERAL INFORMATION

APPLICANT: GG Acquisitions, LLC
330 Marshall Street, Suite 100
Lansing, MI 48912

OWNERS: See attached.

REQUESTED ACTIONS: Rezone from "H" Light Industrial to "G-1" Business District
Alley vacation

EXISTING LAND USE: Commercial, Industrial, Single and Multi-Family Residential

EXISTING ZONING: "H" Light Industrial District

PROPOSED ZONING: "G-1" Business District

PROPERTY SIZE: 159,244 square feet – 3.65 acres – total area to be rezoned
including the alley to be vacated

SURROUNDING LAND USE: N: Various commercial & office uses, Lansing Rescue
Mission
S: Commercial, industrial, single and multi-Family
Residential
E: Railroad/office Building
W: Stadium District (multi-family residential &
commercial)

SURROUNDING ZONING: N: "G-1" Business & "H" Light Industrial Districts
S: "H" Light Industrial District
E: "H" Light Industrial District
W: "G-1" Business & "H" Light Industrial Districts

MASTER PLAN: The Central Lansing Comprehensive Plan designates the
subject property for retail/commercial with upper floor mixed
use. The Design Lansing Master Plan designates the subject
property for Downtown Mixed-Use Center: Edge. E.
Michigan Avenue is designated as a minor arterial. S. Larch
Street is designated as an activity corridor. Barnard Street is
designated as a local road.

DESCRIPTION:

The following requests by GG Acquisitions, LLC, are to facilitate a future mixed use development on the property described below, including the alley to be vacated:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

AGENCY RESPONSES

BWL:

BWL Electric: Approved. No comments. Contact person: Jerry Wheeler, ph: 517-702-6644

BWL Street Lighting: Approved. No Comments.

BWL Water & Steam Distribution: Approved

Please note that this approval does not constitute an agreement for service, and is subject to the following conditions:

- General Comments:
 - o All service piping, up to and including the service risers are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. BWL jurisdiction for domestic services ends at the outlet of the domestic meter setting. BWL jurisdiction for fire services ends at the connection point to the backflow preventer. Service risers to the building will only be constructed by LBWL forces or a LBWL approved contractor.
 - o It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The LBWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - o The Customer is responsible for coordinating with the Fire Marshall of Jurisdiction for hydrant placement on the site. Note that if the installation of fire

- hydrants is required, then the installation will require permitting by the MDEQ, and the owner will be responsible for meeting all requirements for the installation of water main. The BWL's experience is that the Fire Marshall will require a fire hydrant be installed within 100 feet of any proposed fire department connection.
- o MDEQ permits and signed easements shall be established prior to construction, if applicable.
- Site Specific Comments:
 - o Commercial zoning requires 2500 gpm of fire flow protection. Therefore, the following must be considered for future development:
 - ☐ In order to meet commercial fire flow requirements, any proposed water main for future development must connect to the existing 24-inch main in Michigan Avenue. Commercial fire flow is not available from a connection taken solely off of Larch or Barnard.
 - ☐ Based on the lengths and layout of proposed water main, the BWL will enforce looping requirements.
 - ☐ It is the BWL's experience that the Lansing Fire Marshall will require a fire hydrant to be placed within 100' of new building fire department connections. Developer is to coordinate fire protection requirements for any future development with the Lansing Fire Marshall, and communicate those requirements to the BWL so connection and looping requirements can be determined.

BWL Water Operations: I have no comments or concerns.

BWL Environmental Wellhead Protection: We have no Wellhead Protection Concerns in this area.

Building Safety:	The BSO has no objections.
Development Office:	No comments pertaining to the Development Office.
Fire Marshal:	No response received.
Parks & Recreation:	The removal of any right-of-way trees and or altering of any right-of-way rain gardens for future development plans would require review and approval by the Forestry division.
Public Service:	Regarding the impacts of this vacation to sanitary sewer service, all of the parcels fronting Michigan Ave. have service in the "new" sanitary sewer on Michigan Ave. Further, regarding sanitary sewer service at the parcel at the west end of the east/west alley (i.e., Liskey's), their sanitary sewer service is off of Cedar St. However, it's not clear how or whether the steel "pole barn-type" building south of the east/west alley (i.e.,

Parcel #33-01-01-16-428-100) is served, but there is no existing public sewer in the east/west alley, so the question of sanitary service to that building is probably moot. The county's info shows Parcel #33-01-01-16-428-100 as owned by Brogan's and I believe they simply store tires in there, but there is and would be no sanitary service available to that parcel (again, this probably isn't an issue, because there apparently has never been sanitary service to that building)

Regarding any access issues, the large parcel that is kind of a parking lot, Parcel #33-01-01-16-428-002, has access off of their driveway approach on Michigan Ave. HOWEVER, again regarding the steel building that encompasses Parcel #33-01-01-16-428-100, it looks like that'd be land-locked, if we vacate the east/west alley. Although the steel building is only a few feet from Brogan's tire shop, they have to cross the east/west alley to access the steel building.

Further, regarding utilities in that alley, the attached map from Consumers Energy shows a 2" medium pressure gas main in the alley. I'm pretty sure this main serves the structures north of the alley along the south side of Michigan Ave.

To summarize, it appears the only issue relative to vacation of both of these alleys is access to the steel building/Parcel #33-01-01-16-428-100, if the east/west alley is vacated.

Transportation Engineer:

There is no objection to the rezoning, however, driveway access points will need to be consolidated and will be subject to City and/or MDOT driveway location standards as appropriate. A traffic study may also be required, depending on the proposed use. If any parcels that have access exclusively off the alley are not owned by the applicant, alternate access will have to be provided by the applicant for these parcels. Any public utilities in the alleys will need to be addressed with relocation/abandonment costs paid for as part of the development.

ACT 33 – ALLEY VACATION

An Act 33 Review is conducted in accordance with Section 208 of the Administration Code when the City purchases, sells or substantially changes the use of property. The Michigan Municipal Planning Act (P.A. 33 of 2008, as amended) requires a review of the location, character, and extent of the proposal by the Planning Board, prior to consideration by the City Council. The following is a review of Act-1-2018 in accordance with these standards.

ANALYSIS

Location: The alley to be vacated runs east off of S. Larch Street along the south lines of the properties fronting along the south side of the 600 block of E. Michigan Avenue, for a distance of 348.82 feet. The alley that runs north for a distance of 109.92 feet to the E. Michigan Avenue right-of-way line is also proposed to be vacated. The east and west alley is platted and originally extended from Larch Street to what was formerly East Street and is now a railroad right-of-way. The east 77 feet of the alley was vacated in 1961. The City then acquired the property that runs north and south to provide a connection between the remaining alley and E. Michigan Avenue.

The alley is located in the midst of properties that are being assembled for a larger building site on East Michigan Avenue. As such, all utilities within the alley will need to be relocated, and lots combined so as to eliminate land-locked parcels.

Character: The alley will change from being a utilitarian means of access to the rear of the buildings in a quasi-industrial setting to being incorporated in a larger mixed-use development with the character and intensity of downtown Lansing.

Extent: Analysis of the extent of a proposal evaluates whether the level or magnitude of the proposed request is appropriate in relation to the intended land use pattern, public facilities, and services in the area. The alley would impede the proposed development in accordance with the shared vision expressed in the Design Lansing Comprehensive Plan.

REZONING ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE:

The proposal is to rezone the block bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad to the east from "H" Light Industrial to "G-1" Business district, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

The subject property is located in an area that contains an eclectic mix of uses. The site is located just east of the Stadium District site which is a commercial/residential mixed use building.

The Cooley Law School baseball stadium is located to its north. The block directly north of the subject property includes the Lansing Rescue Mission and various first floor commercial/office uses with upper floor residential units. The property directly adjoins an active rail line to the east and residential uses of varying densities to the south. Several of the parcels of land that are included in the rezoning request are vacant or being used strictly for parking. The dominant land uses on the site are automotive repair facilities.

The existing uses on the subject property are out of character with the general land use pattern along E. Michigan Avenue which consists of commercial/residential uses and entertainment venues. These types of uses support each other, draw people to the area, many of whom utilize the bus system for transportation, create activity outside of normal business hours, and generally contribute to the vibrancy of an area located in close proximity to the core downtown. Parking lots and automobile repair facilities, by contrast, do not produce activity outside of normal business hours, do not provide support for other businesses in the area and do not draw pedestrian traffic to the area. A mixed use development on the site would provide a renewed sense of vitality to the area site and is a strategic location for the realization of the overall mixed land use pattern being advanced in the Master Plans for this area.

COMPLIANCE WITH MASTER PLAN:

The Central Lansing Comprehensive Plan designates the subject property for retail/commerce with upper floor mixed use. The Design Lansing Master Plan designates the subject property for Downtown Mixed-Use Center: Edge. The purpose of this designation as described 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.”

With respect to placemaking characteristics, the Plan states that:

“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 G-1 Business district is the most appropriate zoning designation to facilitate the mixed use development strategy being advanced in the Central Lansing and Design Lansing Master Plans. It is specifically designed for the downtown in that it allows a mix of retail, office, and high density residential uses as a matter of right. It is also the zoning designation that allows for development in

accordance with the placemaking characteristics described above (no parking or setback requirements and no building height or lot coverage limitations).

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

No negative impacts on vehicular or pedestrian traffic are anticipated to result from future mixed use development of the site. A mixed use development will generate additional pedestrian traffic which is very positive for the area. The current pedestrian walkway system and traffic controls in the area are designed to accommodate large volumes of pedestrian traffic in a safe manner. With respect to vehicular traffic, access to the site will likely be from S. Larch Street which is a major road, designed to carry a high volume of traffic.

The subject property is located on two major bus routes (E. Michigan and Larch) and thus, the occupants of a future mixed use building can be less dependent on privately owned automobiles. It is also within walking distance of several major employers and institutional facilities such as Sparrow Hospital, State of Michigan offices, Lansing city hall, the Accident Fund, Lansing Community College, Cooley Law School and Davenport University. Despite its location, a future developer will have to provide adequate on-site parking to accommodate the needs of the occupants of a mixed use building, even though on-site parking is not required under the "G-1" zoning district. It is anticipated that the site will be developed in a manner similar to the Stadium District to the west with the building located at the front property line along E. Michigan Avenue and parking to its south, accessible primarily from S. Larch Street with secondary access from Barnard Street.

IMPACT ON PUBLIC FACILITIES:

New development will require administrative site plan review at which time the specific details of the the utility systems to accommodate the development will be evaluated. No concerns about the availability of utilities have been expressed by any of the reviewing agencies.

ENVIRONMENTAL IMPACT:

Given the amount of human intervention already occurring on this site, the zoning proposal will have little impact on the physical environment. Redevelopment of the site will be required to go through the City's administrative site plan approval process, during which the drainage system as well as all other physical aspects of the development will be reviewed for compliance with city codes. Furthermore, Michigan Avenue and Larch Street are major bus routes which allow residents of the area to be less dependent on private transportation. Reducing motorized traffic has a positive impact on the environment since less traffic results in less pollution created by the greenhouse gas emissions that motorized vehicles produce and less wear and tear on roads.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

The rezoning is intended to accommodate redevelopment of the site for a mixed residential/commercial building which would have a positive impact on future development patterns in the area and strengthen the linkage between the E. Michigan Avenue corridor east of the River and the core downtown. New residential units will provide convenient housing for people who work, attend

school or simply choose to live in an area that is within walking distance of the goods, services and entertainment venues already available in Lansing's core downtown. In addition, the occupants of the residential units will have convenient access to public transportation and will provide a strong customer base for the existing commercial uses in the area.

The "G-1" Business district is the appropriate zoning designation to facilitate the mixed land use development pattern being advanced in the Central Lansing and Design Lansing Comprehensive Plans. Redevelopment of the site may encourage more redevelopment projects in the area that will further the goals of the Master Plans to create a vibrant mixed use area surrounding the core downtown. The "G-1" district allows for a mix of office, commercial and residential uses to the highest density permitted under the Zoning Ordinance (up to 87 dwelling units per acre). It also has no setback or parking requirements and no limitations on building height or lot coverage which is why the overwhelming majority of the land in and around the core downtown area is currently zoned "G-1" Business.

