

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 DECEMBER 10, 2018

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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, December 10, 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 November 26, 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 blue form.)
  - A. SCHEDULED PUBLIC HEARINGS
    - 1. In consideration of Sale of City Property; Miller Road Center, 6025 Curry Lane to Capital Area Soccer League

2. In consideration of an Ordinance to Amend Chapter 872; Section 872-01 to 872.07; Licensing and Regulations to Dockless Electric Scooter Companies

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORÉ, SPITZLEY, WASHINGTON, WOOD
  - a. Tribute; in recognition of Judge DeLuca for his Years of Service and Retirement
  - b. Tribute; in recognition of the City Human Relations and Community Services Martin Luther King Memorial Observance
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
  - a. Confirmation of Appointment; Jessica Yorko as a member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2021
  - b. Confirmation of Appointment; Sean N. Hammond as a member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020
  - c. Confirmation of Appointment; Diane Sanborn as a member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2022
  - d. Act-9-2015; Aurelius and Cavanaugh Roads, Acquisition of Easements and Property
3. BY THE COMMITTEE ON GENERAL SERVICES
  - a. Confirmation of Appointment; Ronald Embry as a 2<sup>nd</sup> Ward Member of the Human Relations and Community Services Advisory Board for a term to expire June 30, 2022
  - b. Confirmation of Appointment; James Tischler as a Business Owner Member of the Downtown Lansing, Inc. Board for a term to expire June 30, 2019
  - c. Recognition of Non-Profit Status; Capital Area Golf for Youth, formerly known as The First Tee of Mid-Michigan

- d. Claim Disposition; Claim #1587, Tanya Paslawski for \$700.00 in trash fees at 1918 Ray Street
  - 4. BY THE COMMITTEE ON PUBLIC SAFETY
    - a. Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish; 2500 W. Jolly Rd.
    - b. Setting a Show Cause Hearing in consideration of Orders to Make Safe or Demolish; 1414 Ballard St.
  - 5. BY THE COMMITTEE OF THE WHOLE
    - a. Elected Officers Compensation Commission (EOCC); setting first meeting for 2019 Session
    - b. Act-8-2018; Easement from Southwest Action Group at Northeast corner of 3418 Pleasant Grove to the City of Lansing for Public Art
    - c. Amendment to Resolution 2018-260; Brownfield Plan #70; 735 Hazel LLC; 735 Hazel Street
    - d. Outside Legal Counsel; Fahie Schultz Burzych Rhodes PLC
- C. RESOLUTIONS FOR ACTION
- D. REPORTS FROM COUNCIL COMMITTEES
- E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings
  - 1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
    - a. Z-5-2018; 136 E. Malcolm X Street and Vacant Parcel to its East, Rezoning from "DM-4" Residential & "J" Parking Districts to "G-1" Business District
    - b. Z-6-2018; 522 Leshner Place, Rezoning from "DM-3" Residential District to "D-1" Professional Office District
    - c. Z-7-2018; 2 Vacant Lots at the Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District
- 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. Rules of Procedure; Lansing Park Board
2. Letter(s) from the Mayor re:
  - a. Outside Legal Counsel; Michael T. Small of Harvey Kruse, P.C.
  - b. Appointment; Brian McGrain as a Member of the Local Development Finance Authority for a term to expire June 30, 2019
  - c. Appointment; Robert Gibb as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021
  - d. Appointment; Bettie J. Trice as a 4<sup>th</sup> Ward Member of the Medical Marijuana Commission for a term to expire November 27, 2020
  - e. Fire Code Amendment; Adoption of Chapter 39 of the 2018 International Fire Code
  - f. Groesbeck Golf Course, elimination of restriction to charge different fees for use by nonresidents
  - g. Act-8-2018; Easement from Southwest Action Group at Northeast corner of 3418 Pleasant Grove to the City of Lansing for Public Art
  - h. Act-9-2018, Easement to Consumer's Energy, East of Canal Road, along the west side of the Lansing Board of Water property in Delta Township

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Claim Appeal; Claim #1610, Amin Fallahi for \$767.00 in trash fees at 539 Avon St.



2. Claim Appeal; Claim #1641, Victor Stelmashenko and David Wang for \$2,658.00 in trash fees at 4928 Hughes Rd.

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



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**CHRIS SWOPE, CITY CLERK**

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

**CITY OF LANSING**  
**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on December 10, 2018 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

A purchase offer from Capital Area Soccer League for the property known as Miller Road Center, located at 6025 Curry Lane, Lansing, Michigan 48911

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](mailto:city.clerk@lansingmi.gov).

**Chris Swope, Lansing City Clerk, MMC/CMMC**  
**[www.lansingmi.gov/Clerk](http://www.lansingmi.gov/Clerk)**  
**[www.facebook.com/LansingClerkSwope](https://www.facebook.com/LansingClerkSwope)**



Andy Schor, Mayor

CITY OF LANSING  
PURCHASING OFFICE  
1110 S. Pennsylvania Ave.  
Lansing, Michigan 48912  
(517) 702-6197 / FAX (517) 702-6042  
<http://www.lansingmi.gov/purchasing>

July 23, 2018

**REQUEST FOR PROPOSAL  
RFP/19/006  
SALE OF MILLER RD CENTER**

The City of Lansing officially distributes all Purchasing documents through the Michigan Inter-Governmental Trade Network (MITN) and the City of Lansing Purchasing Office. Our office no longer mails bid documents, notices or addendums to our vendors. To register for the MITN system or access bid information, including addendums, go to [www.mitn.info](http://www.mitn.info)

Sealed Proposals marked "RFP/19/006, SALE OF MILLER RD CENTER" will be accepted at the **City of Lansing, Purchasing Office, 1110 S. Pennsylvania Ave, Lansing MI. 48912**, until 2:00 p.m., local time in effect on **September 27, 2018.**

***Official City issued Proposal form must be returned via U.S. mail, UPS, Fed Ex or in person.***

**Appointments can be made by contacting Kellie Brown (517) 483-4307.**

Proposal results will **only** be released via email or self-addressed stamped envelopes. Please forward your email request to: [stephanie.robinson@lbwl.com](mailto:stephanie.robinson@lbwl.com)

The City of Lansing encourages Proposals from all vendors including MBE/WBE vendors.

*The City of Lansing gives preference to Lansing-based job providers in the procurement of all goods and services.*

**Any contractual or Proposal package questions should be directed to Stephanie Robinson, Purchasing, at (517) 702-6197 or fax (517) 702-6042 or Brett Kaschinske, at (517) 483-4233 or Kellie Brown (517) 483-4307**

Stephanie Robinson CPPB  
Senior Buyer

**Solicitation Number:** RFP/19/006

**Solicitation Name:** SALE OF MILLER RD CENTER

The City of Lansing Purchasing Office is collecting information regarding the use of the MITN e-procurement system. We are also collecting demographic information regarding woman-owned, minority-owned and Lansing based business. This form will not be used during the evaluation of bids or proposals. You may return this sheet, which is voluntary, with your submittal or shortly thereafter. Please, do not staple this to your Proposal document.

**I. Where did your firm receive of this solicitation?** Please check all that apply.

- ☒ City of Lansing Purchasing Web Page <http://www.mitn.info>  
☐ City of Lansing Purchasing Office  
☐ Other, please list: \_\_\_\_\_

**II. Demographic Information:**

Is your firm located or have a business office within the corporate city limits of Lansing  
yes ☐ no ☒

**III. Company Information**

**Federal Tax ID Number** 38-2286738

Capital Area Soccer League

Firm Name

2875 Northwind Drive, Suite 123, East Lansing, MI 48823

Address (Street, City, State, ZIP)

517-580-4241

517-580-4921

Phone Number

Fax Number

www.caslsoccer.org

Scott M Dane

Web Site Address

Contact Person

Thank you for your participation.

CITY OF LANSING  
PURCHASING OFFICE  
1110 S. PENNSYLVANIA AVE  
LANSING, MICHIGAN 48912

**THIS IS NOT AN ORDER**

NOTE: If your bid/quotation/proposal is not returned and **completed** on this form, it may not be considered.  
Bid/quotation/proposal number must appear on outside of return envelope.

REQUEST FOR PROPOSAL # RFP/19/006 FOR: SALE OF MILLER RD CENTER

DATE: July 23, 2018 PARKS AND RECREATION DEPARTMENT

**PROPOSALS DUE 2:00 PM, LOCAL TIME IN EFFECT September 27, 2018**

The City of Lansing Purchasing Office is requesting Proposals for the sale of the building and property known as 6025 Curry Lane, Lansing Mi 48911 per the attached specifications listed below:

| ITEM | DESCRIPTION                                                                           | TOTAL LUMP SUM                          |
|------|---------------------------------------------------------------------------------------|-----------------------------------------|
| A    | Building and property located at 6025 Curry Lane<br>Parcel Number 33-01-05-04-477-002 | \$ 25,000 + \$10,000/yr for<br>10 years |

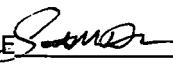
Total: \$125,000

**Appointments for viewing can be made by contacting Kellie Brown at (517) 483-4307.**

The City reserves the right to accept any Proposal, to reject any or all Proposals and to make the award in the best interest of the City.

**All vendors shall be current in payment of any taxes, licenses, fees, permits or any other monies due the City of Lansing at time of quote due date as per City of Lansing Ordinance Section 206.02(a)1(G).**

Any contractual or Proposal package questions should be directed to Stephanie Robinson, Purchasing, at (517) 702-6197, fax (517) 702-6042; Brett Kaschinske at (517) 483-4233 or Kellie Brown at (517) 483-4307

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                   |                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------|
| FEDERAL<br>I.D. # <u>38-2286738</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | ADDRESS<br><u>2875 Northwind Drive, Suite 123</u> | <b>NOTE:</b><br>PROPOSAL<br>results will <b>only</b><br>be released via<br>email request. |
| COMPANY <u>Capital Area Soccer League</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                      | CITY & STATE<br><u>East Lansing, MI 48823</u>     |                                                                                           |
| SIGNATURE <u></u>                                                                                                                                                                                                                                                                                                                                                                                           | TELEPHONE<br><u>517-580-4241</u>                  |                                                                                           |
| PRINTED NAME <u>Scott M Dane</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                   |                                                                                           |
| TITLE <u>Executive Director</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                   |                                                                                           |
| DATE: <u>August 6, 2018</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                   |                                                                                           |
| <b>MICHIGAN CIVIL RIGHTS ACT</b><br>Contractor shall not discriminate in hiring or its terms and conditions of employment on the basis of race, religion, creed, nation origin, color, sex, marital status, age, height, or weight, nor on the basis of handicap except where the same is based on a bona fide job requirement. Neither shall Contractor discriminate in the sales of products or the rendering of services pursuant to this contract on the basis of any of those categories. |                                                   |                                                                                           |

PROPOSAL

Proposal for center structure, only, located at: 6025 Curry Lane

PROPOSAL LUMP SUM PRICE: \$ \$25,000 + \$10,000/yr for 10 years = \$125,000

(Figures)

TOTAL OF one hundred twenty-five thousand and 00 Dollars

(Spell out in words)

If submitted by an organization or company, please complete the following:

Name: Capital Area Soccer League

Address: 2875 Northwind Drive, Suite 123, East Lansing, MI 48823

Attention: Scott M Dane

Telephone: 517-580-4241

Fax: 517-580-4921

Email: smdane@gmail.com

Submitted by: Scott M Dane  
Name:

Signature:  (Please print)  
(Authorized Agent of the Organization/Company)

Title: EXECUTIVE DIRECTOR

Date: August 6, 2018

Witness: 

Date: August 6, 2018

If submitted by an individual please complete the following:

Name: \_\_\_\_\_

(Please print)

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

DATE \_\_\_\_\_

### **SUBMITTALS:**

- Completed application.
- The successful applicant will be required to provide full payment for the Property prior to sale.
- The successful candidate will be required to enter into a "Property Structure Purchase Agreement" with The City of Lansing, which it will provide, among other things, that:
  1. The Property is being acquired "As is" and without warranty, (except warranty of title and that it will be free and clear of liens),
  2. The purchase is for the structure and underlying real estate.
  3. All risk of loss shifts to the purchaser at closing,
  4. Purchaser shall agree to indemnify, defend and hold the City of Lansing harmless from and against any liability or damage arising directly or indirectly from the purchase or renovation of the Property.

Each potential Owner must also give responses to the following questions and requests, for review by the City of Lansing Parks Department

1. What is your (or your organization's) intended purpose with the Property if awarded the right to purchase?
2. Provide a compelling reason why you (or your organization) should be selected to purchase the Property.
4. Provide a profile of yourself (or your organization).
5. The City of Lansing will remove the emergency Siren tower and relocate it.

### **EVALUATION CRITERIA**

#### **Terms of Negotiation and Transfer**

The RFP Review Committee will evaluate all submitted proposals against the goal of preserving the structural and cultural qualities of the Property and specifically the structure on the property known as the Miller Rd Center. Potential purchasers may be asked to participate in an in-person interview for further evaluation.

The City of Lansing, its Parks Department, reserves the sole right and discretion to terminate or extend the period of review if necessary. After the application process is opened, one or more proposals may be selected for review. Once a potential purchaser has been selected, the City will enter into negotiations toward reaching a mutually agreeable Purchase Agreement.

The City of Lansing, And Its Parks Department, Rfp Review Committee Are Not Liable for Any Costs Incurred by Any Potential Purchaser Prior To Successful Completion of Negotiations and Execution of The Agreement Or Prior To Closing on The Sale and Purchase of The Property.

Notwithstanding the identification of a proposed purchaser for the purpose of further negotiations, such selection does not constitute acceptance of the proposal.



Please complete Section I and Section II.

**Section I**

**PROPOSAL AND AWARD**

**Initial:** SMD

The undersigned, having become thoroughly familiar with and understanding the entire quote documents attached hereto, agrees to provide the services as specified herein, for the total fees as stipulated herein, subject to negotiation.

I hereby state that all of the information I have provided is true, accurate and complete. I hereby state that I have authority to submit this proposal which will become a binding contract if accepted by the City of Lansing. I hereby state that I have not communicated with, nor accepted anything of value from an official or employee of the City of Lansing that would tend to destroy or hinder free competition.

I hereby state that I have read, understand and agree to be bound by all the terms of this proposal document.

Please initial next to Proposal and Award, sign Section II and submit with your response to this solicitation.

**Section II**

**SIGNATURE**

SIGNED:  NAME: Scott M Dane  
TITLE: Executive Director DATE: August 6, 2018  
FIRM NAME: Capital Area Soccer League  
FEDERAL TAX ID NUMBER: 38-2286738  
ADDRESS: 2875 Northwind Drive, Suite 123, East Lansing, MI 48823  
(Street) (City) (State) (Zip)  
PHONE: (517) 580-4241 FAX: (517) 580-4921  
EMAIL ADDRESS: smdane@gmail.com



1. What is your (or organization's) intended purpose with the Property if awarded the right to purchase?

The Capital Area Soccer League (CASL) would use the Miller Road Center as a permanent office and gathering space for the soccer community. The office space would include a conference room for Board Meetings and potential training space for referee development and coaching licenses. The conference room would be made available to CASL members for use (based on availability and staff).

Additionally, CASL will utilize the gym space as a community field – either futsal surface or artificial turf. The community field would be available to CASL members and community groups at low or no cost.

Currently, CASL plays a leading role in the development of Beacon Soccer Fields, is in charge of the High School Summer League, hosts the Capital Area Classic, created and maintains a gently used collection and redistribution shoe program, facilitates the creation of recreational soccer programs in communities that do not currently have them and operates youth leagues for over 4,000 players ages 8-19. All of these programs run out the CASL office.

2. Provide a compelling reason why you (or your organization) should be selected to purchase the Property.

The Capital Area Soccer League (CASL) is a 501(c)(3) non-profit organization that serves over 4,000 youth soccer players. In addition to hosting regular league play, CASL prides itself on being a catalyst in the community for providing soccer programming by removing or easing as many barriers as possible. Each year CASL distributes nearly \$15,000 in financial assistance to its member clubs to ensure that every player is able to participate regardless of socio-economic status.

CASL hosts the Capital Area Classic each year – a tournament that has an estimated \$1 million economic impact on the Capital Area. The Capital Area Classic has been a mainstay in the community and continues to provide developmental soccer opportunities in Lansing and throughout the state of Michigan.

CASL continues to be a leading organization for Beacon Soccer Field at Ferris Park and the soon-to-be-opened facility in South West Lansing.