SUMMARY

These are requests by GG Acquisitions, LLC, to facilitate a future mixed use development on the property described below, including the alley to be vacated:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

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

RECOMMENDATIONS

Pursuant to the findings described above, staff is recommending approval of the following requests:

Act-1-2018: Vacate the alley commencing at the southwest corner of Lot 19, thence south 16 feet, east 348.82 feet, north 16 feet, thence west to the point of beginning; and Lot 4, except the east 10 feet of the north 51.5 feet thereof, Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, contingent on the combination of parcels adjacent to the alley to eliminate land-locking any parcel.

Z-1-2018: Rezone from "H" Light Industrial district to "G-1" Business district, the property bounded by E. Michigan Avenue to the north, Barnard Street to the south, S. Larch Street to the west and the railroad right-of-way to the east, with the following exceptions (property not included in the rezoning):

- * 628 E. Michigan Avenue
- * Vacant parcel at the southeast corner of E. Michigan Avenue & S. Larch Street
- * 629 Barnard Street & the adjoining vacant parcel to its east
- * 119 S. Larch Street, except the north 16.5 thereof
- * 2 parcels located immediately south of 119 S. Larch Street

Respectfully Submitted,

Bill Rieske
Assistant Planning Manager

Susan Stachowiak
Zoning Administrator

SUPPLEMENT TO ACT 33 REVIEW APPLICATION

Submitted by GG Acquisitions, LLC

The alley sought to be vacated: This is an application to vacate an alley as depicted on the survey attached (**Exhibit A**), and legally described in the attached **Exhibit B**. The alley runs east and west between Larch Street and the former East Street. At its eastern end, it turns to the North to E. Michigan Avenue.

The Applicant: The Applicant is GG Acquisitions, LLC. Applicant is an affiliate of The Gillespie Group. The Applicant has entered into agreements to purchase the properties adjacent to the alley (as addressed further herein), with the exception of the property owned by 600 E. Michigan-Lansing, LLC.. 600 E. Michigan-Lansing, LLC is an affiliate of Applicant / The Gillespie Group and said property is to be included in the contemplated development.

The Properties Abutting the Alley:

1. The property owned by 600 E. Michigan-Lansing, LLC and described on **Exhibit C**. This property abuts the alley to the North and generally at the corner of Larch and E. Michigan. It includes the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Plat of Connards Subdivision of Lot 1, Block 242, of the Original Plat of the City of Lansing ("Connards Subdivision"). The contact for this property is the Applicant.
2. The property owned by James E. Brogan as described on **Exhibit D**. This property is to the East of the 600 E. Michigan-Lansing, LLC property and is located along E. Michigan Avenue (North side of the alley)—Lots 6, 7, 8, 9, 10, 12 and 13 of Connards Subdivision; and, part of Lot 24 of said subdivision which lies to the South of the alley. Mr. Brogan's address is 1270 Whittier Drive, East Lansing, MI 48823. His phone number is (517) 332-6153 and his email address is sarastanbrog@gmail.com.
3. The property owned by 621 East Michigan, LLC as described on **Exhibit E**. This property is to the East of the Brogan property along east Michigan Avenue, and is to the North and West of the alley—being Lot 5 of Connards Subdivision. The contact for 621 East Michigan, LLC is Fady Samuel Albout, 625 E. Michigan Ave., Lansing MI, 48912.

4. The property owned by Michigan Avenue Development Co., LLC as described on **Exhibit F**. This property is to the West of the Alley (Lots 1, 2, 3 and part of Lot 4 of Connards Subdivision) and to the South (Lot 24 of Connards Subdivision). The contact for Michigan Avenue Development Company, L.L.C is Lawrence A. Bass, 405 E. Maple Street, Lansing, MI, P.O. Box 14180, Lansing, MI 48901.
5. The property owned by Edward C Carpenter Family Trust dated March 28, 2002 described as Parcel on **Exhibit G**. Applicant's agreement to purchase also includes the balance of the property describe in Exhibit G, but only "Parcel 5" abuts the alley. Parcel 5, being the North 16.50 feet of Lot 20 of Connards Subdivision, is abuts the south of the alley, across from the 600 E. Michigan-Lansing, LLC property and part of the Brogan property (Lot 12 of Connards Subdivision). The contact person for this property is Edward Carpenter, 119 S. Larch St., Lansing, MI.; phone number 417-204-5856.

The Requested Action

Applicant requests that the alley be vacated to its full extent and width. It is requested that the resolution approving this vacation provide that the effective date of the vacation, and the conveyance of title be the date of site plan approval for the development of a project including properties outlined above and described in Exhibits D through G (or immediately thereafter).

Miscellaneous

Based upon conversation with the City's staff it is Applicant's understanding that (a) neither an appraisal or an environmental report will be required as part of this application or the approval being requested; and (b) the owners of the property abutting the alley need not sign the application. If this understanding is not accurate please advise at your earliest opportunity.

SUPPLEMENT TO PETITION FOR RE-ZONING

Submitted by GG Acquisitions, LLC

The property to be re-zoned: This is an application to rezone the property described below and depicted on the survey attached (**Exhibit A**), and legally described in the attached Exhibits B through E (and the alley (as addressed below and in a separate application to vacate the alley brought pursuant to Act 33)). The request is to re-zone the property from H (Light Industrial) to G-1 (Business) to allow the property to be developed for mixed commercial and residential uses. In referencing the survey, please note this application does not apply to the property owned by 600 E. Michigan-Lansing, LLC (generally at the corner of Larch and E. Michigan) being the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Plat of Connards Subdivision of Lot 1, Block 242, of the Original Plat of the City of Lansing ("Connards Subdivision"), as that property is currently zoned G-1. Also this application does not include the property owned by 621 East Michigan, LLC—(628 E. Michigan) being Lot 5 of Connards Subdivision as that property is zoned G-1; or Lots 2 and 3 of Block 1, of Barnard's Subdivision (even though they are depicted in the survey being provided).

The Applicant: The Applicant is GG Acquisitions, LLC. Applicant is an affiliate of The Gillespie Group. The Applicant has entered into agreements to purchase the properties sought to be re-zoned (addressed further herein), has also entered into an agreement to purchase the property owned by 621 East Michigan, LLC (common address 628 E. Michigan which is zoned G-1) and 600 E. Michigan-Lansing, LLC., the owner of the West 18 feet of Lot 13, and all of lots 14, 15, 16, 17, 18 and 19 of the Connards Subdivision (zoned G-1), is an affiliate of Applicant / The Gillespie Group.

The Properties to Be Re-Zoned:

1. The property owned by James E. Brogan as described on **Exhibit B**. This property is to the East of the 600 E. Michigan-Lansing, LLC property and is located along E. Michigan Avenue—Lots 6, 7, 8, 9, 10, 12 and 13 of Connards Subdivision; and, part of Lot 24 of said subdivision which lies to the South of the alley. This property consists of 27,075 sqft. Mr. Brogan's address is 1270 Whittier Drive, East Lansing, MI 48823. His phone number is (517) 332-6153 and his email address is sarastanbrog@gmail.com.
2. The property owned by Michigan Avenue Development Co., LLC as described on **Exhibit C**. This property is to the East of the Brogan Property (Lots 1, 2, 3 and part of Lot 4 of Connards Subdivision) and to the South (Lot 24 of Connards Subdivision). This property consists of 35,163 sqft. The contact for Michigan Avenue Development Company, L.L.C is Lawrence A. Bass, 405 E. Maple Street, P.O. Box 14180, Lansing, MI 48901.
3. The property owned by Carpenter Apartments, LLC (as to Parcels 1-4 and 8 described on **Exhibit D**), Edward C Carpenter Family Trust dated March 28, 2002 (as to the property described as Parcels 5 and 6 on **Exhibit D**), and Edward C. Carpenter, (as to Parcel 7 on **Exhibit D**). These parcels include Lots 6, 7 and 8 and a portions of Lots 9 and 10 of Block 1 of the Barnard's Addition to the City of Lansing ("Barnards Subdivision"), and portions of Lots 2 and 20 of Connards Subdivision, all of which are more particularly

described on the survey. Note, this request for rezoning does not include all of the property owned by Carpenter, just the land as described in **Exhibit D** and the survey. This property consists of 79,323 sqft. The contact person for these properties is Edward Carpenter, 119 S. Larch St., Lansing, MI. 48912; phone number 417-204-5856.

4. The property owned by the Ingham County Treasurer—being Lots 4 and 5, Block 1, of Barnards Subdivision, as described on **Exhibit E**. This property consists of 10,202 sqft. The contact information for the Ingham County Treasurer is Eric Schertzing, Treasurer, 313 W. Kalamazoo St. Lansing, MI 48933. (517) 483-6503
5. The Alley-- the alley runs east and west between Larch Street and the former East Street. At its eastern end, it turns to the North to E. Michigan Avenue. The alley consists of 7,481 sqft.

The Requested Action

Applicant requests the above referenced property be rezoned from H to G-1 Business so that it may be developed for a mixed commercial and residential use. Upon rezoning, all of Connards Subdivision will be zoned G-1, with the exception of the Liskey's (Carpenter) operation/property not being purchased. The size and nature of residential uses and structures and, as to commercial uses, the number of employees, parking spaces, and hours / days of operation have yet to be determined.

Miscellaneous

This Petition pertains to 159,244 sqft of property or 3.65 acres= $\frac{1}{2}$ -. An \$800.00 filing fee is therefore being provided.

Applicant is represented by John R. Fifarek, Lasky Fifarek, P.C. with respect to this Petition. Any comments, questions or concerns may be directed to him at 120 N. Washington Square, Suite 625, Lansing, MI 48933. His phone number is (517) 267-2226 and email jfifarek@laskyfifarek.com.

 First American Title™	Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174761

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Parcel 1:

Lot 7, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 2:

The East 45 feet of Lots 9 and 10, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 3:

The West 90 feet of Lot 9, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 4:

The West 90 feet of Lot 10, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 5:

The North 16.50 feet of Lot 20, of Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, according to the recorded Plat thereof, as recorded in Liber 1 of Plats, Page(s) 31, Ingham County Records.

Parcel 6:

The South ½ of the North ½ of the West 135 feet of Lot 2, Block 242 of the Original Plat of the City of Lansing, according to the recorded Plat thereof, as recorded in Liber 1 of Plats, Page(s) 31, Ingham County Records.

Carpenter

Parcel 7:

Lot 8, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Parcel 8:

Lot 6, Block 1, of Barnard's Addition to the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

 First American Title™	Commitment for Title Insurance
	ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174556

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lot 4 and 5, Block 1, of Barnards Subdivision of Lots 2, 3 and 4, Block 242 of the Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 32, Ingham County Records.