In the winter of 2019, CASL plans on hosting a Police Athletic League for indoor soccer in partnership with the Lansing Police Department. This program will be free for all participants and will include a healthy lifestyles component.

CASL also created Second Tread, a program that collects and redistributes gently used athletic shoes.

4. Provide a profile of yourself (or your organization).

The Capital Area Soccer League is a 501(c)(3) non profit organization that provides soccer opportunities to over 4,000 youth ages 8-19. The current communities that participate in CASL are:

Bath, Charlotte, Clinton, Columbia, Dansville, DeWitt, East Lansing, Eaton Rapids, Fowlerville, Grand Ledge, Hanover Horton, Haslett, Hillsdale, Holt, Ionia, Jackson County Western, Laingsburg, Lakewood, Lansing Catholic, Lansing, Lansing Home Schoolers, Leslie, Manchester, Maple Valley, Mason, Okemos, Olivet, Owosso, Perry, Portland, St. Johns, Stockbridge, Waverly and Williamston.

In 2017-2018, CASL was 54% Male, hosted 1,959 games, had 396 volunteer coaches and utilized 474 referees.



Andy Schor, Mayor

CITY OF LANSING  
PURCHASING OFFICE  
1110 S. Pennsylvania Ave.  
Lansing, Michigan 48912  
(517) 702-6197 / FAX (517) 702-6042  
<http://www.lansingmi.gov/purchasing>

July 23, 2018

**REQUEST FOR PROPOSAL  
RFP/19/006  
SALE OF MILLER RD CENTER**

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Stephanie Robinson CPPB  
Senior Buyer

**Solicitation Number:** RFP/19/006

**Solicitation Name:** SALE OF MILLER RD CENTER

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**I. Where did your firm receive of this solicitation?** Please check all that apply.

- ☒ City of Lansing Purchasing Web Page <http://www.mitn.info>  
☐ City of Lansing Purchasing Office  
☐ Other, please list: \_\_\_\_\_

**II. Demographic Information:**

Is your firm located or have a business office within the corporate city limits of Lansing  
yes ☐ no ☒

**III. Company Information**

**Federal Tax ID Number** 38-2286738

Capital Area Soccer League

Firm Name

2875 Northwind Drive, Suite 123, East Lansing, MI 48823

Address (Street, City, State, ZIP)

517-580-4241

517-580-4921

Phone Number

Fax Number

www.caslsoccer.org

Scott M Dane

Web Site Address

Contact Person

Thank you for your participation.

CITY OF LANSING  
PURCHASING OFFICE  
1110 S. PENNSYLVANIA AVE  
LANSING, MICHIGAN 48912

**THIS IS NOT AN ORDER**

**NOTE:** If your bid/quotation/proposal is not returned and **completed** on this form, it may not be considered.  
Bid/quotation/proposal number must appear on outside of return envelope.

REQUEST FOR PROPOSAL # RFP/19/006 FOR: SALE OF MILLER RD CENTER

DATE: July 23, 2018 PARKS AND RECREATION DEPARTMENT

**PROPOSALS DUE 2:00 PM, LOCAL TIME IN EFFECT September 27, 2018**

The City of Lansing Purchasing Office is requesting Proposals for the sale of the building and property known as 6025 Curry Lane, Lansing Mi 48911 per the attached specifications listed below:

| ITEM | DESCRIPTION                                                                           | TOTAL LUMP SUM   |
|------|---------------------------------------------------------------------------------------|------------------|
| A    | Building and property located at 6025 Curry Lane<br>Parcel Number 33-01-05-04-477-002 | \$ <u>35,000</u> |

**Appointments for viewing can be made by contacting Kellie Brown at (517) 483-4307.**

The City reserves the right to accept any Proposal, to reject any or all Proposals and to make the award in the best interest of the City.

**All vendors shall be current in payment of any taxes, licenses, fees, permits or any other monies due the City of Lansing at time of quote due date as per City of Lansing Ordinance Section 206.02(a)1(G).**

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|                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                |                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| FEDERAL<br>I.D.# <u>38-2286738</u><br><br>COMPANY <u>Capital Area Soccer League</u><br><br>SIGNATURE <u></u><br><br>PRINTED NAME <u>Scott M Dane</u><br><br>TITLE <u>Executive Director</u><br><br>DATE: <u>August 6, 2018</u> | ADDRESS<br><u>2875 Northwind Drive, Suite 123</u><br><br>CITY & STATE<br><u>East Lansing, MI 48823</u><br><br>TELEPHONE<br><u>517-580-4241</u> | <b>NOTE:</b><br>PROPOSAL<br>results will <b>only</b><br>be released via<br>email request. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|

**MICHIGAN CIVIL RIGHTS ACT**

Contractor shall not discriminate in hiring or its terms and conditions of employment on the basis of race, religion, creed, nation origin, color, sex, marital status, age, height, or weight, nor on the basis of handicap except where the same is based on a bona fide job requirement. Neither shall Contractor discriminate in the sales of products or the rendering of services pursuant to this contract on the basis of any of those categories.

PROPOSAL

Proposal for center structure, only, located at: 6025 Curry Lane

PROPOSAL LUMP SUM PRICE: \$ 35,000

(Figures)

thirty-five thousand and no/100 Dollars  
(Spell out in words)

If submitted by an organization or company, please complete the following:

Name: Capital Area Soccer League

Address: 2875 Northwind Drive, Suite 123, East Lansing, MI 48823

Attention: Scott M Dane

Telephone: 517-580-4241

Fax: 517-580-4921

Email: smdane@gmail.com

Submitted by: Scott M Dane  
Name:

(Please print)

Signature: Scott M Dane  
(Authorized Agent of the Organization/Company)

Title: EXECUTIVE DIRECTOR

Date: August 6, 2018

Witness: Jack Gorman

Date: August 6, 2018

If submitted by an individual please complete the following:

Name: \_\_\_\_\_

(Please print)

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

DATE \_\_\_\_\_



### **SUBMITTALS:**

- Completed application.
- The successful applicant will be required to provide full payment for the Property prior to sale.
- The successful candidate will be required to enter into a "Property Structure Purchase Agreement" with The City of Lansing, which it will provide, among other things, that:

1. The Property is being acquired "As is" and without warranty, (except warranty of title and that it will be free and clear of liens),
2. The purchase is for the structure and underlying real estate.
3. All risk of loss shifts to the purchaser at closing,
4. Purchaser shall agree to indemnify, defend and hold the City of Lansing harmless from and against any liability or damage arising directly or indirectly from the purchase or renovation of the Property.

Each potential Owner must also give responses to the following questions and requests, for review by the City of Lansing Parks Department

1. What is your (or your organization's) intended purpose with the Property if awarded the right to purchase?
2. Provide a compelling reason why you (or your organization) should be selected to purchase the Property.
4. Provide a profile of yourself (or your organization).
5. The City of Lansing will remove the emergency Siren tower and relocate it.

### **EVALUATION CRITERIA**

#### **Terms of Negotiation and Transfer**

The RFP Review Committee will evaluate all submitted proposals against the goal of preserving the structural and cultural qualities of the Property and specifically the structure on the property known as the Miller Rd Center. Potential purchasers may be asked to participate in an in-person interview for further evaluation.

The City of Lansing, its Parks Department, reserves the sole right and discretion to terminate or extend the period of review if necessary. After the application process is opened, one or more proposals may be selected for review. Once a potential purchaser has been selected, the City will enter into negotiations toward reaching a mutually agreeable Purchase Agreement.

The City of Lansing, And Its Parks Department, Rfp Review Committee Are Not Liable for Any Costs Incurred by Any Potential Purchaser Prior To Successful Completion of Negotiations and Execution of The Agreement Or Prior To Closing on The Sale and Purchase of The Property.

Notwithstanding the identification of a proposed purchaser for the purpose of further negotiations, such selection does not constitute acceptance of the proposal.

Please complete Section I and Section II.

**Section I**

**PROPOSAL AND AWARD**

**Initial:** SMD

The undersigned, having become thoroughly familiar with and understanding the entire quote documents attached hereto, agrees to provide the services as specified herein, for the total fees as stipulated herein, subject to negotiation.

I hereby state that all of the information I have provided is true, accurate and complete. I hereby state that I have authority to submit this proposal which will become a binding contract if accepted by the City of Lansing. I hereby state that I have not communicated with, nor accepted anything of value from an official or employee of the City of Lansing that would tend to destroy or hinder free competition.

I hereby state that I have read, understand and agree to be bound by all the terms of this proposal document.

Please initial next to Proposal and Award, sign Section II and submit with your response to this solicitation.

**Section II**

**SIGNATURE**

SIGNED:  NAME: Scott M Dane  
TITLE: Executive Director DATE: August 6, 2018  
FIRM NAME: Capital Area Soccer League  
FEDERAL TAX ID NUMBER: 38-2286738  
ADDRESS: 2875 Northwind Drive, Suite 123, East Lansing, MI 48823  
(Street) (City) (State) (Zip)  
PHONE: ( 517 ) 580-4241 FAX: ( 517 ) 580-4921  
EMAIL ADDRESS: smdane@gmail.com



1. What is your (or organization's) intended purpose with the Property if awarded the right to purchase?

The Capital Area Soccer League (CASL) would use the Miller Road Center as a permanent office and gathering space for the soccer community. The office space would include a conference room for Board Meetings and potential training space for referee development and coaching licenses. The conference room would be made available to CASL members for use (based on availability and staff).

Additionally, CASL will utilize the gym space as a community field – either futsal surface or artificial turf. The community field would be available to CASL members and community groups at low or no cost.

Currently, CASL plays a leading role in the development of Beacon Soccer Fields, is in charge of the High School Summer League, hosts the Capital Area Classic, created and maintains a gently used collection and redistribution shoe program, facilitates the creation of recreational soccer programs in communities that do not currently have them and operates youth leagues for over 4,000 players ages 8-19. All of these programs run out the CASL office.

2. Provide a compelling reason why you (or your organization) should be selected to purchase the Property.

The Capital Area Soccer League (CASL) is a 501(c)(3) non-profit organization that serves over 4,000 youth soccer players. In addition to hosting regular league play, CASL prides itself on being a catalyst in the community for providing soccer programming by removing or easing as many barriers as possible. Each year CASL distributes nearly \$15,000 in financial assistance to its member clubs to ensure that every player is able to participate regardless of socio-economic status.

CASL hosts the Capital Area Classic each year – a tournament that has an estimated \$1 million economic impact on the Capital Area. The Capital Area Classic has been a mainstay in the community and continues to provide developmental soccer opportunities in Lansing and throughout the state of Michigan.

CASL continues to be a leading organization for Beacon Soccer Field at Ferris Park and the soon-to-be-opened facility in South West Lansing.

In the winter of 2019, CASL plans on hosting a Police Athletic League for indoor soccer in partnership with the Lansing Police Department. This program will be free for all participants and will include a healthy lifestyles component.

CASL also created Second Tread, a program that collects and redistributes gently used athletic shoes.

4. Provide a profile of yourself (or your organization).

The Capital Area Soccer League is a 501(c)(3) non profit organization that provides soccer opportunities to over 4,000 youth ages 8-19. The current communities that participate in CASL are:

Bath, Charlotte, Clinton, Columbia, Dansville, DeWitt, East Lansing, Eaton Rapids, Fowlerville, Grand Ledge, Hanover Horton, Haslett, Hillsdale, Holt, Ionia, Jackson County Western, Laingsburg, Lakewood, Lansing Catholic, Lansing, Lansing Home Schoolers, Leslie, Manchester, Maple Valley, Mason, Okemos, Olivet, Owosso, Perry, Portland, St. Johns, Stockbridge, Waverly and Williamston.

In 2017-2018, CASL was 54% Male, hosted 1,959 games, had 396 volunteer coaches and utilized 474 referees.

**CITY OF LANSING  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, December 10, 2018 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance amending the City of Lansing, Michigan Codified Ordinances by amending Chapter 872, Sections 872.01 through 872.07 to create licensing and regulation for dockless electric scooter companies to park on and utilize the public rights-of-way; to set licensing fees for such companies that wish to use the public rights-of-way; to provide for regulation of how such electric scooters may be parked and operated consistent with public health, safety, and welfare, including speed, manner, and location.

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](mailto:city.clerk@lansingmi.gov).

**Chris Swope, Lansing City Clerk, MMC/CMMC**  
**[www.lansingmi.gov/Clerk](http://www.lansingmi.gov/Clerk)**  
**[www.facebook.com/LansingClerkSwope](https://www.facebook.com/LansingClerkSwope)**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 872 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTIONS 872.01 THROUGH 872.07 TO CREATE LICENSING AND REGULATION FOR DOCKLESS ELECTRIC SCOOTER COMPANIES TO PARK ON AND UTILIZE THE PUBLIC RIGHTS-OF-WAY; TO SET LICENSING FEES FOR SUCH COMPANIES THAT WISH TO USE THE PUBLIC RIGHTS-OF-WAY; TO PROVIDE FOR REGULATION OF HOW SUCH ELECTRIC SCOOTERS MAY BE PARKED AND OPERATED CONSISTENT WITH PUBLIC HEALTH, SAFETY, AND WELFARE, INCLUDING SPEED, MANNER, AND LOCATION.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 872.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

**872.01 – Definitions**

As used in this chapter:

*DOCKLESS ELECTRIC SCOOTER COMPANY* MEANS A PERSON OR ENTITY THAT OWNS, OPERATES, PROVIDES, OR OTHERWISE MAKES ELECTRIC SCOOTERS AVAILABLE TO THE PUBLIC TO USE ON A TEMPORARY BASIS FOR PAYMENT, WHERE SUCH ELECTRIC SCOOTERS ARE NOT REQUIRED TO BE PARKED OR DOCKED IN PHYSICALLY FIXED LOCATIONS OR DOCKS .

*ELECTRIC SCOOTER* MEANS A TWO-WHEELED TRANSPORTATION DEVICE, WITH THE WHEELS IN TANDEM, THAT HAS A STEM, HANDLEBARS AND A FLOORBOARD THAT IS DESIGNED TO BE STOOD UPON WHILE RIDING, AND IS POWERED BY AN ELECTRIC MOTOR OF LESS THAN 750 WATTS; AND ANY DEVICE THAT OTHERWISE FITS THE DEFINITION PROVIDED FOR ELECTRIC SKATEBOARDS IN SECTION 13F OF THE MICHIGAN MOTOR VEHICLE CODE, MCL 257.13F.

~~*Greater Lansing Taxi Authority* means the authority created by the cities of Lansing and East Lansing and incorporated pursuant to the Michigan Public Transportation Act, being MCL~~

1 ~~124.451 et seq., for the purpose of regulating and licensing private taxicab companies, drivers for~~  
2 ~~hire, and all persons, firms, and business entities acting as taxicab companies or drivers by carrying~~  
3 ~~persons for hire, to and from such places as they may designate, within the municipalities provided~~  
4 ~~in its rules and regulations.~~

5  
6 *Horse-drawn carriage* means a horse-drawn vehicle operating for hire.

7  
8 *Limousine* means a chauffeured motor vehicle not equipped with a taximeter, which transports  
9 individuals for hire at an hourly and/or daily rate.

10  
11 *Nonconsent tow* means a tow of a motor vehicle without the knowledge or consent of the owner  
12 or person in possession of such motor vehicle, including the following:

13  
14 (a) A tow from public property without consent of the owner thereof;

15 (b) A tow from private property at the request of the property owner or a person lawfully  
16 in possession or control of such property; or

17 (c) A tow at the request of the Manager of the Code Compliance Division of the Department  
18 of Planning and Neighborhood Development, or his or her designee, when the owner of  
19 the vehicle has no knowledge of or has not consented to the tow.

20  
21 *Nonpreference police calls* means requests by the Police Department to tow vehicles immobilized  
22 or incapacitated on public streets and vehicles illegally parked, whether on public or private  
23 property.

24  
25 *Owner's agent* means a natural person who possesses a signed and notarized statement, or some  
26 other reliable written evidence or documentation, from a vehicle owner that authorizes said person  
27 to take possession of the owner's vehicle.

28  
29 *Shuttle bus* means any motor vehicle which transports individuals between pre-established fixed  
30 points for established fixed fees, not including taxicabs, limousines, publicly owned or church or

1 school buses, buses utilized for living or camping purposes or motor vehicles utilized exclusively  
2 for funeral purposes.

3  
4 ~~Taxicab means any vehicle, including but not limited to those powered by human or animals,~~  
5 ~~engaged in the business of picking up persons, or operating in such a manner to solicit such~~  
6 ~~persons, within the jurisdictional borders of the City of Lansing and carrying them for hire, to and~~  
7 ~~from such places as they may designate. "Taxicab" does not include:~~

8  
9 ~~(a) Vehicles used exclusively as hearses or funeral cars;~~

10 ~~(b) Ambulances;~~

11 ~~(c) Hotel buses or shuttles;~~

12 ~~(d) Sightseeing buses;~~

13 ~~(e) Motor coaches or motor buses.~~

14  
15 ~~Taxicab company means a person or entity that owns or operates a taxicab or otherwise engages~~  
16 ~~in the taxicab business. "Taxicab company" includes persons and entities that use digital platforms~~  
17 ~~to connect passengers to drivers.~~

18  
19 *Wrecker* means a motor vehicle designed for or engaged in the business of towing, transporting,  
20 conveying and/or removing all kinds of vehicles.

21  
22 Section 2. That Section 872.02 of the Lansing Code of Ordinances of the City of Lansing  
23 is hereby repealed in its entirety and replaced as follows:

24 **872.02. – ELECTRIC SCOOTERS; LICENSE REQUIRED; CONDITIONS; FEES.**

25 NO PERSON OR ENTITY SHALL ENGAGE IN THE BUSINESS OF A DOCKLESS  
26 ELECTRIC SCOOTER COMPANY THAT USES THE RIGHTS-OF-WAY OF THE CITY OF  
27 LANSING, INCLUDING ROADWAYS AND SIDEWALKS, TO PARK AND/OR  
28 ADVERTISE THE ELECTRIC SCOOTERS WITHOUT FIRST OBTAINING AN OPERATING  
29 LICENSE FROM THE CITY.

30 A. IN ORDER TO OBTAIN A LICENSE, A PERSON OR ENTITY SHALL AGREE TO:

1. LIMIT THE MAXIMUM SPEED OF ALL ELECTRIC SCOOTERS TO 15 MILES PER HOUR WITHIN THE CITY OF LANSING;
2. PROVIDE EASILY VISIBLE CONTACT INFORMATION ON EACH ELECTRIC SCOOTER, INCLUDING: A LOGO OR OTHER BRANDING; A UNIQUE IDENTIFICATION NUMBER IN FONT NO SMALLER THAN 2 INCHES IN HEIGHT THAT IS VISIBLE WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT; AND CONTACT INFORMATION FOR THE COMPANY THAT IS VISIBLE WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT, INCLUDING TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE;
3. MAINTAIN A 24-HOUR CUSTOMER SERVICE PHONE NUMBER FOR CUSTOMERS AND MEMBERS OF THE PUBLIC TO REPORT SAFETY CONCERNS, COMPLAINTS, OR TO ASK QUESTIONS;
4. RESPOND TO REQUESTS FROM ANY PERSON OR ENTITY FOR REBALANCING, REPORTS OF INCORRECTLY PARKED ELECTRIC SCOOTERS, OR REPORTS OF UNSAFE/INOPERABLE ELECTRIC SCOOTERS BY RELOCATING, REPARKING, OR REMOVING THE ELECTRIC SCOOTERS, AS APPROPRIATE, WITHIN 2 HOURS OF RECEIVING NOTICE;
5. RESPOND TO REPORTS FROM ANY PERSON OR ENTITY OF SAFETY OR MAINTENANCE ISSUES WITH A SPECIFIC DEVICE, BY REMOTELY MAKING THAT ELECTRIC SCOOTER UNAVAILABLE TO USERS IN ADDITION TO REMOVING THE ELECTRIC SCOOTER AS REQUIRED IN THIS SECTION;
6. ENSURE THAT ANY INOPERABLE OR UNSAFE DEVICE SHALL BE REPAIRED BEFORE IT IS PUT BACK INTO SERVICE;
7. ENSURE THAT THE USE POLICY INCLUDES CLEAR PROHIBITION ON MORE THAN ONE PERSON RIDING ON AN ELECTRIC SCOOTER AT A TIME;
8. IMPLEMENT A MARKETING AND TARGETED COMMUNITY OUTREACH PLAN, AT THE PERSON OR ENTITY'S OWN COST, TO PROVIDE ACCESS



1 TO ELECTRIC SCOOTER SERVICES AND PROMOTE THE USE OF  
2 ELECTRIC SCOOTERS CITYWIDE, PARTICULARLY AMONG LOW-  
3 INCOME COMMUNITIES;

4 9. INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY AGAINST ALL  
5 LIABILITY, ACTIONS, OR CLAIMS RESULTING FROM THE CONDUCT OR  
6 OPERATIONS RELATED TO ELECTRIC SCOOTERS BY ANY PERSON OR  
7 ENTITY;

8 10. MAINTAIN INSURANCE PROVIDING LIABILITY COVERAGE IN AN  
9 AMOUNT NOT LESS THAN \$500,000 PER INCIDENT AND \$1,000,000  
10 AGGREGATE; AND

11 11. SHARE DE-IDENTIFIED USAGE DATA, AS MORE FULLY DESCRIBED IN  
12 SECTION 872.04, WITH THE CITY OF LANSING.

13 B. THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT LICENSES DESCRIBED  
14 IN THIS SUBSECTION. ALL LICENSES ARE ANNUAL UNLESS REVOKED  
15 EARLIER AS PROVIDED IN SECTION 872.06. A NONREFUNDABLE FEE MUST  
16 BE PAID FOR A LICENSE; THE ANNUAL FEE FOR THE FIRST YEAR THIS  
17 ORDINANCE GOES INTO EFFECT IS \$5,000, AND HEREAFTER MAY BE  
18 ADJUSTED AND SET BY RESOLUTION OF CITY COUNCIL. AN ADDITIONAL  
19 DAILY FEE FOR EACH ELECTRIC SCOOTER THAT IS AVAILABLE TO THE  
20 PUBLIC IN THE CITY OF LANSING EACH DAY AT 6 A.M. MUST BE PAID TO  
21 THE CITY ON A MONTHLY BASIS; THE DAILY FEE FOR THE FIRST YEAR THIS  
22 ORDINANCE GOES INTO EFFECT IS \$1, AND HEREAFTER MAY BE ADJUSTED  
23 AND SET BY RESOLUTION OF CITY COUNCIL. ALL FEES COLLECTED UNDER  
24 THIS SECTION SHALL BE ALLOCATED TO FUND PROGRAMS CONSISTENT  
25 WITH THE CITY'S "COMPLETE STREETS" INITIATIVE, AS SET FORTH IN  
26 SECTION 1020.13.

27 C. A LICENSE MAY NOT BE TRANSFERRED FROM ANY PERSON OR ENTITY TO  
28 ANOTHER PERSON OR ENTITY.

29  
30 Section 3. That Section 872.03 of the Lansing Code of Ordinances of the City of Lansing  
31 is hereby repealed in its entirety and replaced as follows:

**872.03. – LICENSE APPLICATION; CITY CLERK APPROVAL REQUIRED.**

A. AN APPLICATION FOR A DOCKLESS ELECTRIC SCOOTER COMPANY REQUIRED UNDER SECTION 872.02 SHALL BE MADE BY THE PERSON OR ENTITY OPERATING THE COMPANY ON FORMS TO BE FURNISHED BY THE CITY CLERK.

B. SUCH APPLICATION SHALL REQUIRE ACKNOWLEDGEMENT OF THE REQUIREMENTS IN SECTION 872.02.

C. SUCH APPLICATION SHALL INCLUDE

1. THE FULL NAMES AND ADDRESSES OF THE OWNER OR OPERATOR OF THE APPLICANT;

2. THE ADDRESS OF THE APPLICANT'S LOCAL BUSINESS OFFICE;

3. THE LOGO OR OTHER BRANDING UNIQUE TO THE APPLICANT THAT WILL BE VISIBLE ON EVERY ELECTRIC SCOOTER IT OPERATES OR MAKES AVAILABLE;

4. THE TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE THAT THE PUBLIC MAY CONTACT TO LODGE COMPLAINTS OR MAKE REPORTS; AND

5. ANY OTHER INFORMATION THE CITY CLERK DEEMS NECESSARY AND PROPER.

D. THE APPLICATION SHALL BE SUBSCRIBED AND SWORN TO BEFORE A NOTARY PUBLIC AND FILED WITH THE CITY CLERK.

E. PRIOR TO ISSUANCE OR RENEWAL OF ANY DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE UNDER THIS CHAPTER, THE CITY CLERK SHALL APPROVE THE APPLICATION THEREFOR.

Section 4. That Section 872.04 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

**872.04. – DATA SHARING**

EVERY MONTH, A LICENSED COMPANY SHALL SHARE THE FOLLOWING DATA WITH THE CITY IN ORDER TO IMPROVE FUTURE OPERATIONS FOR ELECTRIC SCOOTERS WITHIN THE CITY:

- A. ELECTRIC SCOOTER UTILIZATION RATES;
- B. TRIP VOLUMES;
- C. TRIP O/D, DISTANCES, ROUTES, ETC.;
- D. STARTING AND STOPPING POINTS FOR EACH TRIP;
- E. NUMBER OF ELECTRIC SCOOTERS IN THE CITY AT 6 A.M. EVERY DAY;
- F. MAXIMUM AND MINIMUM NUMBER OF ELECTRIC SCOOTERS IN THE CITY EVERY 24 HOUR PERIOD;
- G. PARKING COMPLIANCE RATES;
- H. THEFT AND VANDALISM INFORMATION;
- I. MAINTENANCE AND OTHER COMPLAINTS; AND
- J. CRASH INFORMATION.

Section 5. That Section 872.05 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

**872.05. – PARKING IN THE CITY RIGHTS-OF-WAY; PERMISSIONS; RESTRICTIONS.**

IN ADDITION TO THE RESTRICTIONS OR PARKING AND OPERATION OF ELECTRIC SCOOTERS FOUND IN CHAPTER 404 AND SECTION 812.04 OF THESE ORDINANCES AS WELL AS THE MICHIGAN MOTOR VEHICLE CODE, DULY LICENSED ELECTRIC SCOOTERS ARE SUBJECT TO THE FOLLOWING CONDITIONS ON PARKING:

- A. ELECTRIC SCOOTERS SHALL BE PARKED UPRIGHT ON HARD SURFACES ON THE SIDEWALK, BUT ONLY IF AT LEAST 5 LINEAR FEET OF UNOBSTRUCTED SIDEWALK, MEASURED FROM THE PROPERTY LINE OR NEAREST FIXED STRUCTURE TOWARDS THE PARKWAY AS THOSE TERMS ARE DEFINED IN CHAPTER 1020, IS PRESERVED FOR SAFE PEDESTRIAN TRAVEL.
- B. ELECTRIC SCOOTERS MAY NOT PARK IN SUCH A MANNER THAT IMPEDES OR INTERFERES WITH ACCESS TO OR USE OF:
  - 1. SIDEWALKS, CROSSWALKS, OR SIDEWALK RAMPS
  - 2. BUS STOPS, SHELTERS, OR WAITING AREAS
  - 3. LOADING ZONES OR HANDICAPPED PARKING SPACES
  - 4. FIRE HYDRANTS

1       5. BENCHES

2       6. PARKING METERS OR PAY STATIONS

3       7. ANY COMMERCIAL WINDOW DISPLAYS

4       8. ACCESS TO OR FROM ANY BUILDINGS

5       9. ANY BICYCLE RACKS

6       10. DRIVEWAYS OR ALLEYS

7       C. ELECTRIC SCOOTERS MAY BE PARKED IN ON-STREET PARKING SPACES  
8       ONLY WHEN THE SPACES ARE OFFICIALLY DESIGNATED FOR SCOOTERS OR  
9       MOTORCYCLES.

10      D. ELECTRIC SCOOTERS MAY BE PARKED ON BLOCKS WITHOUT SIDEWALKS  
11      ONLY IF THE ROADWAY TRAVEL LANES AND 5-FOOT PEDESTRIAN CLEAR  
12      ZONE ARE NOT IMPEDED.

13  
14      Section 6. That Section 872.06 of the Lansing Code of Ordinances of the City of Lansing  
15      is hereby repealed in its entirety and replaced as follows:

16      **872.06. – LICENSE REVOCATION.**

17      A LICENSE REQUIRED UNDER SECTION 872.02 MAY BE REVOKED BY CITY  
18      COUNCIL IF THE LICENSEE OPERATES IN SUCH A WAY AS TO VIOLATE THE TERMS  
19      OF ITS LICENSE, THE LAWS OF THE STATE, OR THE ORDINANCES OR REGULATIONS  
20      OF THE CITY. UPON RECEIVING NOTICE OF SUCH A VIOLATION, THE CHIEF OF  
21      POLICE OR THE CHIEF'S REPRESENTATIVE SHALL FILE A PETITION WITH THE CITY  
22      CLERK SPECIFYING THE VIOLATION WITH WHICH THE LICENSEE IS CHARGED AND  
23      REQUESTING THAT THE DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE BE  
24      REVOKED. UPON RECEIPT OF SUCH PETITION, COUNCIL SHALL SET A DATE FOR A  
25      HEARING ON SUCH ALLEGED VIOLATIONS, AND THE LICENSEE SHALL BE GIVEN  
26      NOT LESS THAN FIVE DAYS WRITTEN NOTICE OF THE HEARING. AT SUCH HEARING  
27      THE LICENSEE MAY APPEAR IN PERSON OR BY AGENT OR ATTORNEY AND MAY  
28      SUBMIT EVIDENCE IN ITS DEFENSE. IF COUNCIL DETERMINES THAT THE LICENSEE  
29      IS GUILTY AS CHARGED, THE ELECTRIC SCOOTER LICENSE MAY BE REVOKED.

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

4  
5           Section 8. Should any section, clause or phrase of this ordinance be declared to be invalid,  
6 the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the  
7 part so declared to be invalid.

8  
9           Section 9. This ordinance shall take effect on the 30th day after enactment, unless given  
10 immediate effect by City Council.

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BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON,  
SPADAFORÉ, SPITZLEY, WASHINGTON & WOOD  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Judge Frank J. DeLuca was elected in 2000, and appointed to the bench in 2001 and will serve his last day December 28, 2018; and

WHEREAS, Judge Frank J. DeLuca was born in Brighton, Michigan, and upon graduation, Judge Frank J. DeLuca attended Western Michigan University and graduated with a B.B.A., and attended Detroit College of Law and graduated with his Juris Doctorate; and

WHEREAS, Judge Frank J. DeLuca has been married to his wife Madeline DeLuca for 37 years, and together they have (2) children Mark, and Teresa. He enjoys spending time outdoors, hunting, and fishing. He and his family enjoy helping prepare and serve breakfast for those less fortunate on Christmas morning for Advent House Ministries; and

WHEREAS, Judge Frank J. DeLuca began as an intern with the Attorney General Frank J. Kelley's Office, he then served as an Assistant Ingham County Prosecutor and Chief Trial Attorney before he was appointed to the bench in 2001. Judge Frank J. DeLuca served as Chief Judge of the 54-A District Court from 2006 to 2013; and

WHEREAS, Judge Frank J. DeLuca served as a member of the Ingham County Bar Association, former Chair of the Ingham Correction Advisory Board, and recruits and works at a local mobile food pantry distribution site; and

THEREFORE BE RESOLVED that the Lansing City Council extends our gratitude for the many years of distinguished service by Judge Frank J. DeLuca. We wish him well on the next chapter of his life.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing, through the Human Relations and Community Services Department, will be hosting the 38th Annual Memorial Observance of Dr. Martin Luther King, Jr. on January 12, 2018, entitled "We must accept finite disappointment but never lose infinite hope"; and

WHEREAS, this day should be a day of participation, wherein all citizens contribute something positive to their community in keeping with Dr. King's lifelong work toward peace, justice and equality; and

WHEREAS, Dr. Martin Luther King Jr Day honors the life and contributions of America's greatest champion of racial justice and equality, the leader who not only dreamed of a color-blind society but who also led a movement that achieved historic reforms to help make it a reality; and

WHEREAS, Dr. Martin Luther King Jr. is regarded as America's pre-eminent advocate of non-violence and one of the greatest nonviolent leaders in history by using the power of words and acts of nonviolence to advocate for freedom; and

WHEREAS, Dr. King campaigned for unprecedented civil rights legislation, and was also the driving force behind the "March for Jobs" in 1963, also known as "March on Washington" where his famous "I Have a Dream" speech secured his status as a leader and led to inspire the nation to act on civil rights.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council commends the Human Relations and Community Services Department on their 38<sup>th</sup> Annual Memorial Observance of Dr. Martin Luther King being held on January 12, 2018 in the City of Lansing Council Chambers and encourages all residents of the City of Lansing to share in Dr. King's dream and work toward justice, good will, and brotherhood for all people.