Ingham County Treasurer



First American Title™

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Exhibit A

File No.: 174691

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lot 6, 7, 8, 9, 10, 11, 12 and 13, except the West 18 feet thereof, of Connard's Subdivision of Lot 1, Block 242 of Original Plat of the, City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof, as recorded in Liber 1, Page(s) 31, Ingham County Records, ALSO that part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 62.63 feet; thence South 89°49'30" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

Brogan Property

 First American Title™	Commitment for Title Insurance ISSUED BY First American Title Insurance Company
Exhibit A	

File No.: 174555

The Land referred to herein below is situated in the County of Ingham, State of Michigan, and is described as follows:

Lots 1, 2, 3, 24, and the East 10 feet of the North 51.55 feet of Lot 4, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof; ALSO beginning at the Southeast corner of said Lot 1; thence South 16 feet; thence West 77 feet; thence North 16 feet; thence East 77 feet to the point of beginning; ALSO Lot 1 of Block 1 of Barnard's Subdivision, recorded in Liber 1 of Plats, Page 32, Ingham County Records; ALSO the North 1/2 of Lot 2, Block 242, except the West 135 feet thereof and except the East 30 feet of the West 165 feet of the North 8 feet thereof, Original Plat of the City of Lansing. The said property may also be described as: Beginning at the Northeast corner of Lot 1 of Connard's Subdivision of Lot 1 of Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof; thence South along the Eastern boundaries of Lot 1, Lot 1 extended; and Lot 24 of Connard's Subdivision, the North 1/2 of Lot 2, Block 242 and Lot 1 of Block 1 of Barnard's Subdivision, a measured distance of 521.30 feet to an "X" cut on concrete marking the Southeast corner of Lot 1 of Block 1 of Barnard's Subdivision; thence West 42 feet to a point being the Southwest corner of said Lot 1, Block 1 of Barnard's Subdivision; thence North 121.5 feet to a point, which point is a measured distance of 41.87 feet West of the Eastern boundary line of Lots 1 and 24 aforesaid, being the Northwest corner of said Lot 1, Block 1 of Barnard's Subdivision; thence West 251.21 feet to a point being the Northwest corner of Lot 7, Block 1, of Barnard's Subdivision; thence North 78.62 feet; a point 135 feet East of the East Boundary of Larch Street; thence East 30 feet to a point being 8 feet South of the North line of Lot 2, Block 242; thence North a measured distance of 195.9 feet along the West boundary line of Lot 24 of Connard's Subdivision of Block 242 to a point being the Northwest corner of said Lot 24; thence East 183.04 feet along the Northern boundary line of said Lot 24 to a point 16 feet South of the Southwest corner of Lot 3 of Connard's Subdivision; thence Northerly 16 feet to a point being the Southwest corner of Lot 3 of Connard's Subdivision; thence continuing North along the West boundary line of said Lot 3, 59.5 feet to an "X" cut therein; thence West 10 feet to an "X" cut; thence North a measured distance of 51.55 feet to a point in the North Boundary line of Lot 4 and the South boundary line of Michigan Avenue; thence East along the South boundary of Michigan Avenue and the North boundary lines of Lots 4, 3, 2, and 1 of Connard's Subdivision to place of beginning.

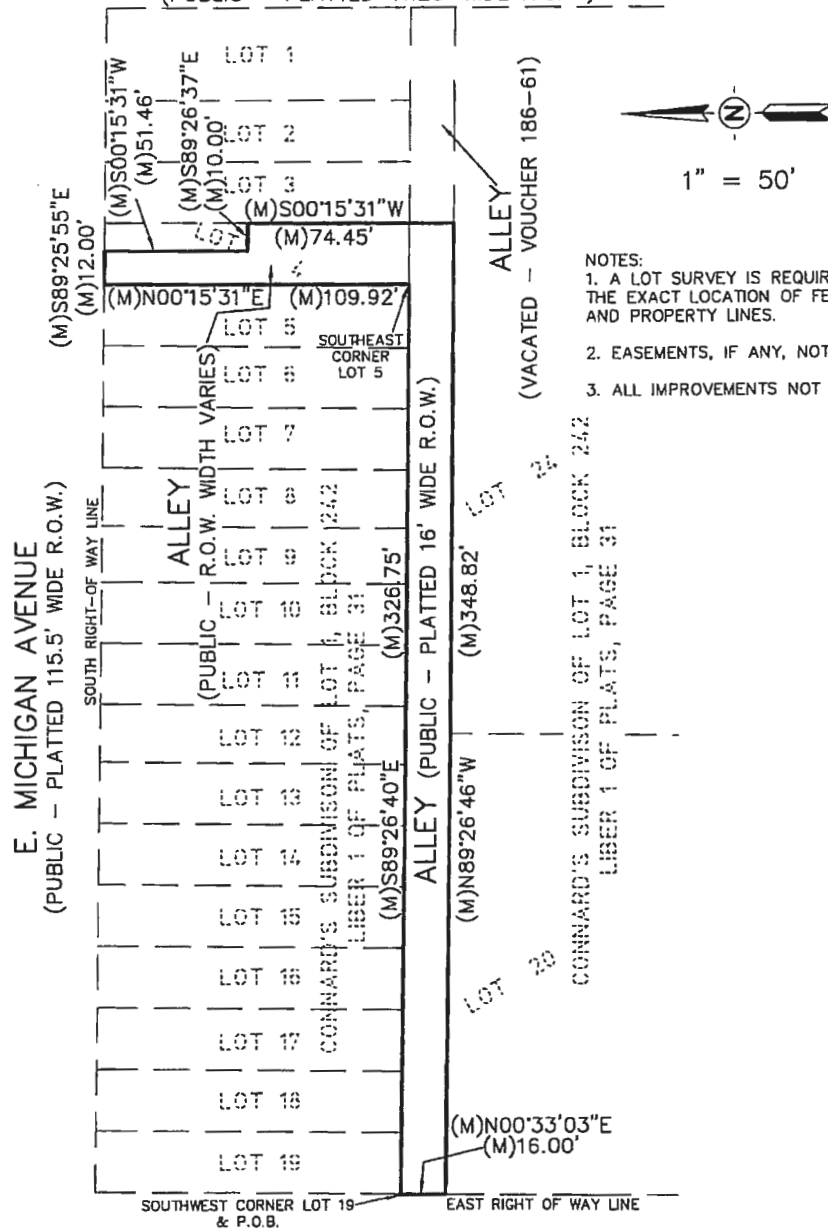
EXCEPT:

Part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 62.63 feet; thence South 89°49'30" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

Michigan Avenue Development Co., LLC

For:
Gillespie Group
330 Marshall Street
Lansing, MI 48912

FORMER EAST STREET
(PUBLIC - PLATTED 41.25' WIDE R.O.W.)



1. A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.

2. EASEMENTS, IF ANY, NOT SHOWN.

3. ALL IMPROVEMENTS NOT SHOWN.

LARCH STREET
(PUBLIC - PLATTED 82.5' WIDE R.O.W.)

This plan was made at the direction of the parties heron and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

R = Recorded Distance
M = Measured Distance
— = Deed Line
- - - = Distance Not to Scale



**KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS**

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY SLH	SECTION 16, T4N, R2W
FIELD WORK BY ---	JOB NUMBER:
SHEET 1 OF 2	92950.PLT-ALLEY

PLOT PLAN

ALLEY DESCRIPTION:

A parcel of land being part of the Plat of Connard's Subdivision of Lot 1, Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 31, Ingham County Records; said parcel is more particularly described as: Beginning at the Southwest corner of Lot 19, of said Plat of Connard's Subdivision; thence S89°26'40"E along the North line of an alley of said plat a distance of 326.74 feet to the Southeast corner of Lot 5 of said plat; thence N00°15'31"E along the East line of said Lot 5 a distance of 109.92 feet to the South Right of Way line of East Michigan Avenue; thence S89°25'55"E along said South line a distance of 12.00 feet; thence S00°15'31"W 51.46 feet; thence S89°26'37"E 10.00 feet to a point on the West line of Lot 3 of said plat; thence S00°15'31"W 74.45 feet to a point on the South line of said alley; thence N89°26'46"W along said South line 348.82 feet to the East Right of Way line of South Larch Street; thence N00°33'03"E along said East Right of Way line 16.00 feet to the point of beginning; said alley containing 0.17 acre, more or less; said alley subject to all easements and restrictions if any.



DANE B. PASCOE
PROFESSIONAL SURVEYOR



DATE
No. 54434



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY SLH

SECTION 16, T4N, R2W

FIELD WORK BY ----

JOB NUMBER:

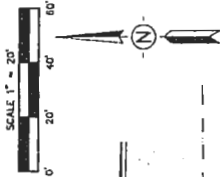
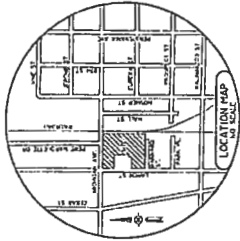
SHEET 2 OF 2

92950.PLT-ALLEY

BOUNDARY & TOPOGRAPHIC SURVEY

"600 E. MICHIGAN PROJECT"

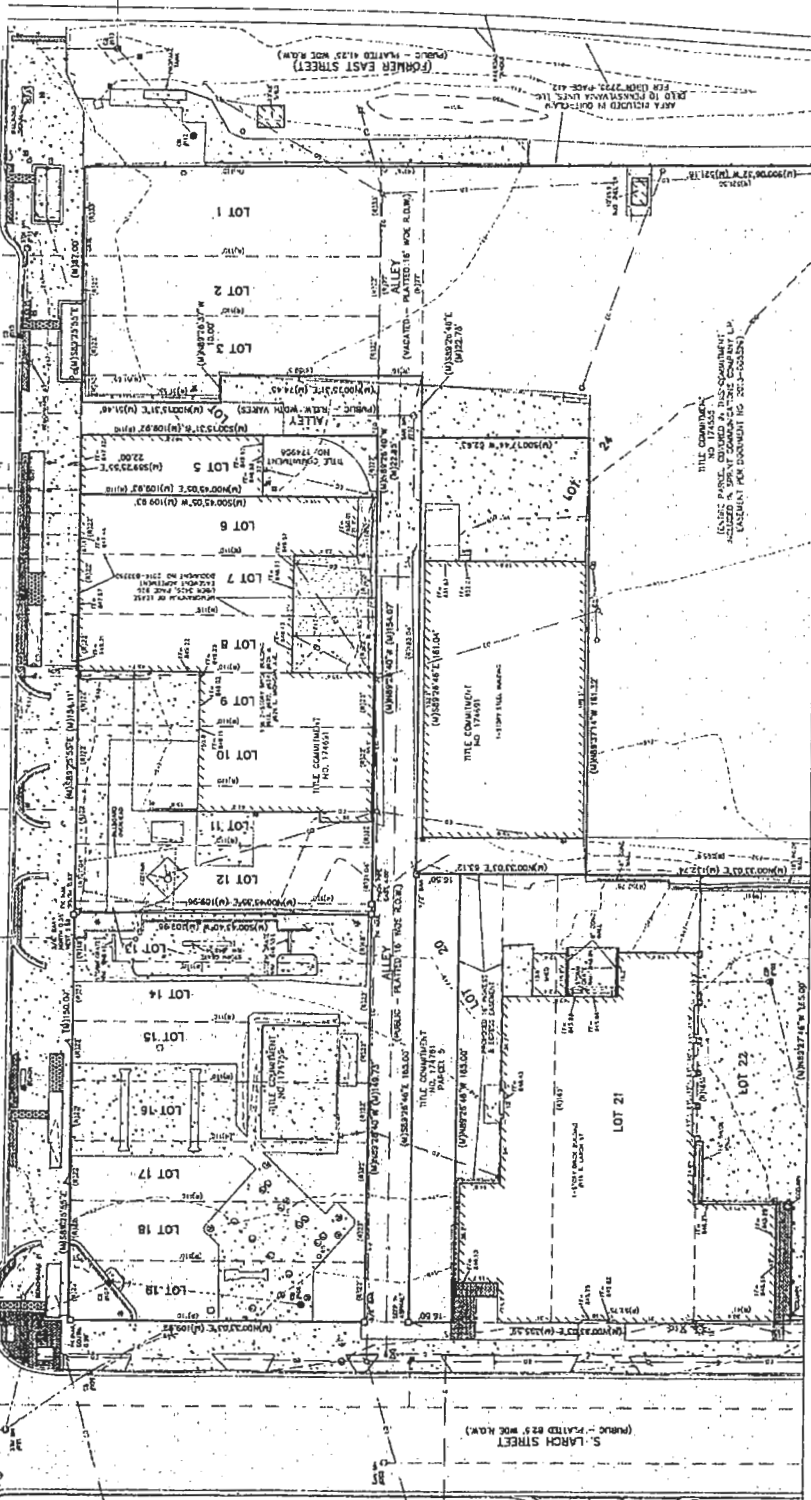
FOR GILLESPIE GROUP



- LEGEND**
- 1/2" BAR WITH CAP
 - FOUND IRON AS NOTED
 - DEED LINE
 - DISTANCE NOT TO SCALE
 - CONCRETE
 - GRAVEL
 - STEEL PLATE
 - ADA PLATE
 - ARCH W/POSSIBLE/STAIRS
 - ARCH W/POSSIBLE/STAIRS
 - EXISTING SPOT ELEVATION
 - EXISTING CONTOUR ELEVATION
 - SANITARY SINKER
 - SEWER LINE
 - SEWER MANHOLE
 - OVERHEAD WIRE
 - BUILDING OVERHANG
 - DECIDUOUS TREE
 - CONIFEROUS TREE
 - SANITARY MANHOLE
 - ELECTRIC MANHOLE
 - TELEPHONE MANHOLE
 - FUEL MANHOLE
 - MORTUARY WELL
 - CLAMNET
 - FIRE HYDRANT
 - VALVE
 - FIRE REGULATION VALVE
 - UTILITY POLE
 - UTILITY POLE (BASE ONLY)
 - CUT WIRE
 - UTILITY POST/STAIL
 - TRANSFORMER
 - MANHOLE
 - ELECTRIC METER
 - GAS VALVE
 - WATER METER
 - SEWER
 - POST/ROLLING
 - AIR EXHAUSTING UNIT
 - PLUMBING METER