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

WHEREAS, the Mayor made the appointment of Jessica Yorko, 815 Bancroft Ct, Lansing, MI, 48915 as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2021; and

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

WHEREAS, the Committee on Development & Planning met on December 3, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jessica Yorko, 815 Bancroft Ct, Lansing, MI, 48915 as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2021.

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

WHEREAS, the Mayor made the appointment of Sean N. Hammond, 820 Verlinden Avenue, Lansing, MI, 48915 as a Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020; and

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

WHEREAS, the Committee on Development & Planning met on December 3, 2018 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Sean N. Hammond, 820 Verlinden Avenue, Lansing, MI, 48915 as a Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2021.

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

WHEREAS, the Mayor made the appointment of Diane Sanborn, 720 Seymour, Lansing, MI, 48906 as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2022; and

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

WHEREAS, the Committee on Development & Planning met on December 3, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby confirms the appointment of Diane Sanborn, 720 Seymour, and Lansing, MI, 48906 as a Member of the Saginaw Street Corridor Improvement Authority with a term to expire on June 30, 2022.

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

Act-9-2015, Aurelius and Cavanaugh Roads – Acquisition of Easements and Property

WHEREAS, the Lansing Public Service Department wishes to obtain easements at all four corners of Aurelius and Cavanaugh Roads, for purpose of widening the intersection to accommodate ADA compliant sidewalk ramps and new traffic signal poles; and

WHEREAS, the proposed easements will allow the Public Service Department to construct these public amenities; and

WHEREAS, at its regular meeting on July 7, 2015, the Planning Board reviewed the location, character, and extent of the proposal, and found that:

- The location of the easements to be acquired are appropriate and necessary to improve safety operations at the Aurelius and Cavanaugh intersection,
- The intersection improvements will have a positive impact on the character of the area by making vehicular and pedestrian transportation much safer,
- The easements to be acquired are only of an extent necessary to accommodate new ADA compliant sidewalks and updated traffic signals as part of the intersection reconstruction project; and

WHEREAS, on July 7, 2015, the Board voted unanimously (6-0) to recommend approval of Act-9-2015, the request by the Public Service Department to acquire, by purchase or easement, triangular shaped areas at all four corners of Aurelius and Cavanaugh Roads; and

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

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Act-9-2015, and the acquisition of an interest in the properties at the four corners of Aurelius and Cavanaugh, provided the concerns of affected agencies are addressed, and to further recommend that the sidewalk network in this area be completed as soon as funding permits, in accordance with the adopted Major Street Sidewalk Gap Closure Priority List.

BE IT FURTHER RESOLVED, the Lansing City Council hereby approves entering into agreements for the purpose of acquiring easements on the following parcels:

PARCEL 1 - Northwest Corner: Address: 4218 Aurelius Road Parcel: 33-01-01-34-276-404. Parcel Description: LOTS 116 THRU 121 INCL, ALSO S 30 FT OF E 297 FT LOT 111 SUPERVISORS PLAT OF CHERRY HILL NO 1. Owner: ARC FD34PCK001 L.L.C., 106 YORK RD, JENKINTOWN, PA 19046.  
Easement Area Description: Commencing at the Southeast corner of Lot 121, thence North 12', thence South 35 degrees 32 minutes, 16 seconds West a

distance of 8.60', thence West 18', thence South 6', thence East 23' to the point of beginning, containing approximately 155.5 square feet, for the sum of \$100.

PARCEL 4 - Southwest Corner: Address: 4300 Aurelius Road

Parcel: 33-01-01-34-426-041 Description: COM AT E 1/4 POST, TH S 237.5 FT, W 183.41 FT, N 237.5 FT, E 183.41 FT TO BEG; SEC 34 T4N R2W. Owner: PARKER MEMORIAL BAPTIST CHURCH, 1902 E CAVANAUGH RD, LANSING, MI 48910-3694.

Easement Area Description: Commencing 33 feet south and west of the East ¼ post, thence, thence South 15.0 feet, thence North 33 degrees, 41 minutes, 24 seconds West 18.0 feet, thence East 10.0 feet to the point of beginning, containing approximately 75.0 square feet, for the sum of \$100.

BE IT FURTHER RESOLVED, the Lansing City Council hereby approves entering into an agreement for the purpose of acquiring a portion of the following parcels:

PARCEL 2 – Northeast Corner: Address: 4221 Aurelius Road

Parcel: 33-01-01-35-154-056 Parcel Description: COM ON W 1/4 POST, TH N 165 FT, E 356.5 FT, S 165 FT, W 356.5 FT TO BEG; SEC 35 T4N R2W. Owner: SK PETROLEUM LLC, 4221 AURELIUS RD, LANSING MI 48910.

Acquisition Area Description: Commencing 33 feet north and 33 feet east of the West ¼ post, thence North 00 degrees 22 minutes, 26 seconds West along the west line of said Section 35 a distance of 13 feet, thence South 45 degrees 6 minutes, 35 seconds East a distance of 18.35 feet, thence South 89 degrees 24 minutes 25 seconds West along said east-west 1/4 line a distance of 13 feet to the point of beginning, containing approximately 84.5 square feet. for the sum of \$450.

PARCEL 3 – Southeast Corner: Address: 2000 E Cavanaugh Rd

Parcel: 33-01-01-35-301-002 Parcel Description: LOT 1 & W 90 FT LOT 4 SUPERVISORS PLAT OF CULVER-DALE SUB. Owner: IVERSEN FAMILY REVOCABLE TRUST NO 1, 2000 E CAVANAUGH RD, LANSING, MI 48910-5813.

Easement Area Description: Commencing at the northwest corner of Lot 1, thence East 12 feet, thence South, 45 degrees West a distance of 21.63 feet, thence North 18 feet to the point of beginning, containing approximately 108 square feet, for the sum of \$450.

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

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

WHEREAS, the Mayor made the appointment of Ronald Embry, 5730 Barren Drive, Lansing, MI 48911 as a 2ND Ward Member of the Human Relations & Community Services Board for a term to expire June 30, 2022; and

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

WHEREAS, the General Services Committee met on November 27, 2018 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Ronald Embry, 5730 Barren Drive, Lansing, MI 48911 as a 2ND Ward Member of the Human Relations & Community Services Board for a term to expire June 30, 2022.

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

WHEREAS, the Mayor made the appointment of James Tischler of 329 S. Washington Square, Suite C, Lansing, MI 48933 as a Business Owner Member of the Downtown Lansing Inc. Board for a term to expire June 30, 2019; and

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

WHEREAS, the Committee on General Services met on November 27, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of James Tischler of 329C S. Washington Square, Lansing, MI 48933 as a Business Owner Member of the Downtown Lansing Inc. Board for a term to expire June 30, 2019.

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

WHEREAS, Capital Area Golf for Youth, Inc. has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Capital Area Golf for Youth, Inc. as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Capital Area Golf for Youth, Inc. of 1526 East Mt. Hope Avenue Lansing, MI 48910.



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

WHEREAS, Tanya Paslawski sought to eliminate a special assessment of \$700.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 1918 Ray Street (Tax ID #33-01-01-28-226-131); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$700.00 was denied on November 27, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of in the amount of \$700.00 for trash and debris removal fees, and all associated penalties and interest on the property tax bill for 1918 Ray Street (Tax ID #33-01-01-28-226-131).

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

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

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 2500 W JOLLY, Parcel # 33-01-01-31-476-211 and Legal Description: S 175 FT LOT 71 ECO FARMS, to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 12/04/2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 8/23/2018, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that 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;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, January 14, 2019 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 2500 W JOLLY to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

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

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 1414 BALLARD ST., Parcel # 33-01-01-10-157-001 and Legal Description: N 34 FT OF W 4 R LOT 17 BLOCK 2 HANDY HOME ADD to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 7/12/2018 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 8/23/2018, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that 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;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, January 14, 2019 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 1414 BALLARD ST. to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

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

WHEREAS, pursuant to the Lansing City Charter and Chapter 280 of the Lansing Code of Ordinances, the Council shall designate in advance the first meeting of the Elected Officers Compensation Commission in odd-numbered years; and

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the first meeting of the Elected Officers Compensation Commission to be prior to March 1, 2019 and that the commission meet on no more than 15 session days;

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the Elected Officers Compensation Commission to make its determination within forty-five days after its first meeting;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby calls upon the Elected Officers Compensation Commission to meet and conduct its business in 2019 and designates \_\_\_\_\_, February \_\_\_\_\_, 2019 at \_\_\_\_\_ p.m. in the City Council Conference Room on the 10th floor of City Hall as the first meeting of the Commission.

BE IT FURTHER RESOLVED the City Council Office Manager shall serve as the recording secretary to the Commission unless the Commission determines otherwise.

BE IT FINALLY RESOLVED the City Clerk shall notify the members of the Commission in writing concerning the designated date, time, and place of the first meeting at least seven calendar days in advance thereof.

**BY THE COMMITTEE OF THE WHOLE**

**RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

**Act-8-2018, 3418 Pleasant Grove (NE Corner), Easement for SWAG Public Art**

WHEREAS, the Southwest Action Group (SWAG), the City, LEAP, and the Arts Council of Greater Lansing have been working together on the placement of public art in the business district at Holmes and Pleasant Grove; and

WHEREAS, SWAG and the City propose a public open space, with landscaping and a sculpture, on a SWAG-owned parcel split from the NE corner of 3418 Pleasant Grove (PPN 33-01-01-31-226-083); and

WHEREAS, the Southwest Action Group (SWAG) wishes to convey an easement to the City over the entire property for the placement of public art; and

WHEREAS, the City would own and maintain the sculpture, and SWAG would own, maintain, and insure the property; and

WHEREAS, on December 4, 2018, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the easement will facilitate the placement of public art and green space in what is currently excess asphalt parking; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposal for the City to acquire an easement to accommodate the public art proposal; 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-8-2018, and approves the acquisition of the proposed easement, legally described as:

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31,  
thence South

80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet  
to the Point of

Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W.

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

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

WHEREAS, on October 22, 2018, Council adopted Resolution 2018-260 approving Brownfield Plan #70, the 735 Hazel Street Redevelopment Project, pursuant to the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended; and

WHEREAS, Resolution 2018-260 also contained a commitment by the City for repayment of Michigan Department of Environmental Quality funds loaned to the LEDC and Developer pursuant to Section 196 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended; and

WHEREAS, after receiving the adopted resolution, the Department of Environmental Quality took exception to language used in the commitment for repayment, to wit: “consistent with and conditioned upon the Developer honoring its obligations in the Secure Loan Agreement,”;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby moves to amend the Resolution 2018-260 as follows:

In the paragraph beginning “BE IT FURTHER RESOLVED” the language “consistent with and conditioned upon Developer honoring its obligations under the Secure Loan Agreement,” is removed and replaced with “in consideration of Developer’s obligations in the Secure Loan Agreement,”.

BE IT FINALLY RESOLVED, that in all other respects the Resolution shall remain in full force and effect.

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

WHEREAS, the City Attorney has requested and recommended the appointment of Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC as outside legal counsel to represent the City; and

WHEREAS, the City Attorney recommends and requests City Council approve Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC to assist the Office of the City Attorney as outside legal counsel.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Charter Sec. 4-304.6, the City Council hereby approves the addition of Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC and the law firm of Fahey Schultz Burzych Rhodes PLC to the City Attorney's list of approved law firms.

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The Committee on Development and Planning introduced:

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.

Property identified as: Z-5-2018, 136 E. Malcolm X Street & Vacant Parcel to its East, Rezoning from "DM-4" Residential & "J" Parking Districts to "G-1" Business District

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

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2019 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-5-2018: 136 E. Malcolm X Street & Vacant Parcel to its East, Rezoning from "DM-4" Residential & "J" Parking Districts to "G-1" Business District

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-5-2018

Parcel Number's: 33-01-01-21-203-003 & 33-01-01-21-203-020

Address: 136 E. Malcolm X Street & Vacant Parcel to its East

Legal Descriptions: Lots 6 through 11, Inclusive, Block 177 Original Plat, from "DM-4" Residential & "J" Parking Districts 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 \_\_\_\_\_, 2019, 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.

The Committee on Development and Planning introduced:

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.

Property identified as: Z-6-2018: 522 Leshar Place, Rezoning from “DM-3” Residential District to “D-1” Professional Office District

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2019, 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:

1” Z-6-2018: 522 Leshar Place, Rezoning from “DM-3” Residential District to “D-1” Professional Office District

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-6-2018

Parcel Number: 33-01-01-15-104-351

Address: 522 Leshner Place

Legal Descriptions: Lot 5, Block 2, Assessors Plat No. 7, from "DM-3" Residential District to "D-1" Professional Office 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 \_\_\_\_\_, 2019, 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.

The Committee on Development and Planning introduced:

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.

Property identified as: Z-7-2018: Two Vacant Lots, Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2019, 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-7-2018: Two Vacant Lots, Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District

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-7-2018

Parcel Number's: 33-01-01-32-278-121 & 33-01-01-32-278-131

Address: Two Vacant Lots, Northwest corner of W. Cavanaugh Road & Lowcroft Avenue

Legal Descriptions: Lots 54 & 55, Foster S. Holmes Road Subdivision, from "A" Residential District to "C" Residential 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 \_\_\_\_\_, 2019, 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.

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Chris Swope  
Lansing City Clerk

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December 7, 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 Ethics

August 14, 2018  
October 9, 2018

Board of Police Commissioners

October 16, 2018  
November 20, 2018

Lansing Entertainment and Public Facilities Authority

October 23, 2018

Medical Marihuana Commission

October 19, 2018  
November 17, 2018  
November 30, 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

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

[www.lansingmi.gov/clerk](http://www.lansingmi.gov/clerk) □ [clerk@lansingmi.gov](mailto:clerk@lansingmi.gov)





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Chris Swope  
Lansing City Clerk

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December 7, 2018

President Wood and Council Members  
124 W. Michigan Ave., 10<sup>th</sup> Floor  
Lansing, MI 48933

Dear President Wood and Council Members:

Pursuant to Article 5, Section 5-105.8 of the Lansing City Charter, the attached Rules of Administrative Procedure for the Lansing Park Board have been approved as to form by the City Attorney and placed on file in my office.

The Charter stipulates that these rules will be effective at the conclusion of the Council meeting at which they are received unless the Council directs otherwise. The Charter further allows the Council to object to the rules in whole or in part and to return them to the board proposing their adoption with a statement of its objections and recommendations.

Sincerely,

Chris Swope, CMMC/MMC  
Lansing City Clerk

## PARK BOARD RULES OF PROCEDURE

The Park Board is composed of citizens of the City of Lansing appointed by the Mayor, and confirmed by City Council. The goal of the Park Board is to improve the general welfare of Lansing citizens through the services of the Parks and Recreation Department. The Board shall perform its function in accordance with provisions of Section 5-106 of the Lansing City Charter.

1. The Park Board shall annually organize at the first meeting in July by electing one of its members as President and another member as Vice-President. The elected officers shall hold their office for a period of one year. They may be re-elected at that time. The Director of the Parks and Recreation Department or his or her designee shall act as recorder for each meeting and shall prepare draft copies of the minutes for each meeting to be approved at the next meeting.
2. The President shall conduct the monthly meetings, and may appoint sub-committees and act as a representative or spokesperson for the Board with the approval of the Board. In the absence of the President, the Vice-President will perform the duties of the President.
3. A majority of the members serving on the Park Board shall constitute a quorum for the transaction of business and the taking of official actions at its meetings.
4. No official action shall be taken as to the adoption of a comprehensive master plan, any part of a comprehensive master plan, or to recommend the renaming of property to the city council without an affirmative vote of 2/3 of the members serving on the Park Board.
5. Any amendment to a motion is by majority vote of those present.
6. Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another time or may meet for the purpose of accumulating and accepting public comments on such matters as are on the agenda. However, no official action(s) may be taken.
7. If a member is absent for more than three (3) unexcused absences annually, the member may be removed from the Board by an affirmative vote of 2/3 of the members serving on the Park Board, excluding that member.
8. The Park Board shall schedule at least one regular meeting each month, usually on the second Wednesday of the month. Meetings will normally begin at 6:30 p.m. and may be held at appropriate locations decided by the Board. The date, time, and location of each meeting shall be posted in accordance with the Michigan Open Meetings Act.
9. A special meeting may be called at any time by the President with notice to all members and public notification as required.
10. Robert's Rules of Order will be used to conduct meetings.
11. All meetings of the Park Board shall be open to the public. Those in attendance shall have the opportunity to speak on any issue related to parks and recreation services not otherwise on the agenda at the end of the meeting and may speak on any agenda issue during the meeting after park board members have had an opportunity to discuss the issue or prior to the board voting on the issue. The President may impose a time limit on public comments.
12. Minutes of all Board Meetings shall be filed in the office of the City Clerk as a matter of public record.
13. As outlined in the City Charter, the Board is responsible for preparation and submission of an annual report by December 1st evaluating the department. The Board shall also provide recommendations concerning the department's budget, including capital improvement proposals.