REVISION	DATE	BY	FOR
1	10/1/2011	KEES, INC.	CONTRACT
2	10/1/2011	KEES, INC.	REVISION
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4	10/1/2011	KEES, INC.	REVISION
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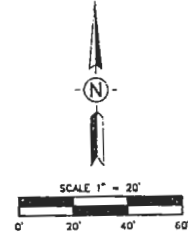
MATCH LINE SEE SHEET 2

DATE 10/1/2011
DRAWN BY J. P. KEES, INC.
CHECKED BY J. P. KEES, INC.
PROFESSOR J. P. KEES, INC.

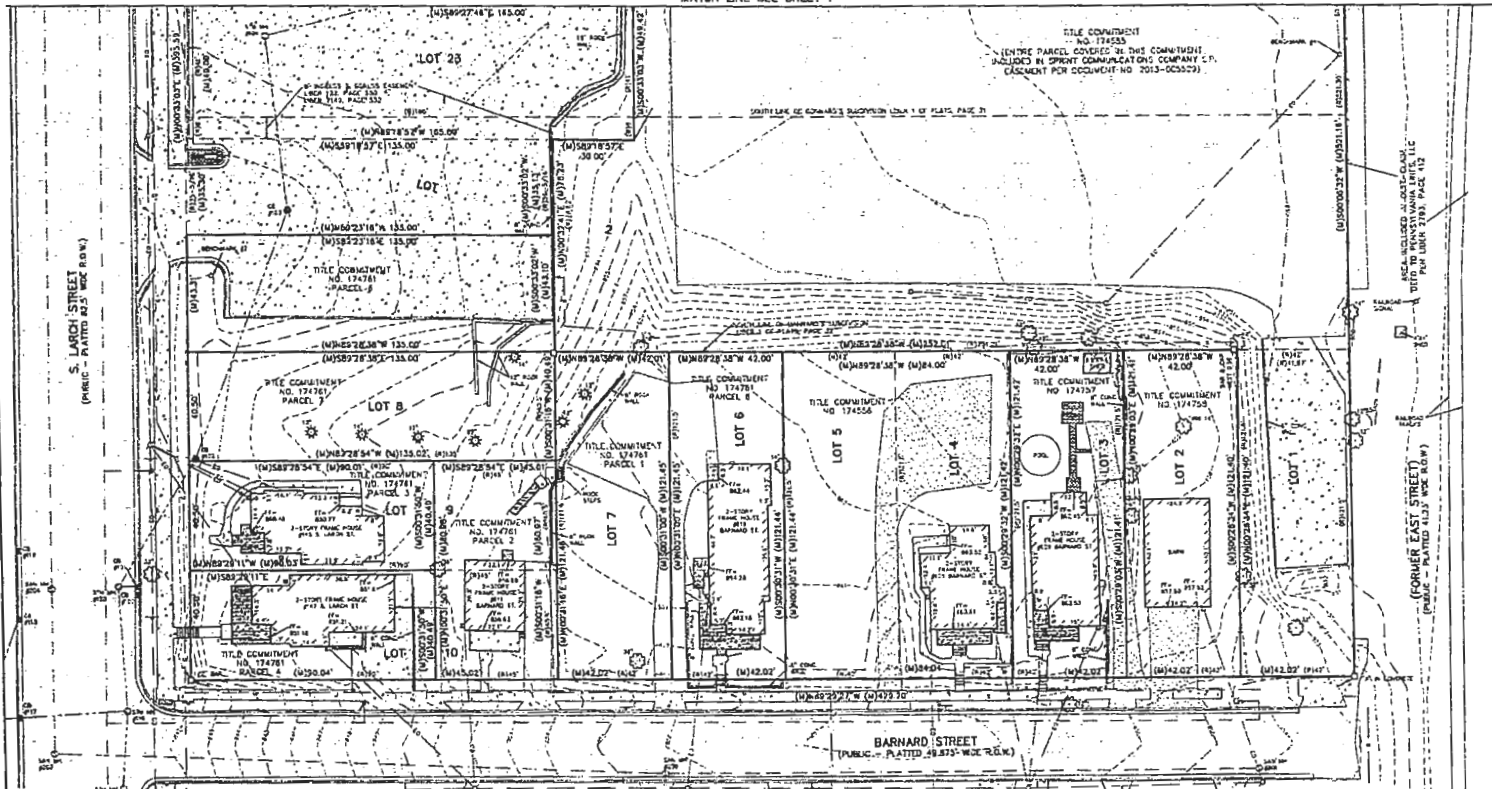
BOUNDARY & TOPOGRAPHIC SURVEY

FOR: GILLESPIE GROUP

"600 E. MICHIGAN PROJECT"



MATCH LINE SEE SHEET 1



LEGEND

- SET 1/2" BAR WITH CAP
- FOUND HIGH AS NOTED
- DEED LINE
- DISTANCE NOT TO SCALE
- FENCE
- ASPHALT
- CONCRETE
- GRAVEL
- STEEL PLATE
- ADA PLATE
- PORCH/DECK/STAIRS
- BRICK
- EXISTING SPOT ELEVATION
- EXISTING CONTOUR ELEVATION
- SANITARY SEWER
- STORM SEWER
- WATER LINE
- GAS LINE
- OVERHEAD WIRES
- BUILDING OVERHANG
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- CONIFEROUS TREE
- SANITARY MANHOLE
- DRAINAGE MANHOLE
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- STEAM MANHOLE
- FUEL MANHOLE
- MONITORING WELL
- CATCH BASIN
- CLEANOUT
- FIRE HYDRANT
- VALVE
- POST INDICATOR VALVE
- UTILITY POLE
- LIGHT POLE
- LIGHT POLE (BASE ONLY)
- DUTY ROSE
- UTILITY FEDERAL
- TRANSFORMER
- HANDHOLE
- ELECTRIC METER
- GAS METER
- GAS VALVE
- WATER METER
- SIGN
- POST/BOLLARD
- AIR CONDITIONING UNIT
- PARKING METER

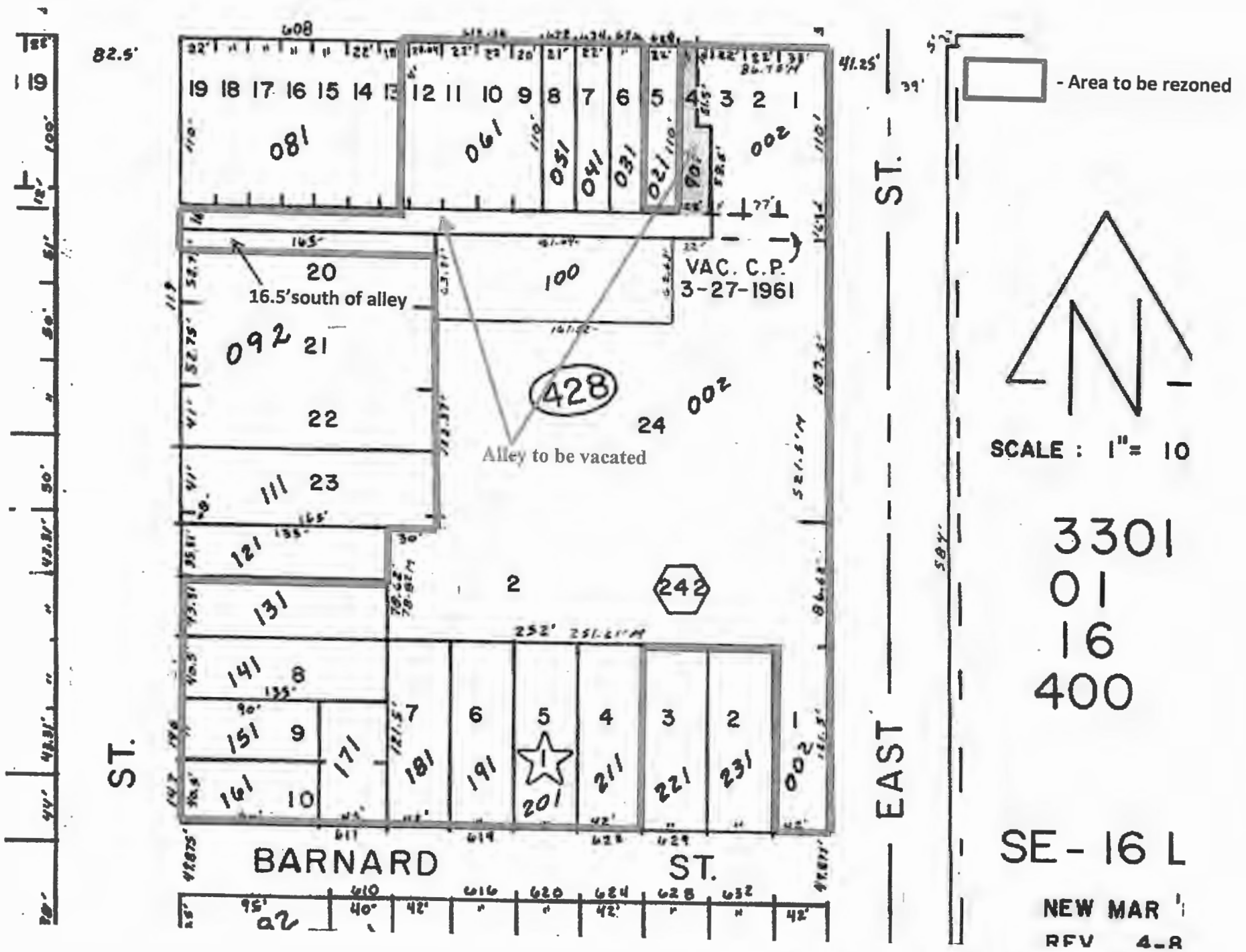


Erik R. Freshman 12/1/17
ERIK R. FRESHMAN DATE
PROFESSIONAL SURVEYOR NO. 53457

REVISIONS	COMMENTS	DATE	BY
12/1/2017	PRELIMINARY		
12/1/2017	FINAL		

DESIGNED BY	SSP	SECTION	16, 17A, 17B
FIELD WORK BY	NAW	JOB NUMBER	
SHEET	2 OF 3		929501840

KEBS, INC. ENGINEERING AND LAND SURVEYING
204 PARKWAY SOUTH, SUITE 100, BIRMINGHAM, AL 35203
PH: 205-338-1881 FAX: 205-338-8047
www.kebsinc.com
Professional Seal: Erik R. Freshman, State of Michigan, Professional Surveyor No. 53457