**APPROVED AS TO FORM**

Revised Rules of Procedure approved by the Park Board on November 14, 2018

Approved by Council \_\_\_\_\_

*Anna K. Hagen*  
Asst. **CITY ATTORNEY**

**RESOLUTION # \_\_\_\_\_**

**BY THE COMMITTEE OF THE WHOLE**

**RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, the City Attorney has requested and recommended the appointment of Michael T. Small of Harvey Kruse, P.C. as special outside legal counsel to represent the City in connection with the matters of La Fille Gallery, LLC v. City of Lansing, et al., Case no. 18-513-CB, and Motorists Mutual Insurance Company v. City of Lansing, et al., Case no. 18-268-ND pending before the Ingham County Circuit Court;

NOW, THEREFORE, BE IT RESOLVED that Michael T. Small of Harvey Kruse, P.C. is hereby approved as legal counsel to represent the City in the matters of La Fille Gallery, LLC v. City of Lansing, et al., Case no. 18-513-CB, and Motorists Mutual Insurance Company v. City of Lansing, et al., Case no. 18-268-ND before the Ingham County Circuit Court.

BY THE COMMITTEE \_\_\_\_\_  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Brian McGrain, 300 Fairview, Lansing, MI 48912 as a City of Lansing Member of the Local Development Finance Authority for a term to expire June 30, 2019; and

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

WHEREAS, the Committee \_\_\_\_\_ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Brian McGrain, 300 Fairview, Lansing, MI 48912 as a City of Lansing Member of the Local Development Finance Authority for a term to expire June 30, 2019.

BY THE COMMITTEE \_\_\_\_\_  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Robert Gibb of 2801 Trudy Lane Unit 9, Lansing, MI 48910 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021; and

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

WHEREAS, the Committee \_\_\_\_\_ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Robert Gibb of 2801 Trudy Lane Unit 9, Lansing, MI 48910 as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021.

BY THE COMMITTEE \_\_\_\_\_  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Bettie J. Trice of 1426 W. Willow St., Lansing, MI 48915 as a 4<sup>TH</sup> Ward Member of the Medical Marijuana Commission for a term to expire November 27, 2020; and

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

WHEREAS, the Committee \_\_\_\_\_ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Bettie J. Trice of 1426 W. Willow St., Lansing, MI 48915 as a 4<sup>TH</sup> Ward Member of the Medical Marijuana Commission for a term to expire November 27, 2020.

## INTRODUCTION OF ORDINANCE

Council Member \_\_\_\_\_ introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1610 – Uniform Fire Code and Uniform Fire Code Standards.

The Ordinance is referred to the Committee on \_\_\_\_\_

## RESOLUTION SETTING PUBLIC HEARING BY \_\_\_\_\_

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for \_\_\_\_\_ at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering [Title of Ordinance goes here in sentence case, not all caps.]

Interested Persons are invited to attend this Public Hearing

**CITY OF LANSING  
NOTICE OF PUBLIC HEARING**

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

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1610 – Uniform Fire Code and Uniform Fire Code Standards.

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](mailto:city.clerk@lansingmi.gov).

**Chris Swope, Lansing City Clerk, MMC/CMMC**  
**[www.lansingmi.gov/Clerk](http://www.lansingmi.gov/Clerk)**  
**[www.facebook.com/LansingClerkSwope](https://www.facebook.com/LansingClerkSwope)**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE  
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1610 – UNIFORM FIRE  
CODE AND UNIFORM FIRE CODE STANDARDS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1610 – Uniform Fire Code, Section 1610.01 – Adoption of 2009  
International Fire Code, of the Codified Ordinances of the City of Lansing, Michigan, be and is  
hereby amended to read as follows:

1610.01 –Adoption of 2009 International Fire Code AND ADOPTION OF CHAPTER 39 OF  
THE 2018 INTERNATIONAL FIRE CODE.

(a) For the purpose of establishing the minimum requirements consistent with nationally  
recognized good practice for providing a reasonable level of life safety and property  
protection from the hazards of fire, explosion, or dangerous conditions in new and  
existing buildings, structures, and premises and to provide safety to firefighters and  
emergency responders during emergency operations, the City hereby adopts the 2009  
International Fire Code, including Appendices B, C, D, E, F, G, H, AND I, published by  
the International Code Council, Inc. with the additions, deletions, and revisions contained  
in this chapter. ADDITIONALLY, THE CITY HEREBY ADOPTS BY REFERENCE  
CHAPTER 39 - PROCESSING AND EXTRACTION FACILITIES, OF THE 2018  
INTERNATIONAL FIRE CODE. A copy of this Code is on file in the Office of the City  
Clerk.

1 (b) References throughout these codified ordinances to the International Fire Code shall be  
2 deemed to mean the International Fire Code adopted in subsection (a) and it may be so  
3 cited. References throughout these codified ordinances to the Fire Prevention Code of the  
4 City of Lansing shall be synonymous with this International Fire Code, including its  
5 amendments adopted herein.

6 (c) Unless otherwise expressly provided, in the event of a conflict between any of the  
7 provisions of the International Fire Code, herein adopted, and a provision of this chapter,  
8 or any other provision of these Codified Ordinances, or any other local ordinance,  
9 resolution, rule or regulation, the local provision shall control. In the event of a conflict  
10 between any of the provisions of the International Fire Code, herein adopted, and State  
11 law, including rules and regulations promulgated pursuant to State law, the State law  
12 shall control. In the event of a conflict between any of the provisions of the International  
13 Fire Code, herein adopted, and a provision of any other standard technical code adopted  
14 by reference by the City of Lansing, the stricter or higher standard shall control.

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

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

20 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given  
21 immediate effect by City Council and shall expire on December 31, 2027.

***DRAFT #2***  
***October 10, 2018***

Approved as to form:

\_\_\_\_\_  
City Attorney

Dated: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
ORDINANCE REVIEW COMMITTEE

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF LANSING

WHEREAS, the City acquired a significant portion of Groesbeck Golf Course from the State of Michigan with restrictions on its use for a public golf course;

WHEREAS, one of the restrictions prohibits the City from charging different greens fees for resident and nonresident players;

WHEREAS, residents of the City of Lansing contribute and support the operation and maintenance of Groesbeck Golf Course via voter approved parks millages;

WHEREAS, because nonresidents of the City of Lansing do not contribute to the operation and maintenance of Groesbeck Golf Course via parks millages, the State has agreed to release this restriction;

WHEREAS, the State enacted 2018 PA 333 authorizing the state administrative board to reconvey the Groesbeck Golf Course property back to the City of Lansing without the above restriction on fees for use by residents vs. nonresidents;

WHEREAS, a simultaneous closing will be scheduled wherein the City of Lansing will first convey the property to the State of Michigan, and then the State of Michigan will reconvey the property to the City of Lansing, without the above described restriction;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the conveyance of Groesbeck Golf Course to the State of Michigan for the purpose of releasing the restriction on the property, legally described as:

Com 33 feet West and 297 feet South of NE corner of Section 10, thence South along West line of Wood Street to North line of East Grand River Avenue, West along North line East Grand River Avenue to SE corner Assessor's Plat No. 2, North to NE Corner said plat, West to NW corner said plat, North along North & South 1/8 line to point due West of Beginning, East to Beginning; Sec. 10, T4N R2W.

for consideration of \$1.00.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the re-acquisition of Groesbeck Golf Course, legally described as:

Com 33 feet West and 297 feet South of NE corner of Section 10, thence South along West line of Wood Street to North line of East Grand River Avenue, West along North line East Grand River Avenue to SE corner Assessor's Plat No. 2, North to NE Corner said plat, West to NW corner said plat, North along North &

South 1/8 line to point due West of Beginning, East to Beginning; Sec. 10, T4N R2W.

for consideration of \$1.00.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the aforementioned conveyance and subsequent acquisition, subject to prior approval as to form and content by the City Attorney.

**BY THE COMMITTEE OF THE WHOLE**

**RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

**Act-8-2018, 3418 Pleasant Grove (NE Corner), Easement for SWAG Public Art**

WHEREAS, the Southwest Action Group (SWAG), the City, LEAP, and the Arts Council of Greater Lansing have been working together on the placement of public art in the business district at Holmes and Pleasant Grove; and

WHEREAS, SWAG and the City propose a public open space, with landscaping and a sculpture, on a SWAG-owned parcel split from the NE corner of 3418 Pleasant Grove (PPN 33-01-01-31-226-083); and

WHEREAS, the Southwest Action Group (SWAG) wishes to convey an easement to the City over the entire property for the placement of public art; and

WHEREAS, the City would own and maintain the sculpture, and SWAG would own, maintain, and insure the property; and

WHEREAS, on December 4, 2018, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the easement will facilitate the placement of public art and green space in what is currently excess asphalt parking; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposal for the City to acquire an easement to accommodate the public art proposal; 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-8-2018, and approves the acquisition of the proposed easement, legally described as:

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31,  
thence South  
80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet  
to the Point of  
Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W.

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

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**STAFF REPORT**

**APPLICANT and OWNER:** Southwest Action Group (SWAG)  
2203 W. Holmes Rd.  
Lansing, MI 48911

**PROPOSAL:** The applicant, the City, LEAP, and the Arts Council of Greater Lansing have been working together on the placement of public art in the business district at Holmes and Pleasant Grove. SWAG and the City propose a public open space, with landscaping and a sculpture, on a SWAG-owned parcel split from the NE corner of 3418 Pleasant Grove.

**REQUESTED ACTION:** SWAG wishes to convey an easement to the City over the entire property for the placement of public art. The City will own and maintain the sculpture. SWAG would own, maintain, and insure the property.

**ATTACHMENTS:** Image for parcel 33-01-01-31-226-083, aerial photo and easement description, pictures of proposed art and plaza.

**EXISTING LAND USE  
& ZONING:** Asphalt parking lot, zoned "F" Commercial.

**PROPERTY SIZE & SHAPE:** 80' X 63.5' (5080 SF) Rectangular.

**SURROUNDING LAND USE:** North: Commercial, Multi-family residential  
South: Commercial, Single-family Residential  
East: Commercial  
West: Commercial

**SURROUNDING ZONING:** North – "F" and "F-1" Commercial  
South - "F" Commercial. "A" Residential  
East - "F" Commercial, "E-2" Local Shopping District  
West- "F" Commercial.

**COMPREHENSIVE PLAN DESIGNATION:** Neighborhood Mixed-Use Center

**AGENCY RESPONSES:**

**Board of Water and Light:** No response received.

**Public Service Infrastructure and Engineering:** No comments.

**ACT 33 REVIEW**

An Act 33 Review is a planning level review of the location, character and extent of public improvements

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and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

**Location:** The easement will be located on the west side of Pleasant Grove, on a parcel split from the Pleasant Grove Plaza parking lot.

**Character:** The easement will facilitate the placement of public art and green space in what is currently excess asphalt parking.

**Extent:** The easement is over the entire parcel to be occupied by the plaza and sculpture.

#### **STAFF RECOMMENDATION**

Based on a review of the location, character, and extent of the proposal, staff recommends the easement as proposed.



## Image/Sketch for Parcel: 33-01-01-31-226-083



**\*\*Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

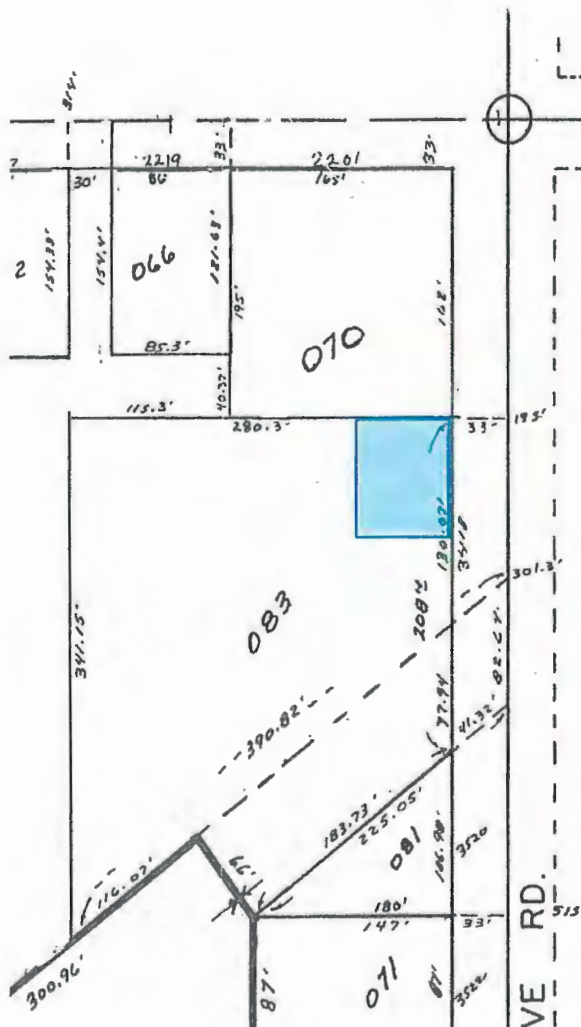
Parcel #:33-01-01-31-226-083  
3418 Pleasant Grove Road, Lansing, MI 48910

Parcel Description

COM 314 FT W & 194.33 FT S OF NE COR SEC 31, TH E 313.3 FT TO E LINE SAID SEC, S 188.74 FT TO INTN S LINE FORMER NYCRR R/W, S 53DEG W 225.05 FT TO E LINE LOT 6 PLACER SUB NO 1, N 37DEG W 66 FT TO MOST N'LY COR SAID SUB, S 53DEG W ON N'LY LINE SAID SUB 116.07 FT, N'LY 341 FT TO BEG; SEC 31 T4N R2W

Easement Area

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31, thence South 80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet to the Point of Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W







**EASEMENT AGREEMENT  
BETWEEN  
THE CITY OF LANSING, MICHIGAN  
AND  
SOUTHWEST ACTION GROUP - SWAG**

THIS PERMANENT EASEMENT AGREEMENT is given on this day of September \_\_\_\_ 2018, between **SOUTHWEST ACTION GROUP - SWAG**, a Michigan corporation, whose address is 2203 West Holmes Road, Lansing, MI 48911 (herein "Grantor"), and the **CITY OF LANSING, MICHIGAN**, a municipal corporation, whose address is 124 W. Michigan Ave., Lansing, MI 48933 (herein "City").

NOW, THEREFORE, for and in consideration of the sum of less than One Hundred and 00/100 Dollars (\$100.00) paid to the Grantor by the City, receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Property affected.** Grantor is the owner of a parcel of commercial real property ("Parcel"), which is described on the attached **Exhibit A**.
2. **Easements granted.** For consideration stated, Grantor hereby grants, warrants, and conveys to City, its successors and assigns, a perpetual and irrevocable easement that includes the right to improve, construct, maintain, repair, renew, create a Town Square and install appropriate landscaping for its function and feature a focal sculpture, upon, across, in, and through, portions of tax parcel number 33-01-01-31-226-083, legally described in the attached **Exhibit A**.
3. **Interest in real property.** The easement shall be deemed to be appurtenant to and run with the land and shall be perpetual and irrevocable.
4. **Maintenance.** The City will be responsible for basic maintenance including mowing and snow removal of Parcel and to maintain the Parcel in a reasonable state of repair.

5. **Term.** The easement is perpetual and irrevocable. The terms, conditions, reservations, and easement rights herein contained shall be covenants running with the land and shall bind and inure to the benefit of the parties, their respective heirs, successors, transferees and assigns.
6. **Assignment.** This easement and rights herein granted may be assigned by the City, its successors and assigns provided any successor in interest is a public body or similar entity.
7. **Taxes.** The Grantor, its successors, heirs, and assigns shall be responsible for all property taxes associated with the easement parcel.
8. **Jurisdiction and venue.** Any disputes under this conveyance shall be subject to the laws of the state of Michigan and venue for any disputes shall lie in Ingham County, Michigan.
9. **Severability.** If any term, covenant, or condition of this Agreement or the application of which to any party or circumstance shall be to any extent invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant, or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall be effective, and each term, covenant, or condition of this Agreement shall be valid and enforced to the fullest extent permitted by law.
10. **Notice.** Except as otherwise provided, all notices required under this Agreement shall be effective only if in writing or in a form of electronic or facsimile transmission that provides evidence of receipt and shall be either personally served, electronically transmitted, or sent with postage prepaid to the appropriate party at its address as set forth in the introductory paragraph of this Agreement. Either party may change its address by giving notice of the change or a new facsimile transmission number to the other as provided in this section.
11. **Entire agreement.** This Agreement and all exhibits constitute the entire agreement between the parties regarding the subject matter of this Agreement, and all prior negotiations and agreements regarding the Easements between the parties, whether written or oral, shall be of no further force and effect. This Agreement may not be modified except by a written document signed by both parties.
12. **Time is of the essence.** Time shall be of the essence in the performance and actions undertaken under this Agreement.
13. **Exhibits.** The exhibit is attached to and is a part of this Agreement. It is Exhibit A, the Drawing, Picture and Legal Description of the Parcel and Easement Area.
14. **Complete Agreement.** This instrument contains all the terms and conditions of this easement as agreed upon between the parties hereto, except as the parties may hereafter agree to in writing.



# Exhibit A

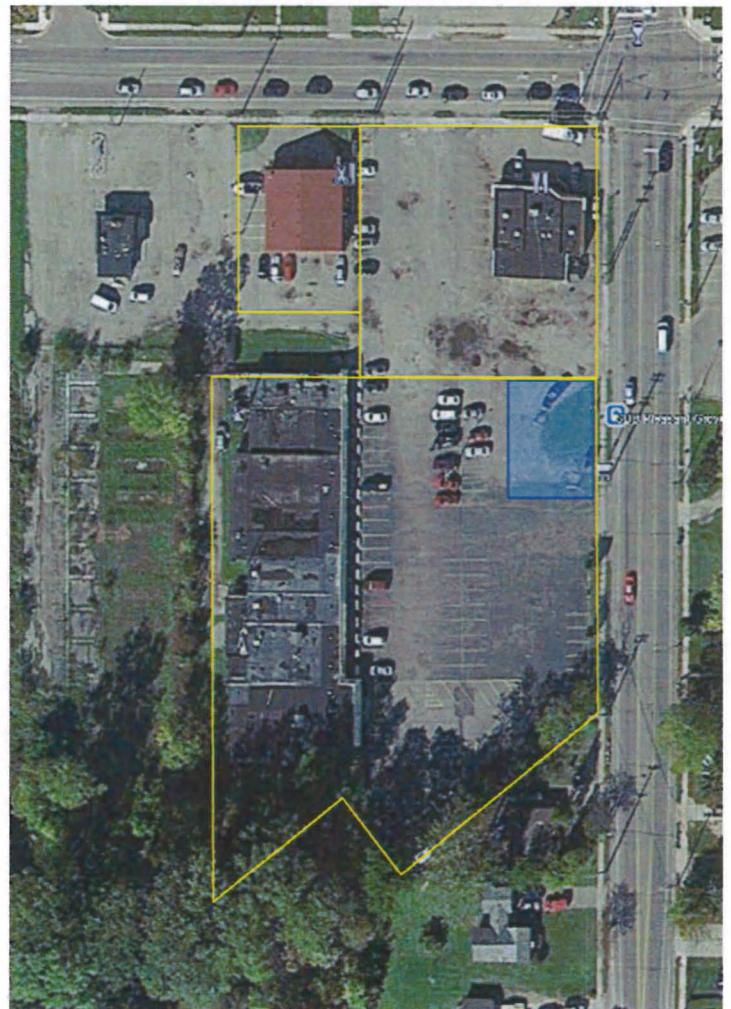
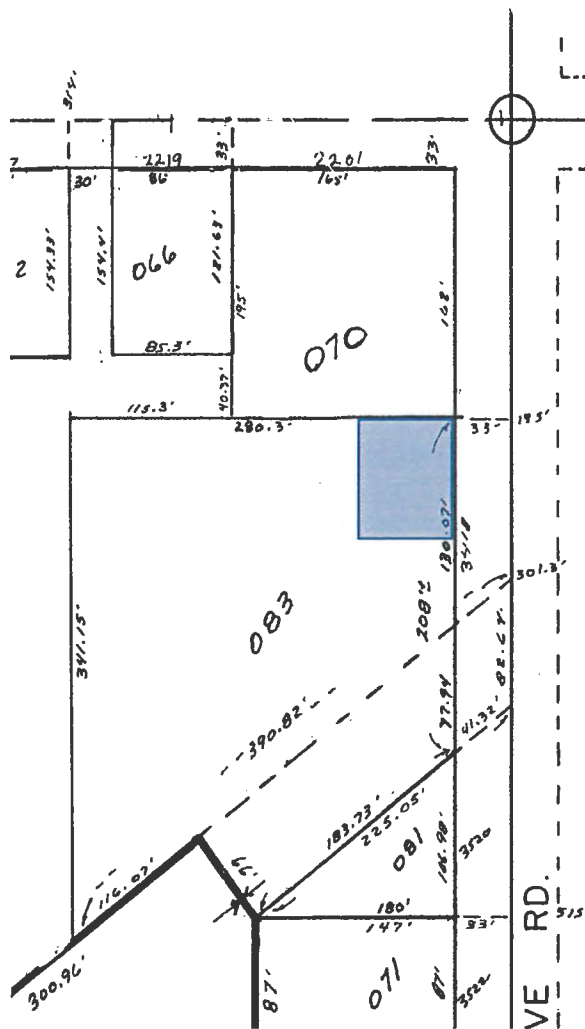
Parcel #:33-01-01-31-226-083  
3418 Pleasant Grove Road, Lansing, MI 48910

Parcel Description

COM 314 FT W & 194.33 FT S OF NE COR SEC 31, TH E 313.3 FT TO E LINE SAID SEC, S 188.74 FT TO INTN S LINE FORMER NYCRR R/W, S 53DEG W 225.05 FT TO E LINE LOT 6 PLACER SUB NO 1, N 37DEG W 66 FT TO MOST N'LY COR SAID SUB, S 53DEG W ON N'LY LINE SAID SUB 116.07 FT, N'LY 341 FT TO BEG; SEC 31 T4N R2W

Easement Area

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31, thence South 80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet to the Point of Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W





**RESOLUTION # \_\_\_\_\_****BY THE COMMITTEE ON DEVELOPMENT AND PLANNING****RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING****Act-9-2018, Canal Road, LBWL Easement to Consumers Energy**

WHEREAS, the Lansing Board of Water and Light Board of Commissioners, by its Resolution #2018-11-13, recommends that Lansing City Council grant an easement to Consumers Energy Company which will be located on property occupied and maintained by the Board of Water and Light; and

WHEREAS, the easement would be located east of Canal Road, along the west side of the LBWL property in Delta Township; and

WHEREAS, the Board of Water and Light's ("BWL") new power plant in Delta Township will be fueled by natural gas which requires a new gas pipeline to supply sufficient fuel to the new plant; and

WHEREAS, on December 4, 2018, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the easement is necessary and appropriate for the new gas-fired power plant; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the easement as proposed by the LBWL Board of Commissioners; 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-9-2018, and approves the granting of the proposed easement to Consumers Energy, said easement being legally described as:

**Legal Description: Proposed Gas Facilities Easement:**

An area of land in the West 1/2 of Section 34, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°05'02"W., on the West line of said Section, 350.75 feet; thence S.89°54'58"E., perpendicular to said West Section line, 43.00 feet to the East Right of Way line of Canal Road and the point of beginning; thence continuing S.89°54'58"E., perpendicular to said West Section line, 42.00 feet; thence S.00°05'02"W., parallel with said West Section line, 1393.06 feet; thence S.89°54'58"E., perpendicular to said West Section line, 30.00 feet; thence S.00°05'02"W., parallel with said West Section line, 910.27 feet to the East & West 1/4 line of said Section; thence S.00°11'59"E., parallel with said West Section line, 1866.26 feet; thence N.48°00'29"W., 40.49 feet; thence N.00°11'59"W., parallel with said West Section line, 1839.23 feet to said East & West 1/4 line; thence N.00°05'02"E., parallel with said West Section line, 877.13 feet; thence N.89°54'58"W., perpendicular to said West Section line, 35.00 feet; thence N.00°05'02"E., parallel with said West Section line, 1396.19 feet; thence N.89°54'58"W., perpendicular to said West Section line, 7.00 feet to said East Right of Way line of Canal Road; thence N.00°05'02"E., on said East Right of Way line, 30.00 feet to the point of beginning.

Described Gas Facilities Easement contains 3.05 acres.

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

**RESOLUTION 2018-11-13**

**Easement Grant to Consumers Energy Company**

RESOLVED, that the Board of Commissioners hereby recommends that Lansing City Council grant an easement to Consumers Energy Company which will be located on property occupied and maintained by the Board of Water and Light; and

FURTHER RESOLVED, the General Manager of the Board of Water and Light is authorized to execute all documents to effectuate this easement grant once approved by the Lansing City Council.

*Staff Comments:* The Board of Water and Light's ("BWL") new power plant in Delta Township will be fueled by natural gas which requires a new gas pipeline to supply sufficient fuel to the new plant. The BWL intends to contract with the Consumers Energy Company ("Consumers") to construct the new gas pipeline, and Consumers has requested an easement for said pipeline across the property where the new plant will be sited. The BWL has performed an operational feasibility assessment and negotiated the terms of said easement, which includes only nominal monetary consideration, that are mutually agreeable.

**Motion** by Commissioner Zerkle, Seconded by Commissioner Thomas to approve the Resolution for the Grant Easement to Consumers Energy.

**Action:** Motion Carried

## **STAFF REPORT**

**PROPOSAL:** The Board of Water and Light wishes to grant an easement along the east side of Canal Road to Consumers Energy for gas service to its proposed natural gas power plant. The gas line is located along the west side of the LBWL property at that location.

*Because LBWL is part of the City of Lansing, this property transaction is subject to an Act 33 Review under Chapter 208 of the Code of Ordinances.*

**LOCATION:** NE side of I-96 N of Lansing Road

**PROPERTY SHAPE and SIZE:** The subject easement is linear along the western edge of the property, approx. 3.05 acres in size.

**EXISTING LAND USE:** Vacant Land, LBWL Erickson Power Plant

**EXISTING ZONING:** Industrial Zoning District

**SURROUNDING LAND USE AND ZONING:** Industrial Zoning District

**MASTER PLAN DESIGNATION:** The Delta Township Comprehensive Plan designates this property for Utility use.

### **AGENCY REFERRALS**

None received as yet.

### **SUMMARY**

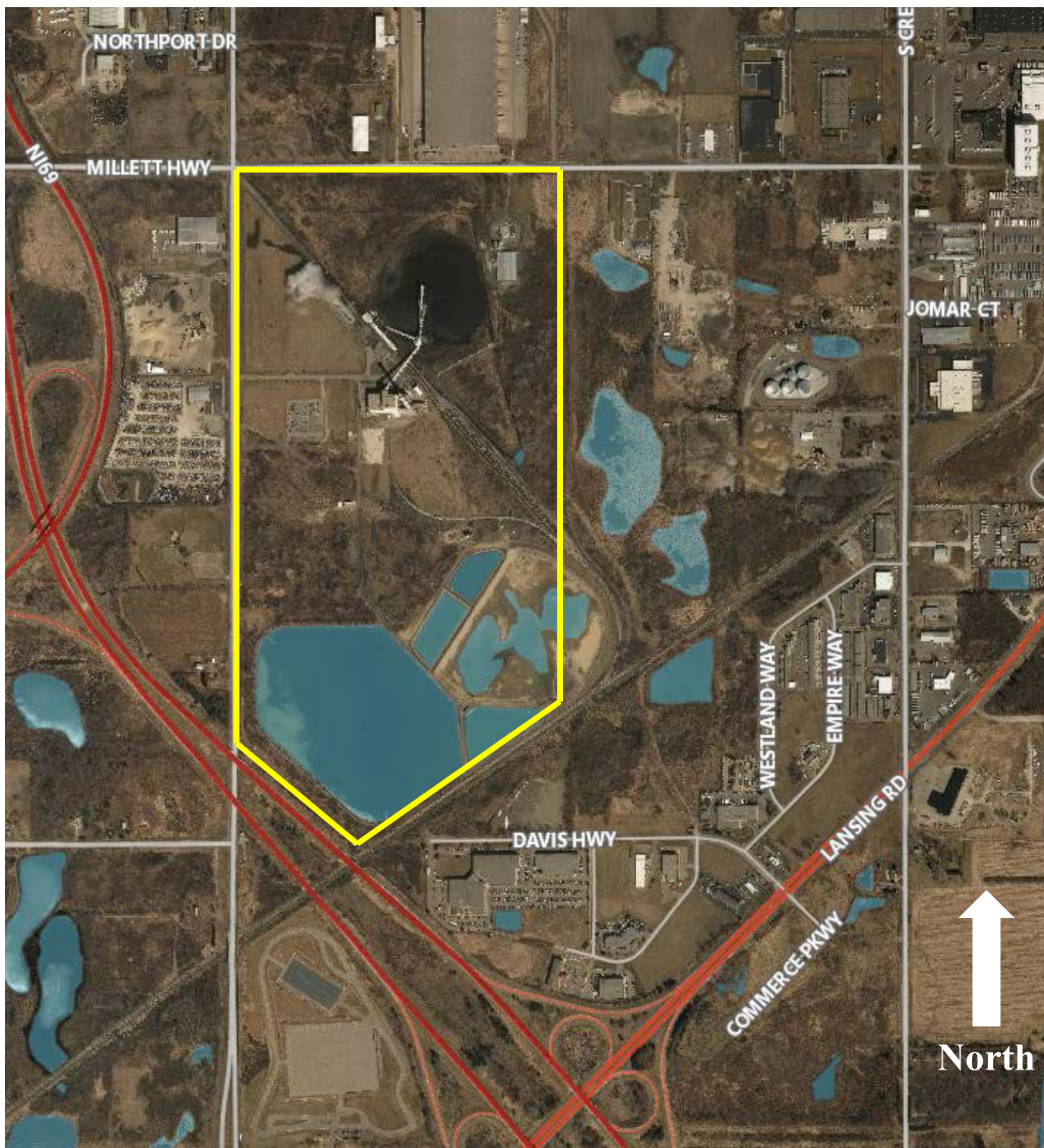
The Board of Water and Light plans to phase out its Erickson Power Plant in 2025, and eventually replace it with a natural gas-fired power plant at the site of the Erickson Plant in Delta Township.

The easement with Consumers is necessary for the transition from the coal-fired Erickson plant to the new plant.

### **ANALYSIS:**

- **Location:** The easement is located along the west edge of the property.
- **Character:** The easement will not change the industrial character of the area.
- **Extent:** The easement will run east of Canal Road, nearly the entire length of the LBWL property.

**STAFF RECOMMENDATION:** Staff recommends approval of the easement as proposed.



## **EASEMENT FOR PIPELINES**

LBWL Pipeline

SAP# 32493270  
Tract# ROW000916052938  
Agreement# MI00000038506

CITY OF LANSING BY ITS BOARD OF WATER AND LIGHT, a Michigan Municipal Utility, PO Box13007, Lansing, MI 48901-3007 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the Township of Delta, County of Eaton, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain (including cathodic protection systems), inspect (including aerial patrol), survey, replace, reconstruct, improve remove, relocate, change the size of, enlarge, and protect in place a pipeline or pipelines in, on, under, over, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described and depicted in the attached Exhibit B, together with any associated valves, fittings, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, and facilities, whether above or below grade, necessary to or for the operation or protection thereof, and to conduct such other activities as may be reasonably convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing natural gas necessary.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said pipelines as depicted on Exhibit B. Said temporary work space shall abut the Easement Area, on either side, as required by construction within the area depicted on Exhibit B.