Legend

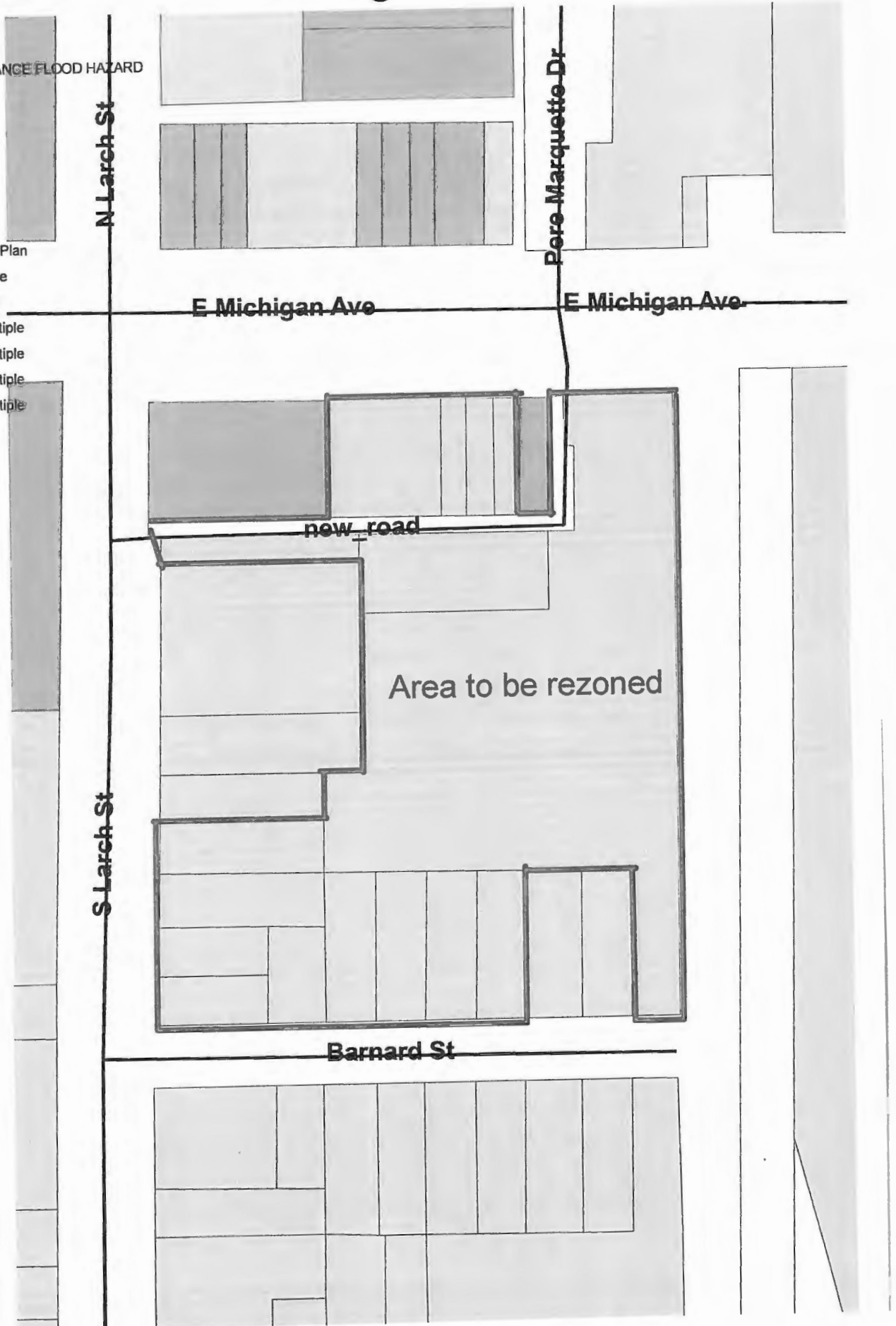
roads_final

FEMA Flood Zones

Flood Zone

-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD
-  A
-  AE
-  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

Zoning



N



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

WHEREAS, The Lansing Police Department (LPD) submitted a 65% Michigan Justice Training Fund Grant to the Michigan Commission on Law Enforcement Standards (MCOLES); and

WHEREAS, The Michigan Commission on Law Enforcement Standards has awarded \$24,332.40 to the City of Lansing; and

WHEREAS, the award will pay for the speaker costs of \$15,800 while conducting “Surviving Verbal Conflict: Verbal De-Escalation” training; and

WHEREAS, the award of \$24,332.40 requires a 35% local match from the City totaling \$8,532.40 split into two categories – Travel (\$4,500) and Personnel Costs (\$4,032.40/In-Kind);

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance Michigan Commission on Law Enforcement Standards (MCOLES) grant total amount of \$24,332.40 for the grant period beginning October 1, 2016 and ending September 30, 2019; and

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

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

WHEREAS, the Mayor made the re-appointment of Dennis Louney in Lansing, MI, 48912, as a 1st Ward Member to the Board of Water & Light Commissioners for a term to expire June 30, 2021.

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

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the re-appointment of Dennis Louney in Lansing, MI, 48912, as a First Ward Member to the Board of Water & Light Commissioners for a term to expire June 30, 2021.

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

That the following remaining balances as of June 30, 2017 be reappropriated in Fiscal Year FY2017/2018 as indicated:

<u>Appropriation</u>	<u>Description</u>	<u>Encumbered (Outstanding Purchase Orders)</u>	<u>Unencumbered</u>
<u>GENERAL FUND</u>			
General Fund	Use Of Fund Balance		\$ 269,455
Council Operating	Council Operating		\$ 14,828
Human Services Agencies	Human Services Discretionary		26,201 ⁽¹⁾
Human Services Agencies	Lansing Housing Comm		15,000 ⁽¹⁾
Human Services Agencies	Kids Connect		51,746 ⁽¹⁾
Human Services Agencies	Womens Support Initiative		12,000 ⁽¹⁾
Human Services Agencies	Chronic Homeless Outreach		372 ⁽¹⁾
Human Services Agencies	One Church One Family Housing		10,000 ⁽¹⁾
Human Services Agencies	Project Homeless Connect		17,274 ⁽¹⁾
Human Services Agencies	Mobile Food Pantry		2,605 ⁽¹⁾
Human Services Agencies	Subsidized Eviction Prevention		20,229 ⁽¹⁾
Planning & Neighborhood Development/ Economic Development & Planning Operating	Lead Program		99,200
General Fund Total		\$ -	\$ 269,455
<u>Major Streets Fund</u>			
Major Streets Fund	Use Of Fund Balance		\$ 281,632
Major Streets Fund Operating	Standards Evaluation & Update	19,365	
Major Streets Fund Operating	Bridge Maintenance	\$ 50,077	
Major Streets Fund Operating	Trunkline Maintenance		212,190
Major Streets Fund Total		\$ 69,442	\$ 212,190

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

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XV B 1.

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

January 29, 2018
Romario's Convenience Store, LLC
Attorney Geoffrey Ehnis-Clark
(ehnisclark@gmail.com)

RID #1712-04562 **Reference/Transaction:** Transfer Ownership 2017 SDM licensed business from Romi Investments, Inc. to be located at 300 W Grand River Ave, Lansing, Ingham County

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

Applicant/Licensee: Romario's Convenience Store, LLC

Business address and phone number: 300 W Grand River Avenue, Lansing, MI 48906, Ingham County

Home address and phone number of partner(s)/subordinates:
Malkiat Singh, 7423 Shell Flower #1, Lansing, MI 48917

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

Lansing District Office (866) 813-0011

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

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

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

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

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Romi Investments, Inc., 300 W Grand River Ave, Lansing, MI 48906
Lansing City Clerk (city.clerk@lansingmi.gov)



Andy Schor, Mayor

**Lansing Police Department
Staff Services Division**

Captain Cherie Ballor
120 West Michigan Avenue
Lansing, MI 48933
Phone: (517) 483-4680
Fax: (517) 483-4688



Mike Yankowski, Chief

To: City Clerk

From: Captain Cherie Ballor

Re: Supplemental Employment

Date: January 10, 2018

Attached is a Supplemental Employment Affidavit of Disclosure for Cadet Damon Pulver.

Please present to the Ethics Board and forward me a copy of the Ethics Board determination.

Thank you for your attention to this matter. Any questions please feel free to contact me.

A handwritten signature in blue ink, reading "Cherie Ballor".

Captain Cherie Ballor
Staff Services
Lansing Police Department
Cherie.Ballor@lansingmi.gov
517-483-4647

RECEIVED
2018 JAN 23 PM 3:22
LANSING CITY CLERK



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 1/16/2018

I Damon Pulver make the following disclosure under oath:
(Name)

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

Yes No

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

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

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

I do not believe that there is a conflict with me having secondary employment at Securitas, at the Fowlerville FTTA post, due to it's lack of similarity to the job description of the position I hold at the Police Department.

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

The foregoing Affidavit of Disclosure was executed on this 16 day of January, 2018.

State of Michigan, County of Ingham

Subscribed and sworn to before me this 16th

day of January, 2018
Michelle R. Reddish
Notary Public/or Deputy Clerk

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

County, Michigan
My Commission Expires: 10-3-2019

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

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

- What is the form of your business entity and what percentage do you own? No

_____%
- Are you self-employed? No_____
- Who is your employer, if applicable? Securitas

- What are the things you actually do in the business? I work the
front gate at FTIA in Fowlerville. There
I sign guests in and out.

- Who are your clients and who receives your goods or services? Those that
I come in contact with are there
to test cars.

- How and where are your services performed? At the entrance
of the facility.

- How often do you do outside work? Almost never

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

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

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

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

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

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



City of Lansing, Michigan
Application for Request for Non-Profit Status in the City of Lansing

Organization Name (As Incorporated): IMAGIN

Address: 416 S. Cedar Street, Suite C

City: Lansing State: Mi Zip: 48912

Contact Person: Maryellen Hansen

Main Contact Number: (517) 338 3035 x709 Secondary Contact Number: ()

Email Address: info@imagin.org

Please include the following with your application:

- a. A copy of your 501(c)3 Designation
- b. A copy of your Articles of Incorporation
- c. A copy of your Bylaws
 - ☒ Includes in bylaws a dissolution provision a plan to distribute all the remaining assets to ensure that
 - 1. All financial and contractual obligations are fulfilled and that
 - 2. Remaining assets are distributed only to one or more similar nonprofit, tax exempt organizations and/or institutions
- d. Non-refundable application fee of \$100.00 or fee waiver request*

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

Maryellen Hansen
 Signature

1-25-18
 Date

*Fee waiver request

I hereby certify that the assets of this non-profit organization are less than \$2,500 and I request the fee be waived. The fee would cause an extreme hardship because:

 Signature

 Date

Please submitted completed application and attached documents, 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
City.clerk@lansingmi.gov 517-483-4131

RECEIVED AUG 24 1998

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: AUG 19 1998

IMAGIN
414 MAIN ST STE 211B
ROCHESTER, MI 48307

Employer Identification Number:
38-3264445
DLN:
17053155036028
Contact Person:
EO CUSTOMER SERVICE
Contact Telephone Number:
(213) 894-2289
Accounting Period Ending:
September 30
Form 990 Required:
Yes
Addendum Applies:
Yes

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(2).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

Letter 947 (DO/CG)

IMAGIN

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so be sure your return is complete before you file it.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Letter 947 (DO/CG)

IMAGIN

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

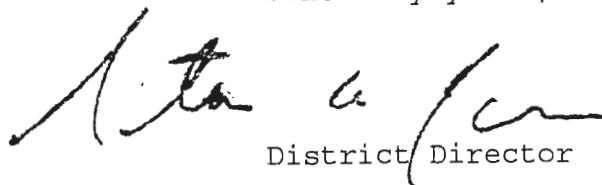
If distributions are made to individuals, case histories regarding the recipients should be kept showing names, addresses, purposes of awards, manner of selection, relationship (if any) to members, officers, trustees or donors of funds to you, so that any and all distributions made to individuals can be substantiated upon request by the Internal Revenue Service. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



District Director

Enclosure(s):
Addendum

Letter 947 (DO/CG)

IMAGIN

Based upon information submitted, the effective date of this determination letter is September 14, 1995.

MICHIGAN DEPARTMENT OF COMMERCE - CORPORATION AND SECURITIES BUREAU

Date Received

(FOR BUREAU USE ONLY)

SEP 13 1995

FILED

SEP 14 1995

Administrator
MICHIGAN DEPARTMENT OF COMMERCE
Corporation & Securities Bureau

Name

Bruce Jeffries

Address

401 South Washington Square, Plaza One Building

City

State

Zip Code

Lansing

Michigan

48933

EFFECTIVE DATE:

Document will be returned to the name and address you enter above

737-203

ARTICLES OF INCORPORATION**For use by Domestic Nonprofit Corporations**

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

IMAGIN ✓

ARTICLE II

The purpose or purposes for which the corporation is organized are:

IMAGIN is organized exclusively for scientific and educational purposes within the meaning of Section 501(c)(3) of the U.S. Internal Revenue Code of 1986 or comparable provisions of subsequent legislation (the "Code").

ARTICLE III

The corporation is organized upon a Nonstock basis.
(Stock or Nonstock)

1. If organized on a stock basis, the total number of shares which the corporation has authority to issue is

_____ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

BM

A 15/11

ARTICLE III (cont.)

2. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")
None
- b. The description and value of its personal property assets are: (if none, insert "none")
None
- c. The corporation is to be financed under the following general plan:
Receipt of dues from members, grants and other contributions, including contributions received in public or private fund-raising programs or from fees in providing services or programs for public or private entities/persons consistent with the purposes of the
- d. The corporation is organized on a **Membership** basis. corporation.
(Membership or Directorship)

ARTICLE IV

1. The address of the registered office is:

401 South Washington Square, Plaza One Building, Lansing, Michigan **48933**
(Street Address) (City) (ZIP Code)

2. The mailing address of the registered office, if different than above:

_____, Michigan _____
(Street Address or P.O. Box) (City) (ZIP Code)

3. The name of the resident agent at the registered office is:

Bruce C. Jeffries

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name

Residence or Business Address

Bruce C. Jeffries

Michigan State Housing Development Authority

401 South Washington Square, Plaza One Bldg.

Lansing, MI 48933

Ann Maclean

Michigan Technological University

School of Forestry and Wood Products

1400 Townsend Drive

Houghton, MI 49931-1295

James Lively

Northwest Michigan Council of Governments

P.O. Box 506

Traverse City, MI 49685

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

Article 11 (continued)

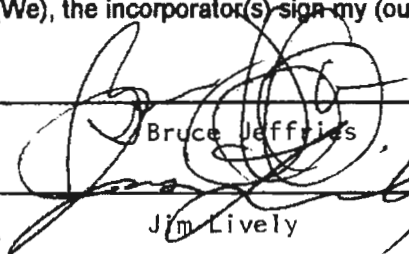
The purpose of IMAGIN is to provide technical, scientific, educational, and informational services to its members and other individuals involved in using geographic information systems (GIS) and the exchange of digital data concerning any of Michigan's natural and cultural resources.

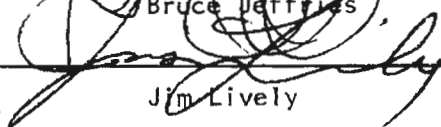
Notwithstanding any other provision of these Articles, IMAGIN shall not carry on any other activities not permitted to be carried on by : (1) a corporation exempt from federal income tax under Section 501(c)(3) of the Code, or (2) a corporation for which contributions are deductible under Section 170(c)(2) of the Code.

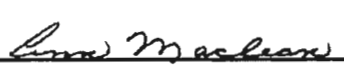
The property of this corporation is irrevocably dedicated to scientific and educational purposes.

Upon dissolution IMAGIN shall, after providing for the payment of all outstanding debts and liabilities, distribute its remaining assets to a nonprofit fund, foundation or corporation which is organized and operated exclusively for scientific and educational purposes and which has established its tax exempt status under Section 501(c)(3) of the Code.

I, (We), the incorporator(s) sign my (our) name(s) this 24th day of August, 1995.


Bruce Jeffries


Jim Lively


Ann Maclean

Continuation of Articles of Incorporation for IMAGIN

Article VI

Elimination and Assumption of Certain Director Liability

A volunteer director of IMAGIN shall not be personally liable to IMAGIN or its members for monetary damages for breach of the volunteer directors fiduciary duty, except for liability:

A. For any breach of the volunteer directors duty of loyalty to IMAGIN or its members;

B. For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of the law;

C. For violation of Section 551(1) of the Michigan Nonprofit Corporation Act;

D. For any transaction from which the volunteer director derived an improper personal benefit;

E. For any acts or omissions occurring before the date these Articles of Incorporation are filed by the Michigan Department of Commerce; and

F. For any acts or omissions that are grossly negligent.

IMAGIN assumes all liability to any person other than IMAGIN or its members, if any, for all acts or omissions of a volunteer director occurring on or after the date these Articles are filed by the Michigan Department of Commerce, incurred in good faith performance of the directors duties as a volunteer director; provided, however that IMAGIN shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of IMAGIN as an organization described in Section 501(c)(3) of the Code.

If the Michigan Nonprofit Corporation Act is amended to authorize further elimination or limitation of the liability of the directors of nonprofit corporations, then the liability of a director of IMAGIN (in addition to the limitation, elimination, and assumption of personal liability set forth in this Article) shall be assumed by IMAGIN or eliminated or limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act as so amended, except to the extent that such limitation, elimination, or assumption of liability is inconsistent with the status of IMAGIN as an organization described in Section 501(c)(3) of the Code.

No amendment or repeal to this Article shall apply on have any effect on the liability or alleged liability of any director of IMAGIN for any acts or omissions occurring prior to the effective date of the amendment or repeal.



**Bylaws of IMAGIN, Inc.
Improving Michigan's Access to
Geographic Information Networks**

ARTICLE I.

NAME

The name of the corporation shall be Improving Michigan's Access to Geographic Information Networks (IMAGIN).

ARTICLE II.

PURPOSE

- A. **GENERAL PURPOSES.** IMAGIN is organized exclusively for educational, scientific and charitable purposes, including making distributions to organizations that qualify as tax exempt organizations under § 501(c)(3) of the Internal Revenue Code of 1986 or comparable provisions of subsequent legislation (the "Code"). The purposes of IMAGIN include:
1. To provide technical, scientific, and educational information to individual citizens, public organizations, other nonprofit corporations, and other member organizations for improving the use of geographic information systems and spatially referenced information in the state of Michigan.
 2. To solicit and receive grants, contributions and other property;
 3. To enter into contracts, to engage needed personnel and services and to hold or transfer such property as may be required to carry out the purposes of IMAGIN; and
 4. To take all other lawful actions consistent with the other purposes of IMAGIN.
- B. **PERMITTED ACTIVITIES.** Notwithstanding any other provision of these Bylaws, IMAGIN shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from federal income tax under § 501(c)(3) of the Code or (b) a corporation for which contributions are deductible under § 170(c)(2) of the Code.
- C. **POLITICAL ACTIVITIES.** No substantial part of the activities of IMAGIN shall consist of attempting to influence federal or state legislation. IMAGIN shall not participate or intervene in any political campaign (including publishing or distributing statements) on behalf of any candidate or public office. Nothing in these Bylaws prevents IMAGIN from providing independent and neutral analyses of county, city, township or other local ordinances or regulations.
- D. **PROPERTY AND ASSETS.** The property of this corporation is irrevocably dedicated to educational, scientific and charitable purposes.

E. **NET EARNINGS.** No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this article.

F. **DISPOSITION OF PROPERTY.** Upon dissolution, IMAGIN shall, after providing for the payment of all outstanding debts and liabilities, distribute its remaining assets to a nonprofit fund, foundation or corporation which is organized and operated exclusively for educational, scientific or charitable purposes and which has established its tax-exempt status under § 501(c)(3) of the Code.

G. **EXPENSES.** No Director, Team Member or contracted management company employee shall have the authority to incur debt or personal expenses on non-budgeted expenses in excess of five hundred dollars (\$500.00) without express Board approval.

ARTICLE III.

MEETINGS

A. **ANNUAL MEETING.** There shall be an Annual Meeting of IMAGIN for the election of Directors and the transaction of business. The time and place for the Annual Meeting will be determined by the Board of Directors. The order of business at the Annual Meeting, except when otherwise determined by a vote of the Directors present, shall be:

1. Approval of Meeting Agenda
2. Approval of the minutes of the previous meeting;
3. President's Report
4. Annual Financial Report
5. Election of New Directors;
6. Open Membership Comments.

B. **REGULAR MEETINGS.** A Regular Meeting of the Board of Directors shall be held at least four (4) times per year, unless otherwise determined by the Board of Directors. The order of business at a Regular Meeting shall be:

1. Board Member roll call;
2. Approval of meeting agenda;
3. Approval of minutes of previous meeting;
4. Treasurers Report
5. Review of Old Business / Action Items
6. Team Reports;
7. New Business;
8. Adjournment.

One of the required Regular Meetings may occur immediately after and at the same place as the Annual Meeting with the newly elected Directors and Officers transacting IMAGIN business.

- C. NOTICE OF MEETINGS. Electronic mail (E-mail) notice stating the place and time of any Meeting shall be provided to the Board of Directors not less than 7 days and not more than 28 days before the Meeting. Additional notifications and electronic calendar reminders of the Meeting may also be utilized.

ARTICLE IV.

BOARD OF DIRECTORS

- A. NUMBER and TERM OF OFFICE. The Board of Directors shall consist of 15 members, each serving a 2-year term of office. 7 Board Members will be elected in conjunction with the Annual Conference of odd-numbered years, and the remaining 8 Board Members will be elected in conjunction with the Annual Conference of even-numbered years, according to the schedule outlined in Article IV (B).
- B. MANNER OF SELECTION. All Individual Members of IMAGIN are eligible to vote for, and run for, seats on the Board of Directors. When voting to fill seats on the Board, each Individual Member shall be allowed to cast one vote for each Board Member seat up for election. As a result of these annual Board elections, to the extent that willing candidates allow, the Board composition will satisfy the following criteria, listed in order of decreasing importance, along with any additional criteria the board deems necessary to provide fair representation to the entire IMAGIN membership. There will be:
1. No more than two Board Members whose primary affiliation is with the same Organization;
 2. No less than twelve Board Members whose primary place of work or residence is in Michigan;
 3. No more than five Board Members whose primary affiliation is with a for-profit corporation;
 4. No less than five Board Members whose primary affiliation is with regional (i.e., multi-county), county, or sub-county level governmental units, no less than three of which will be county or sub-county units;
 5. No less than two Board Members from within each of Michigan's three State Plane Coordinate System zones (south, central, and north);
 6. No more than nine Board Members whose primary place of work or residence is within the same Michigan State Plane Coordinate System zone (south, central, or north).

If all the listed criteria cannot be satisfied, then the more important criteria will be satisfied in preference to the less important criteria.

If two or more candidates receive the same number of votes, and the selection of one candidate over another is not required to create a proper Board composition as specified above, then the other Members of the newly elected Board will settle the tie vote by naming one of the candidates in question to the Board.