Performance of Work: Construction, operation, maintenance, alterations, improvements, additions, repair, inspection, and removal of the Facilities shall comply with all of the following conditions, limitations, and requirements:

(a) At Owner's expense, Owner may have an inspector present at all times during the initial construction of said Facilities. It is expressly agreed that the making of such inspections or the failure to inspect shall not impose any liability on Owner for the adequacy of safety of the work of Consumers and shall not relieve Consumers from any responsibility, obligation, or liability assumed by Consumers under this agreement or otherwise. Consumers shall give Owner seven (7) days' notice prior to construction of said Facilities.

(b) The Facilities shall not be located within ten (10) feet from electric distribution or transmission lines, poles, or structures located in, on, under, over, or across the Easement Area, unless otherwise approved by Owner in writing. Any trench work in the vicinity of a tower or pole, will be done such that the slope of the angle formed by the floor of the trench to the base of the structure at grade shall have a slope of less than 1 foot of rise per 1 foot of distance (a slope of less than 45 degrees). Said 1 foot of rise per 1 foot of distance requirement will apply for the distance between the trench and the pole; the bottom of the trench must be an equal distance from any pole and no deeper than the butt of the pole and in the event a deeper trench is required, the pole must be supported.

(c) Consumers, by exercising the rights herein granted, agrees that during all excavation the topsoil shall be placed on one side of the trench and the subsoil on the other side. Any of Owner's pipelines or water facilities that are exposed during excavation or construction shall have 100% sand backfill to at least within one (1) foot of grade, rather than subsoil. After the



trench is dug and the Facilities are placed, the site shall be restored by putting the subsoil back first and then the topsoil, except in the event sand backfill is required as provided herein. Restoration shall be completed so that the ground elevation and grade, preconstruction and post-construction, remain the same, and Consumers shall grade and reseed all disturbed areas with warm summer grasses upon the completion of construction or near thereafter as practical.

(d) Prior to commencing any excavation or digging on the Easement Area, Consumers shall contact the Utility Communications System (Miss Dig), prior to performing any excavation or similar activity in accordance with Michigan Compiled Law 460.721 et seq., as amended by Public Act 174 of 2013 and any future amendments.

Use: Consumers' use of the Easement Area shall be solely for the distribution of gas to Owner, its heirs, successors, lessees, licensees and assigns, and to no other customer nor for any other purpose. Owner shall accept no responsibility or liability in connection with the safety of the work performed by Consumers under this Easement.

Access: Consumers shall have the right to access to said pipeline or pipelines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. For trimming planned in advance, Consumers shall provide Owner prior notice, except in the event of an emergency when notice shall not be necessary if impractical under the circumstances.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any permanent, man-made obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent without the express written authorization of Consumers, which shall not be unreasonably withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Ground Elevation: Owner shall not alter the ground elevation more than six (6) inches within the Easement Area without Consumers' written authorization which shall not be unreasonably withheld. Consumers shall not alter the ground elevation of the Easement Area or Owner's Land without Owner's written authorization, which shall not be unreasonably withheld.

Alterations: Consumers shall not make any significant alterations, improvements, or additions in, on, under, over, or across the Easement Area or its Facilities located on the Easement Area except as provided herein or without first supplying Owner with such plans and details for any proposed alteration, improvement, or addition. Nor shall Consumers make any surface alterations, improvements, or additions, in, on, over, or across the Easement Area or its Facilities after the initial construction that may significantly interfere with Owner's right to and use of the Easement Area without Owner's advance written consent, which shall not be unreasonably withheld.

Removal of Facilities and Alterations: Upon the expiration or any termination of this easement by Consumers, Owner shall direct Consumers to either abandon or remove the Facilities. In the event Owner directs Consumers to remove the Facilities, Consumers shall, at Owner's sole cost and expense, promptly remove all aboveground Facilities and all alterations, improvements, or additions in, on, under, over, across the Easement Area, made by Consumers or on Consumers' behalf, that were for the service to Owner only, including but not limited to those contemplated herein, unless performed without Owner's consent in which case Consumers' shall remove same at its own expense. Any Facilities, alterations, improvements, or additions in the Easement Area that were installed not for Owner's service only shall be removed at Consumers' sole cost and expense. Further, Consumers shall yield and deliver the Easement Area unless otherwise approved by Owner, in a like condition as when taken subject to normal wear and tear, provided however, Owner may designate by written notice to Consumers those alterations, improvements, or additions which Consumers shall not remove but shall remain and be stabilized in a condition that conforms with industry standards; said designated alterations, additions, or improvements that are not to be removed shall then attach to the real estate and become property of Owner and shall be transferred from Consumers to Owner by a warranty bill of sale.

Property Restoration: Upon completion of any work performed or caused to be performed by Consumers permitted herein, Consumers shall be responsible to clean up and return Owner's Land, including the Easement Area, to a similar condition that existed prior to said work including to and not limited to ground elevation and grade.

Spoil: Notwithstanding any requirement to backfill herein, spoil generated in connection with the exercise of Consumers' use of the Easement Area or the exercise of the rights granted in this agreement shall remain on Owner's Land and shall not be transported off Owner's Land without Owner's prior written consent. No spoils shall be stockpiled directly under any electric transmission or distribution lines under, over, or across the Easement Area that will prevent Owner from being able to access same and shall be removed as soon as reasonably practicable by Consumers unless otherwise approved by Owner. Consumers shall, as soon as reasonably practical, notify Owner of the presence of contaminated spoil upon becoming aware of it at the Easement Area or Owner's Land and transport any such spoil from the Easement Area and/or Owner's Land, in accordance with all applicable laws, rules, and regulations.

Protection of Owner's Facilities: Consumers must maintain the Facilities, Easement Area, and appurtenances in safe and good repair at all times and take reasonable precautions to prevent damage to Owner's Land.

Relocation of Facilities: If Owner finds it necessary to change or relocate its facilities located in, on, under, over, or across the Easement Area, Owner's Land, or adjoining property in order to accommodate Consumers' use of the Easement Area as herein provided, Owner shall be responsible for the actual costs and expenses for such relocation.

Drawings As-Built Survey and Markers: Upon completion of the construction of said Facilities, Consumers shall provide Owner with as-built drawings of the Facilities, indicating the surveyed location and depth of the Facilities within the Easement Area. Consumers shall mark the location of all underground Facilities with permanent markers. Said markers shall be maintained by Consumers, at Consumers' sole expense, at all times.

Compliance with Laws: Consumers, its agents, invitees, visitors, employees, contractors, and subcontractors shall comply with all laws, ordinances, and regulations of all federal, state, or local governmental authorities that are now or hereafter in any manner affecting the Easement Area and the use and occupancy thereof; provided however, that nothing herein shall be construed as a waiver by Consumers of any of its existing or future rights under state or Federal law. Consumers shall be responsible for obtaining and following any and all environmental or other permits that may be necessary to support the Facilities' construction, operation, or maintenance activities upon the Easement Area and upon Owner's request, shall provide copies of all such permits associated with initial construction.

Environmental: Consumers shall comply in all material respects with all applicable constitutional provisions, laws, ordinances, orders, requirements, rules, and regulations made by any governmental entity, body, or authority relating to its property and operations under this Easement. If Consumers' use of the Easement Area results in the presence on, in, or under the Easement Area (which includes but is not limited to the groundwater underlying the Easement Area) of contaminants, hazardous waste, hazardous substances or constituents, or toxic substances, as currently or hereafter defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USCA 9601 et seq; the Resource Conservation and Recovery Act (RCRA), 42 USCA 6901 et seq; the Toxic Substances Control Act (TSCA), 15 USCA 2601 et seq; the Michigan Natural Resources and Environmental Protection Act, MCL 324.101 et seq; or any other similar existing or future statutes, Consumers will to the extent caused by Consumers, its employees, agents, contractors, and subcontractors or anyone authorized by or on behalf of Consumers at no cost to Owner, immediately notify Owner and promptly take: 1) all actions that are required by any federal, state, or local governmental agency or political subdivision, and 2) all actions that are necessary to restore the Easement Area to the condition existing prior to the release or introduction of such contaminants, hazardous waste, hazardous substances or constituents, or toxic substances, notwithstanding any lesser standard of remediation allowable under applicable law or governmental policies. The actions required by Consumers pursuant to this paragraph include, but are not limited to: a) the investigation of the environmental condition of the Easement Area; b) the preparation of any feasibility studies, reports, or remedial plans required by law or governmental policy, and c) the performance of cleanup, remediation, containment, operation, maintenance, monitoring, or restoration work, whether on or off the Easement Area. Consumers will proceed continuously and diligently with such investigatory and remedial actions. The parties will provide to each other free of cost to the other copies of all test results and reports generated in connection with the above activities and copies of all reports submitted to any governmental entity. No cleanup, remediation, restoration, or other work required to be performed pursuant to this paragraph will require or result in the imposition of any limitation or restriction on the use of the Easement Area without prior notification and approval, which shall not be unreasonably withheld, to the other. The provisions of this paragraph will survive the term or any termination of this agreement.

Exercise of Easement: If Consumers shall discontinue use of the Easement Area for any period of two (2) or more years, this agreement shall be terminated. If this agreement is terminated, Owner shall have the option to elect to have Consumers, at Owner's sole cost and expense, perform work necessary to stabilize the abandoned Facilities, including, but not limited to purging the pipes with nitrogen or as is standard in the industry. However, in the event the Easement Area is ever used to serve any customer(s) other than Owner, its heirs, successors, lessees, licensees and assigns, Consumers shall preform same at its own cost and expense. Once terminated, Consumers shall be responsible for restoring the surface of such Easement Area, subject to normal wear and tear. Except as otherwise provided in this section, Consumers' nonuse or limited use of this Easement Area shall not preclude Consumers' later use of this agreement to its full extent.

Consumers' Covenants: Consumers covenants that it will enter onto and use the Owner's Land only for the purpose set forth herein (or for other purposes for which Consumers has existing or future rights, if any) and for no other purpose without the express prior consent of Owner.

Indemnification: Consumers shall at all times assume all liability for and protect, indemnify and save Owner, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Owner by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land but only to the extent caused by and proportionate to Consumers negligent actions or omissions on Owner's Land. To the fullest extent



allowable by law, Owner shall at all times assume all liability for and protect, indemnify and save Consumers, its successors and assigns, harmless from and against all actions, judgments, losses, orders, decrees, costs, and expenses brought or recovered against or incurred by Consumers by reason of any death, bodily injury, personal injury, and loss or damage to Owner's Land but only to the extent caused solely by and proportionate to Owner's negligent actions or omissions in the Easement Area, to the fullest extent provided by law. With respect to 3<sup>rd</sup> party claims, and only with respect to 3<sup>rd</sup> party claims, nothing herein shall be construed as a waiver by Owner of available defenses as a matter of law due to its governmental status, such as governmental tort liability. Consumers shall not permit any liens on the Owner's Land for any labor or material furnished to Consumers in connection with its use of the Easement Area.

Choice of Law: This easement shall be governed in all respects, by the laws of the State of Michigan, including as to interpretation, enforceability, validity and construction. Venue shall be deemed proper in Ingham County, Michigan.

Ownership: Owner covenants that they have the right and authority to make this grant, and that it will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns. Consumers' interest under this agreement shall be further subject to any and all existing leases, licenses, easements, and other interests in the Easement Area as are a matter of public record as the date of this agreement.

Notice: Any notices required or permitted to be given under the terms of this agreement shall be in writing and mailed by registered or certified U.S. mail, return receipt requested, postage prepaid, and in any case duly and properly addressed to the party indicated below or such other address or recipient as the party to whom such notice is to be given may specify from time to time by notice to the other party in accordance with this paragraph:

To Consumers: Consumers Energy Company  
Business Services - Real Estate  
One Energy Plaza  
Jackson, Michigan 49201

To Owner:  
Lansing Board of Water and Light  
1201 S. Washington Avenue  
Lansing, Michigan 48901

Each such notice shall be deemed to have been given and effective when mailed, as evidenced by the receipt of said mailing.

Authority: Owners and Consumers each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power, and authority to enter into this agreement and bind itself through the party set forth as signatory for the party below.

Entire Agreement: This agreement constitutes the entire agreement and understanding between the parties and supersedes any prior discussions, negotiations, agreements and understandings. This agreement may only be amended or modified except in writing signed by both parties.

Date: \_\_\_\_\_

Owner: City of Lansing by and through its Board of Water and Light

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

Acknowledgment

The foregoing instrument was acknowledged before me in \_\_\_\_\_ County, Michigan, on \_\_\_\_\_ by \_\_\_\_\_ its \_\_\_\_\_ and \_\_\_\_\_ its \_\_\_\_\_ on behalf of the City of Lansing by its Board of Water and Light.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

Date: \_\_\_\_\_

Consumers: Consumers Energy Company, a Michigan corporation

By: \_\_\_\_\_ Its: \_\_\_\_\_

By: \_\_\_\_\_ Its: \_\_\_\_\_

Acknowledgment

The foregoing instrument was acknowledged before me in \_\_\_\_\_ County, Michigan, on \_\_\_\_\_ by \_\_\_\_\_ Its \_\_\_\_\_ and by \_\_\_\_\_ Its \_\_\_\_\_ on behalf of Consumers Energy Company, a Michigan corporation.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
Acting in \_\_\_\_\_ County  
My Commission expires: \_\_\_\_\_

Prepared By: Brandy R. Gale; 09/10/2018  
Consumers Energy Company  
One Energy Plaza  
Jackson, MI 49201

After recording, return to:  
Carrie Main, EP7-471  
Consumers Energy Company  
One Energy Plaza  
Jackson, MI 49201

EXHIBIT A

Owner's Land

Parcel ID: 040-034-300-013-00

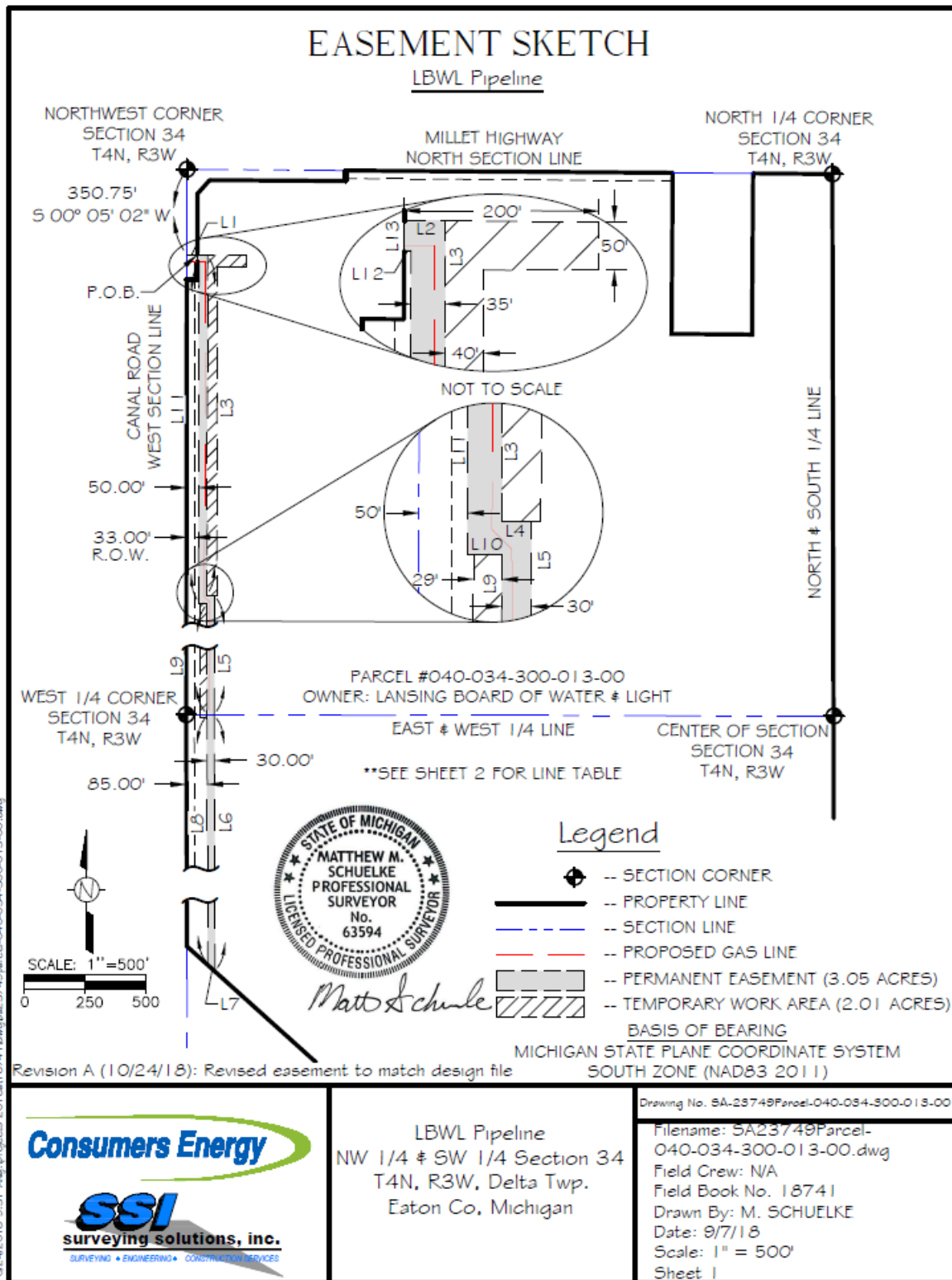
Land situated in the Township of Delta, County of Eaton, State of Michigan:

The West 1/2 of Section 34, Township 4 North, Range 3 West, Except that part taken for Highway and Except the railroad right-of-way, also Except Commencing 325 feet West of the Northeast corner of the Northwest 1/4; thence West 330 feet; thence South 660 feet; thence East 330 feet; thence North 660 feet to the point of beginning; Also Except that part lying Southeasterly of the Grand Trunk Western Railroad right-of-way; Also Except beginning at a point that is 33 feet South and 33 feet East of the Northwest corner of Section 34, Township 4 North, Range 3 West; thence easterly parallel to the North section line 618 feet; thence South 10 feet; thence westerly parallel to the North section line 558 feet; thence Southwesterly 75 feet, more or less, to a point that is 99 feet South and 43 feet East of the Northwest corner of Section 34; thence southerly parallel to the West section line 352 feet; thence West 10 feet to a point 33 feet easterly of the West section line; thence Northerly parallel to the West section line 418 feet to the point of beginning.