- C. **VACANCY.** A Board Member may resign from his/her Board position by giving notice in writing to the President. If a Board Member ceases to be an IMAGIN member, then that Board Member shall be removed from his/her Board position. In the case of a Board position vacancy, the remaining Board Members may appoint an IMAGIN Member to fill the vacancy so created for the remainder of the term.
- D. **DISSOLUTION OF BOARD.** The Board shall continue in existence as long as IMAGIN consists of at least 15 members. If an election is not held or the Board is abolished, because IMAGIN consists of fewer than 15 members, the functions and powers of the Board shall be exercised by the remaining members of IMAGIN.
- E. **GOOD STANDING.** Any Director who misses three regularly scheduled Board Meetings shall have his/her position on the Board of Directors reviewed by the Executive Team. If the Executive Team determines additional action is required, the stated action will be presented for a vote by the Board. Notice, as set forth in Article III, shall be provided specifically stating that such a review is to occur. The Director in questionable standing shall have the opportunity, in person or in writing, to explain the absences, but may not vote on the question.
- F. **POWERS AND DUTIES.** The affairs of IMAGIN shall be managed by the Board of Directors, as described in these Bylaws and in the Rules and Procedures established by the Board.
1. The Board shall establish and approve an annual budget.
 2. The Board may authorize any officer, or officer's agent or agent of IMAGIN, in addition to the officers authorized by these Bylaws, to enter into any contract, or to execute and deliver any instrument, in accordance with these Bylaws, in the name of and in behalf of IMAGIN. Such authority may be general or confined to specific instances.
 3. The Board shall designate those Officers or agents by resolution who shall sign all checks or other evidence of indebtedness issued in the name of IMAGIN.
 4. The Board shall establish Rules and Procedures necessary for the proper operation of IMAGIN.
 5. The Board may establish membership fees as necessary to support the functions of the organization. The Board shall review and may adjust the amount of the membership fee on an annual basis.
 6. The Board may accept on behalf of IMAGIN any contribution or gift for any purpose consistent with the Articles of Incorporation and these Bylaws.
 7. The Board may name Ex Officio members to the Board as needed. Ex Officio members do not have voting rights on the Board but do receive all Board related materials and notices and can participate fully in all Board discussions.
- G. **QUORUM.** A simple majority of the Board of Directors shall constitute a quorum.
- H. **DECISIONS OF THE BOARD.** The act of a majority of Directors present at any meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or these Bylaws.

- I. **ABSOLUTION OF LIABILITY.** IMAGIN assumes all liability to any person other than IMAGIN, including its members, for all acts or omissions of a volunteer director as defined under Public Act 162 of 1982, as amended, occurring on or after the date of adoption hereof, or such earlier date as is permitted by law. If, after the adoption of this Article by the members or directors of IMAGIN, the Michigan Non-Profit Corporation Act is hereafter amended to further eliminate or limit the liability of a director, then a director of IMAGIN (in addition to the circumstances in which a director is not personally liable as set forth in the preceding paragraph) shall not be liable to IMAGIN or its members, to the fullest extent permitted by the Michigan Non-Profit Corporation Act, as so amended. Any repeal or modification of this Article by the members, or directors of IMAGIN shall not adversely affect any right or protection of a director of IMAGIN existing at the time of such repeal or modification.

ARTICLE V.

MEMBERSHIP

- A. Unless altered pursuant to Article VIII, a person or organization joins IMAGIN by becoming a member of one of the three following categories of IMAGIN membership.

1. Individual Member.

Any person may become an Individual Member of IMAGIN by providing the requested member information and paying the membership fees established by the Board of Directors. Benefits of Individual Membership may include a newsletter, discounts for IMAGIN products and events, and other benefits as established by the Board of Directors.

2. Supporting Organization.

Any legal entity may become a Supporting Organization of IMAGIN by providing the requested member information and paying the membership fees established by the Board of Directors. Benefits include one free Individual Membership, and may include discounts on additional Individual Memberships for employees of the Supporting Organization, and other benefits as established by the Board of Directors. In addition, Supporting Organization members receive all the benefits of an Individual Member.

3. Student Member.

Any full time student at an accredited educational institution may become a Student Member of IMAGIN by providing the requested member information and paying the membership fees established by the Board of Directors. Benefits of Student Membership may include a newsletter, discounts for IMAGIN products and events, and other benefits as established by the Board of Directors.

- B. **STANDARDS FOR MEMBERSHIP.** As provided in Article IV Section F, the Board of Directors may establish reasonable standards for membership in IMAGIN as part of IMAGIN's Rules and Procedures.

- C. **RENEWAL.** The right of renewal shall rest in the Board of Directors. The Board of Directors may place reasonable conditions and limitations on the renewal of any membership. The offer of renewal of membership, including any limitation or condition, shall be established by transmitting to the member notice that the dues for the ensuing year are due and payable to IMAGIN. The payment of such dues shall constitute an acceptance of the offer. Any conditions or limitations placed upon any renewal may be removed at any time as determined by the Board of Directors.
- D. **DISSOLUTION AND RESIGNATION.** Dissolution of any member Supporting Organization shall terminate its membership. Any member may resign by providing notice to IMAGIN.

ARTICLE VI.

OFFICERS

- A. **OFFICERS.** The officers of IMAGIN shall be the President, Vice President, Secretary, and Treasurer. Any member of the Board may be selected to serve as an officer, according to the rules and procedures adopted by the Board of Directors.
- B. **ELECTION and TERM OF OFFICE.** Officers shall be elected by the Board of Directors at the Annual Meeting. Officers shall serve for a term of approximately one (1) year, with the term beginning at the Annual Meeting where the officers are elected and ending at the next election of Officers occurring at the subsequent Annual Meeting.
- C. **VACANCIES.** A vacancy in any office may be filled by the Board of Directors for the unexpired portion of the term.
- D. **POWERS AND DUTIES.** Officers shall have such powers and duties as may be specified in the resolutions or other directives of the Board of Directors. In the absence of such directives, the Officers shall perform the usual duties assigned to officers of the same title serving non-profit corporations of the same or similar general purposes and objectives necessary and proper to conduct business.

ARTICLE VII.

EXECUTIVE TEAM

- A. **MEMBERS.** The Officers of the Board are the members of the Executive Team.
- B. **MEETINGS and RECORDS.** Meetings of the Executive Team may be held at the call of any member of that Team. Such meetings may be conducted in person, by telephone, or other electronic means. A record shall be kept of all meetings of the Executive Team.
- C. **QUORUM and DECISIONS.** A majority of the Executive Team shall constitute a quorum for conducting business. Decisions of the Executive Team require concurrence of at least 3 members.
- D. **EXPENDITURES.** The Executive Team shall not incur debt or expenses in excess of the amount set forth in the annual program budget categories adopted by the Board of Directors.

- E. **LIMITATION OF AUTHORITY.** The Executive Team is not authorized to adopt an agreement of merger or consolidation, fill vacancies of the Board of Directors, fix compensation of Directors for serving on the Board or Team, amend the Articles of Incorporation, or amend or repeal any resolution of the Board of Directors.

ARTICLE VIII.

CONFLICTS OF INTEREST

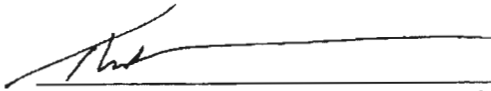
- A. When an Officer, Director or Team Member participates in a project for IMAGIN which will result in compensation for that person, the following steps must be taken:
1. Disclosure must be made to both the Board and the contracting party;
 2. The person working on the project must abstain from all votes pertaining to the project; and
 3. Accept such other conditions as are necessary.

ARTICLE IX. In addition, IMAGIN requires all Board Members to review and sign the IMAGIN Confidentiality and Conflict of Interest Policy and Disclosure Form.

AMENDMENT OF BYLAWS

- A. Each year the Board will review the IMAGIN Bylaws to consider changes and improvements. Any change in the IMAGIN Bylaws must be formally proposed by a 3/4 majority vote of the Board to the Individual Members of IMAGIN. Proposed changes in the IMAGIN Bylaws must be approved by a majority of Individual or Student Members who cast a ballot in order to enact those changes.
- B. The original version of these Bylaws were adopted by IMAGIN on June 7, 1995. A revision to the original Bylaws was approved by the IMAGIN Membership in September of 1999. In March of 2003 the IMAGIN membership approved updated wording of Article IV paragraph A. This version of the bylaws was approved by the IMAGIN Membership on June 9, 2015.

These bylaws are enacted this 9th day of June, 2015



Thomas Van Bruggen, IMAGIN President

6/9/2015

Date



XV B 4
RECEIVED NOV 09 2017

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

1505

NAME: Larry Ball DATE: Nov 9 2017
MAILING ADDRESS: 1026 Waverly Dimondale EMAIL: LSBC2138@Hotmail.
CITY: Dimondale STATE: MI ZIP CODE: 48821
TELEPHONE: Home (517) 719-4888 Work (Retired)

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

ADDRESS: 4615 Ora PARCEL NO. 33-01-33-378-011
DATE OF INCIDENT: Nov 3, 2017 AMOUNT YOU WERE BILLED: \$1,070.00
TOTAL AMOUNT YOU ARE CONTESTING: \$1,070
TYPE OF ASSESSMENT: Trash pick up.

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.

City never sent me notice to remove Trash! Evicted Tenant (Empty as of Oct 26th - inspected) moved Dresser under carpet picked up toys in yard same day. Contracted with rubbish removal for Nov 3rd paid on same day. Between trips to dump. City without notifying me came in same day (Possibly next) took headboard & Dresser too large for original trip + Carpet Behind garage.

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



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

January 18, 2018

Larry Ball
1026 Waverly Road
Dimondale, MI 48821-9656

Re: Claim – 4615 Ora St.

Dear Mr. Ball:

Please be advised that the Claims Review Committee reviewed your claim in the amount of \$1,077.50 regarding a trash violation at the above address and GRANTED a portion of your claim, in amount of \$254.00.

Enclosed please find a Release for your review and signature. If the decision of the committee meets with your approval, please sign the release in front of a witness and have the witness also sign the form, then return the signed Release to this office. Once our office receives the signed Release, we will request the amount be removed from the tax rolls, or a refund issued if the penalty has been paid.

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

Thank you for your cooperation in this matter. If you should have any questions, please feel free to contact me.

Sincerely,

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

Venus Kumar
Paralegal

Enclosure

RELEASE

In consideration for the payment of \$254.00, by the City of Lansing, which will be remitted to me upon receipt by the City of this signed Release, or said amount reduced from the tax roll if the assessment has not been paid, I, LARRY BALL (the "undersigned"), for myself, my heirs, executors, administrators, representatives and assigns hereby release and discharge the City of Lansing, its officers, officials, employees, agents, insurers and any other person, firm, or corporation charged or chargeable with any responsibility or liability, from all claims, demands, actions or causes of action regarding the special assessment for a trash violation on property located at 4615 Ora St., Lansing, Michigan.

The undersigned understands and agrees that this payment is the sole consideration for my release and is in full and complete settlement of all claims resulting from any damage. The undersigned warrants that no promise or inducement has been offered or made for my release, except as herein set forth; that this Release is executed without reliance upon any statement or representation by any of the parties released herein, or by their representatives concerning the nature and extent of any damage or injury or the legal liability therefore; and that the undersigned is of legal age and legally competent to execute this Release and accepts the full responsibility therefore.

The undersigned understands that none of the parties released admit liability of any kind and this payment and settlement in compromise is made to terminate further controversy respecting claims for damages that the undersigned has heretofore asserted or that the undersigned or his/her heirs, executors, administrators, representative or assigns might later assert.

In witness whereof, I have hereunto set my hand this _____ day of January, 2018.

WITNESS:

CLAIMANT:

LARRY BALL

February 5, 2018

Lansing City Clerk
9th Floor City Hall
Lansing, MI 48933

RE: Claim - 4615 Ora Street

Attn: Claims Review Committee,

I am responding to your letter dated January 18, 2018. No, I will not accept the check offered in the amount of \$ 254.00. I was not informed of the intended trash removal and your offer acknowledges the culpability of the City.

I look forward to appearing before the council to let them know how underhandedly the Rental Inspection Department works.

Sincerely,


Larry S. Bell



DATE: 12/12/2017

PPN: 33-01-01-33-378-011
 DATE SUBMITTED: 09/14/2017
 ADDRESS OF VIOLATION: 4615 Ora Street
 LISTED TAXPAYER OF RECORD: Ball, Larry
 OTHER TAXPAYER OF RECORD:
 CLAIMANT: Ball, Larry
 CLAIMANT'S ADDRESS: 1026 Waverly Road
 Dimondale, MI 48821-9656

1505

TYPE OF ACTIONS CONTESTED: Trash Removal
 VIOLATION DATE: 09/14/2017
 NOTIFICATION DATE: 09/14/2017
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$1,077.50
 CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 17-T043 10/25/2017
 AMOUNT OF CLAIM: \$1,077.50

ADDITIONAL ACTIONS CONTESTED:

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

HISTORY:	Trash Violation 1/11/2017	Trash Violation 9/14/2017
CITATIONS IN PREVIOUS YEAR:	Trash Violation 3/11/2016	Grass Violation 6/14/2016

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 9/14/2017 with a compliance due date of 9/21/2017. Notice was sent to both the tenant (was occupied at the time of the violation) and the claimant. The Premise Officer rechecked the property on 9/22/2017 the violations were still present and the property was submitted to the contractor. Pictures indicate proper actions were taken by both the contractor and the officer therefor this office recommends denial of the claim. This property was also cleaned by the contractor on 1/23/2017 for the same violations.



RECEIVED NOV 09 2017

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

1505

NAME: Larry Ball DATE: Nov. 9 2017
MAILING ADDRESS: 1026 Waverly Dimondale EMAIL: LSBC2138@Hotmail
CITY: Dimondale STATE: Mi ZIP CODE: 48821
TELEPHONE: Home 517 719-4888 Work (Retired)

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

ADDRESS: 4615 Ora PARCEL NO. 33-01-33-378-011
DATE OF INCIDENT: Nov 3, 2017 AMOUNT YOU WERE BILLED: \$1,070.00
TOTAL AMOUNT YOU ARE CONTESTING: \$1,070
TYPE OF ASSESMENT: Trash pick up.

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.

City never sent me notice to
remove Trash! evicted Tenant (Empty
as of Oct 26th - inspected) moved Dresser
under carpet picked up toys in yard same day.
Contracted with rubbish removal for
Nov 3rd paid on same day. Between trips
to dump City without notifying me came
in same day (Possibly next) took headboard
& Dresser too large for original trip + Carpet Behind garage.

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

**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: 10/31/2017

Due Date: 11/30/2017

Pay Invoice In Full



BALL LARRY S

1026 WAVERLY RD

DIMONDALE MI 48821-9656

Inv Number: 00102970

Parcel: 33-01-01-33-378-011

Address: 4615 ORA ST



Parcel: 33-01-01-33-378-011

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00102970		E17-09786	4615 ORA ST	\$1,077.50
Fee Details:				Balance
	1.000	Trash - Admin Fee		\$ 265.00
	812.500	Trash - Contractor Charge		\$ 812.50
Total Amount Due				\$ 1,077.50

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

Eric's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericsrefuse@hotmail.com

INVOICE

BILL TO

Lansing Fire Department
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 1197
DATE 10/29/2017

PROPERTY ADDRESS
4615 Ora ST

PARCEL NUMBER
33-01-01-33-378-011

ACTIVITY	QTY	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	175.00	175.00
city:add hours any hours after 1	3	150.00	450.00
city:class 2 construction material after 3	7	26.00	182.00
city:tire tire removal	1	5.50	5.50
10/25/17			
Total yards 10			
Submitted by Jacob Odom			

BALANCE DUE

\$812.50



Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

BALL LARRY S or Current Occupant
1026 WAVERLY RD
DIMONDALE, MI 48821-9656

Violation Date: 09/14/2017
Violation Location: 4615 ORA ST
Parcel No: 33-01-01-33-378-011
Compliance Due Date: September 21, 2017

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

Violation: Deteriorated furniture

INSPECTOR COMMENTS: *in the drive way.*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Jacob Odom (517) 483 4378 **Jacob.Odom@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy



Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant or Current Occupant
4615 ORA ST
LANSING, MI 48910

Violation Date: 09/14/2017
Violation Location: 4615 ORA ST
Parcel No: 33-01-01-33-378-011
Compliance Due Date: September 21, 2017

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

Violation: Deteriorated furniture

INSPECTOR COMMENTS: *in the drive way.*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Jacob Odom (517) 483 4378 **Jacob.Odom@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

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

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

Trash Authorization Form

Submitted to: Eric Crutcher on 09/22/2017

TAXPAYER: BALL LARRY S, 1026 WAVERLY RD DIMONDALE, MI 48821-9656

Location of Work:

Enf Num: E17-09786

Address: 4615 ORA ST

Lot No:

Description:

Parcel No: 33-01-01-33-378-011

Remove Trash and Debris

Work Authorized:

Violation: Deteriorated furniture

INSPECTOR COMMENTS: *in the drive way.*

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 1

Authorized Cubic Yards: 3

Warning Comment:

<NONE>

Submitted By: Jacob Odom (517) 483 4378

This action is authorized by the Manager of Code Compliance





4615 Ora ST (2)











































Chris Swope
Lansing City Clerk

February 8, 2018

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

Dear President and Councilmembers,

My office has received and placed the supporting documents on file for:

Claim 1538, Randy Yono for trash fees at 930 West Holmes Rd.

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,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk

**OFFICE OF THE CITY ATTORNEY****MEMORANDUM**

To: BRIAN JACKSON, General Services

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Rock Hard LLC
Date of Incident: December 11, 2017

Date: February 9, 2018

Attached is a Claim Form received by this office from Rock Hard LLC for \$3,652.00 due to Trash, violations at 424 S. Hayford.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

1525

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

NAME: Rock Hard LLC DATE: 12/27/2017

MAILING ADDRESS: 2800 E Grand River Ave, Suite B

CITY: Lansing STATE: MI ZIP CODE: 48912

TELEPHONE: Home (X) 517-292-7000 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: 424 S Hayford Ave PARCEL NO. 33-01-01-14-354-121

DATE OF INCIDENT: 12/11/2017 AMOUNT YOU WERE BILLED: \$3,652.00

TOTAL AMOUNT YOU ARE CONTESTING: \$3,652.00

TYPE OF ASSESMENT: Trash

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.

No notice was received in regards to trash or debris from the city. In addition, the clean-up
fees are excessice and not supported by the alleged work performed. Claimant requests,
prior to any hearing, supporting documentation.

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



DATE: 12/14/2017

PPN: 33-01-01-14-354-121
DATE SUBMITTED: 12/27/2017
ADDRESS OF VIOLATION: 424 S. Hayford
LISTED TAXPAYER OF RECORD: Rock Hard LLC
OTHER TAXPAYER OF RECORD:
CLAIMANT: Rock Hard LLC
CLAIMANT'S ADDRESS: 2800 E. Grand River Suite B
Lansing, MI 48912

1525

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 11/08/2017
NOTIFICATION DATE: 11/08/2017
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$3,652.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 17-T048 12/04/2017
AMOUNT OF CLAIM: \$3,652.00

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

HISTORY: Red Tagged 6/26/2015 to Present Trash Violation 11/08/2017

CITATIONS IN PREVIOUS YEAR: Grass Violation 5/18/2016 Grass Violation 9/21/2016

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 11/08/2017 with a compliance due date of 11/15/2017. Multiple notices were sent to all the addresses we had on file for this property and one notice was sent to the property. The Code Enforcement Officer rechecked the property on 11/16/2017 the violations were still present as noted in the recheck photos. The contractor arrived on 12/04/2017 and not only were all the violation still present more debris had been added to the existing pile on the porch. The pictures do in fact support the amount of the invoice as whole trees were down on the property as well as several large piles of brush and tree limbs not including all the carpet, padding, and dry wall. This office recommends denial of the claim.



Eric's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericsrefuse@hotmail.com

INVOICE

BILL TO

Lansing Fire Department
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 1319**DATE 12/10/2017**

PROPERTY ADDRES
424 s Hayford AVE

PARCEL NUMBER
33-01-01-14-354-121

ACTIVITY	QTY	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	175.00	175.00
city:add hours any hours after 1	15	150.00	2,250.00
city:class 2 construction material after 3 12/4/17 40 yards Submitted by Zachary Driver	37	26.00	962.00

BALANCE DUE

\$3,387.00

**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: 12/11/2017

Due Date: 01/10/2018

Pay Invoice In Full



ROCK HARD L L C
2800 E GRAND RIVER AVE STE B
LANSING MI 48912

Inv Number: 00105248

Parcel: 33-01-01-14-354-121

Address: 424 S HAYFORD AVE



Parcel: 33-01-01-14-354-121

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00105248		E17-11200	424 S HAYFORD AVE	\$3,652.00
Fee Details:		Quantity	Description	Balance
		1.000	Trash - Admin Fee	\$ 265.00
		3387.000	Trash - Contractor Charge	\$ 3,387.00
Total Amount Due				\$ 3,652.00

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

Payment Information:

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

Appeals Process:

If you intend to appeal this nuisance fee 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



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

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

TRASH AND DEBRIS CORRECTION NOTICE

**ROCK HARD L L C
2800 E GRAND RIVER AVE STE B
LANSING, MI 48912**

Violation Date: 11/08/2017
Violation Location: 424 S HAYFORD AVE
Parcel No: 33-01-01-14-354-121
Compliance Due Date: November 15, 2017

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

AREA: Entire Exterior
Violation: *Brush & Tree Limb debris*

Violation: *Deteriorated building materials*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

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

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

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

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

TRASH AND DEBRIS CORRECTION NOTICE

**MICHIGAN PROPERTY MNGT, LLC
1908 E MICHIGAN
Lansing, MI 48912**

Violation Date: 11/08/2017
Violation Location: 424 S HAYFORD AVE
Parcel No: 33-01-01-14-354-121
Compliance Due Date: November 15, 2017

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

AREA: Entire Exterior
Violation: *Brush & Tree Limb debris*

Violation: *Deteriorated building materials*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

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

"Equal Opportunity Employer"

Taxpayer's Copy



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

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

TRASH AND DEBRIS CORRECTION NOTICE

**MICHIGAN PROPERTY MANAGEMENT L L C
1825 E MICHIGAN AVE
LANSING, MI 48912**

Violation Date: 11/08/2017
Violation Location: 424 S HAYFORD AVE
Parcel No: 33-01-01-14-354-121
Compliance Due Date: November 15, 2017

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Mayor Virg Bernero

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

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

TRASH AND DEBRIS CORRECTION NOTICE

Occupant
424 S HAYFORD AVE
LANSING, MI 48912

Violation Date: 11/08/2017
Violation Location: 424 S HAYFORD AVE
Parcel No: 33-01-01-14-354-121
Compliance Due Date: November 15, 2017

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Violation: Brush & Tree Limb debris

Violation: Deteriorated building materials

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Fire Marshal's Office
Code Enforcement Section**

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

Trash Authorization Form

Submitted to: Eric Crutcher on 11/17/2017

TAXPAYER: ROCK HARD L L C, 2800 E GRAND RIVER AVE STE B LANSING, MI 48912

Location of Work:

Enf Num: E17-11200

**Address: 424 S HAYFORD AVE
Lot No:
Description:
Parcel No: 33-01-01-14-354-121**

Remove Trash and Debris

Work Authorized:

AREA: Entire Exterior

Violation: Brush & Tree Limb debris

Violation: Deteriorated building materials

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 1

Authorized Cubic Yards: 3

Warning Comment:

<NONE>

Submitted By: Zachary Driver (517) 702 4750

This action is authorized by the Manager of Code Compliance



DSCN7981



DSCN7982





424 S Hayford AVE (2)



424 S Hayford AVE (3)



424 S Hayford AVE (4)















424 S Hayford AVE (11)





























424 S Hayford AVE (25)

























424 S Hayford AVE (37)







424 S Hayford AVE (40)



424 S Hayford AVE (41)



424 S Hayford AVE (42)



424 S Hayford AVE (43)



424 S Hayford AVE (44)



424 S Hayford AVE (45)



424 S Hayford AVE (46)