Commonly known as: 3725 S. Canal Road, Lansing, MI 48917

# EXHIBIT B

## Easement Area and Additional Work Space



# EASEMENT SKETCH

## LBWL Pipeline

### Legal Description: Proposed Gas Facilities Easement:

An area of land in the West 1/2 of Section 34, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan described as follows: To fix the point of beginning commence at the Northwest corner of said Section; thence S.00°05'02"W., on the West line of said Section, 350.75 feet; thence S.89°54'58"E., perpendicular to said West Section line, 43.00 feet to the East Right of Way line of Canal Road and the point of beginning; thence continuing S.89°54'58"E., perpendicular to said West Section line, 42.00 feet; thence S.00°05'02"W., parallel with said West Section line, 1393.06 feet; thence S.89°54'58"E., perpendicular to said West Section line, 30.00 feet; thence S.00°05'02"W., parallel with said West Section line, 910.27 feet to the East & West 1/4 line of said Section; thence S.00°11'59"E., parallel with said West Section line, 1866.26 feet; thence N.48°00'29"W., 40.49 feet; thence N.00°11'59"W., parallel with said West Section line, 1839.23 feet to said East & West 1/4 line; thence N.00°05'02"E., parallel with said West Section line, 877.13 feet; thence N.89°54'58"W., perpendicular to said West Section line, 35.00 feet; thence N.00°05'02"E., parallel with said West Section line, 1396.19 feet; thence N.89°54'58"W., perpendicular to said West Section line, 7.00 feet to said East Right of Way line of Canal Road; thence N.00°05'02"E., on said East Right of Way line, 30.00 feet to the point of beginning

Described Gas Facilities Easement contains 3.05 acres.

| Line Table |         |               |
|------------|---------|---------------|
| Line #     | Length  | Direction     |
| L1         | 43.00   | S89° 54' 58"E |
| L2         | 42.00   | S89° 54' 58"E |
| L3         | 1393.06 | S00° 05' 02"W |
| L4         | 30.00   | S89° 54' 58"E |
| L5         | 910.27  | S00° 05' 02"W |
| L6         | 1866.26 | S00° 11' 59"E |
| L7         | 40.49   | N48° 00' 29"W |
| L8         | 1839.23 | N00° 11' 59"W |
| L9         | 877.13  | N00° 05' 02"E |
| L10        | 35.00   | N89° 54' 58"W |
| L11        | 1396.19 | N00° 05' 02"E |
| L12        | 7.00    | N89° 54' 58"W |
| L13        | 30.00   | N00° 05' 02"E |



*Matthew M. Schuelke*

Revision A (10/24/18): Revised easement to match design file

**Consumers Energy**

**SSI**  
surveying solutions, inc.  
SURVEYING • ENGINEERING • CONSTRUCTION SERVICES

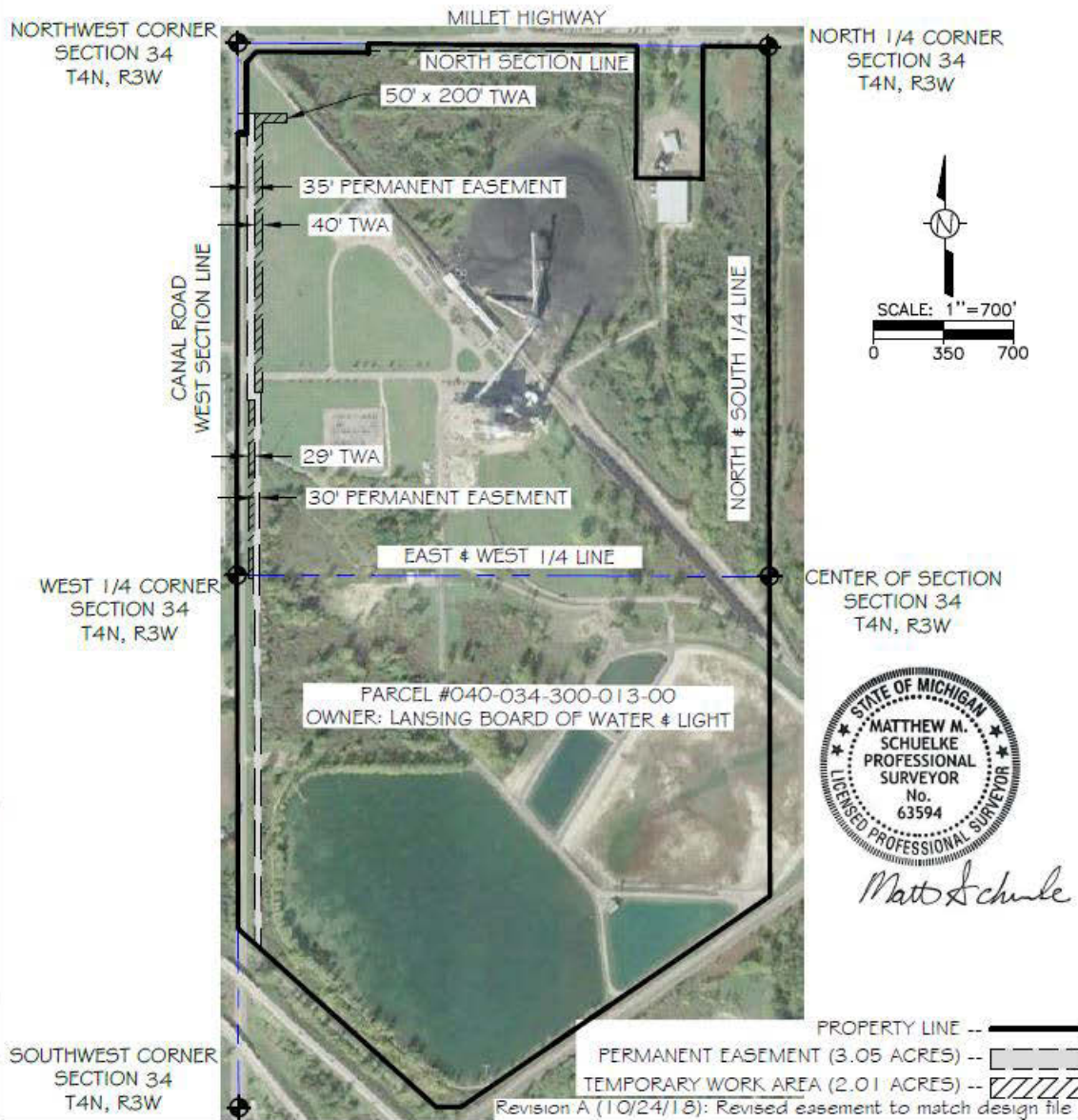
LBWL Pipeline  
NW 1/4 & SW 1/4 Section 34  
T4N, R3W, Delta Twp.  
Eaton Co, Michigan

Drawing No. SA-23749Parcel-040-034-300-013-00

Filename: SA23749Parcel-  
040-034-300-013-00.dwg  
Field Crew: N/A  
Field Book No. 18741  
Drawn By: M. SCHUELKE  
Date: 9/7/18  
Scale: N/A  
Sheet 2

# EASEMENT SKETCH

LBWL Pipeline



LBWL Pipeline  
NW 1/4 & SW 1/4 Section 34  
T4N, R3W, Delta Twp.  
Eaton Co, Michigan

Drawing No. SA-23749Parcel-040-034-300-013-00

Filename: SA23749Parcel-  
040-034-300-013-00.dwg  
Field Crew: N/A  
Field Book No. 18741  
Drawn By: M. SCHUELKE  
Date: 9/7/18  
Scale: 1" = 700'  
Sheet 3



11/26/18

Hello City of Lansing

I, Amin Fallhi, owner of the house on 559 Avon street had a meeting with a claim reviewer and explained that I've never had any issue like trash removal by the City of Lansing before. I also explained to the reviewer that the tenant of this house didn't pay the rent of one month and when they left, they've left few trashes in the back yard and front yard. I wasn't in the town for a while and when I came back, they already removed some of trashes. Please be kind to ~~me~~ this time and forgive me. I have a good background at this department by paying my taxes and I haven't had any issues like this before. I barely make a few amount of money from this house and the \$767.00 for the property is too much for me and difficult for me to pay.



# City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

October 30, 2018

Amin Fallahi  
539 Avon Street  
Lansing, MI 48910-1701

Re: Claim – 539 Avon St.

Dear Mr. Fallahi:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$767.00 for property located at 539 Avon St., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

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

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

Sincerely,

*Venus Kumar*

Venus Kumar  
Paralegal

517  
980  
1944  
AMIN

Mailing address  
537 AVON ST.  
Please Mail  
to them



RECEIVED SEP 20 2018

DATE: 9/14/2018

PPN: 33-01-01-21-430-140  
DATE SUBMITTED: 7/31/2018  
ADDRESS OF VIOLATION: 539 Avon Street  
LISTED TAXPAYER OF RECORD: Fallahi, Amin  
OTHER TAXPAYER OF RECORD:  
CLAIMANT: Fallahi, Amin  
CLAIMANT'S ADDRESS: 539 Avon Street  
Lansing, MI 48910-1701

1610

TYPE OF ACTIONS CONTESTED: Trash Violation  
VIOLATION DATE: 6/22/2018  
NOTIFICATION DATE: 6/22/2018  
2<sup>ND</sup> NOTICE ASSESSMENT DATE:  
AMOUNT OF ASSESSMENT: \$767.00  
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 18-T075 7/05/2018  
AMOUNT OF CLAIM: \$767.00

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

HISTORY: Trash  
Violation  
6/28/2017

CITATIONS IN PREVIOUS YEAR: Trash Violation 7/27/2017  
Front Yard  
Parking (4  
vehicles)  
7/28/2017

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 6/22/2018 with a compliance due date of 6/29/2018. The officer rechecked the property on 7/03/2018 violations were still present and they were submitted to the trash contractor for removal. The contractor arrived on 7/05/2018 upon their inspection they found multiple violations and they were removed as stated in the original notification any other trash and or debris that is found will be removed without additional notification. This office would also like to note this property has had seven premise violations in the last four years and the owner lives right next door to the property. This office recommends denial of the claim.

RECEIVED JUL 31 2018



# City of Lansing

OFFICE OF THE CITY ATTORNEY

## Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Amin Fallah DATE: 7/30/18  
MAILING ADDRESS: 532 AVON STREET EMAIL: \_\_\_\_\_  
CITY: Lansing STATE: MI ZIP CODE: 48910  
TELEPHONE: Home (717) 980-1944 Work (517) 980-1944

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.

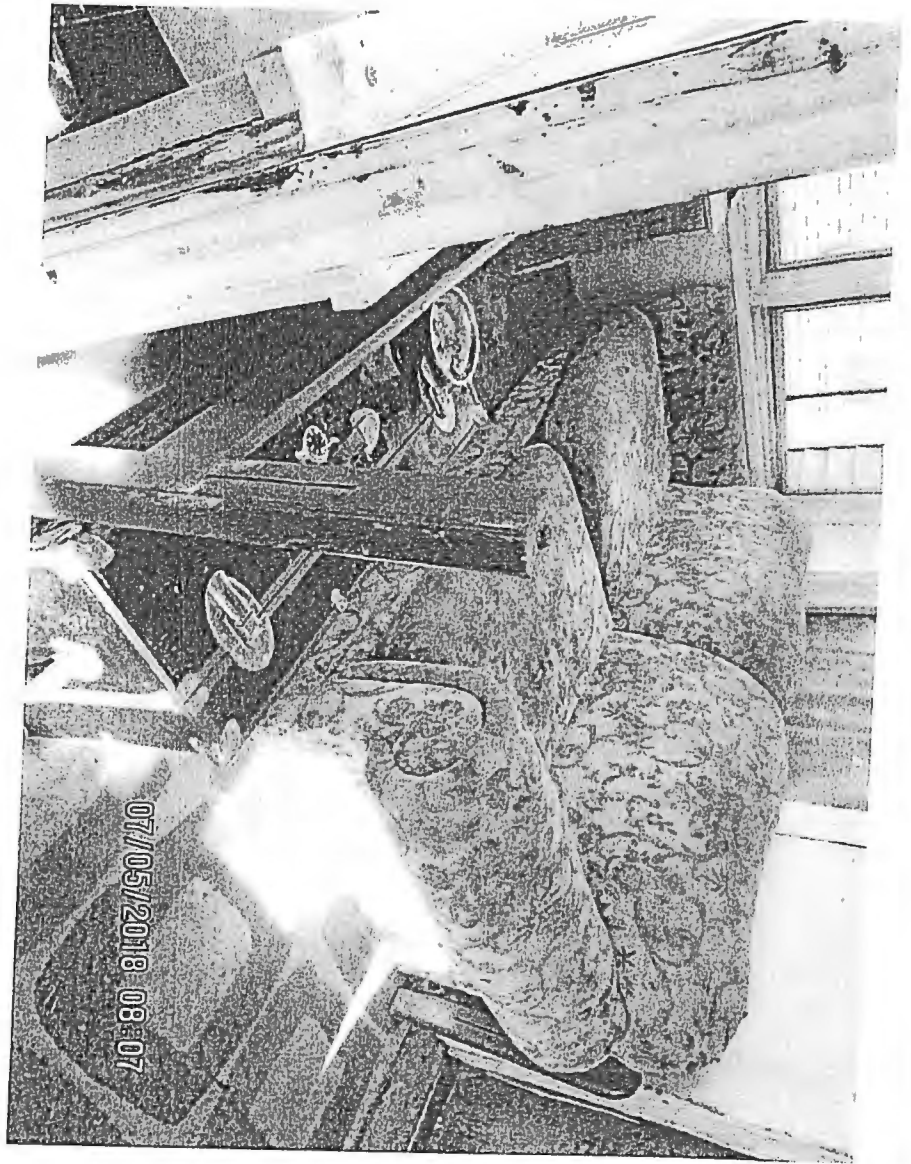
ADDRESS: 539 AVON ST PARCEL NO. \_\_\_\_\_  
DATE OF INCIDENT: 7.5.18 AMOUNT YOU WERE BILLED: \$767.00  
TOTAL AMOUNT YOU ARE CONTESTING: \$767.00  
TYPE OF ASSESSMENT: FRONTYARD

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.

Hi dear: my name is Amin and I own the house for 10 years I never had any issues I always pay my taxes on time and I am a very peaceful person I don't cause any body or anyone any harm but the old tenants I had living there they turned out to be very harsh and bad people they caused me a lot of money and drama so please be kind and give me a chance to see you and speak and let you know exactly what happened

A description of the claims review process is available on our website at: [http://www.lansingmi.gov/attorney/Claims\\_review\\_process.jsp](http://www.lansingmi.gov/attorney/Claims_review_process.jsp)

Thanks so much

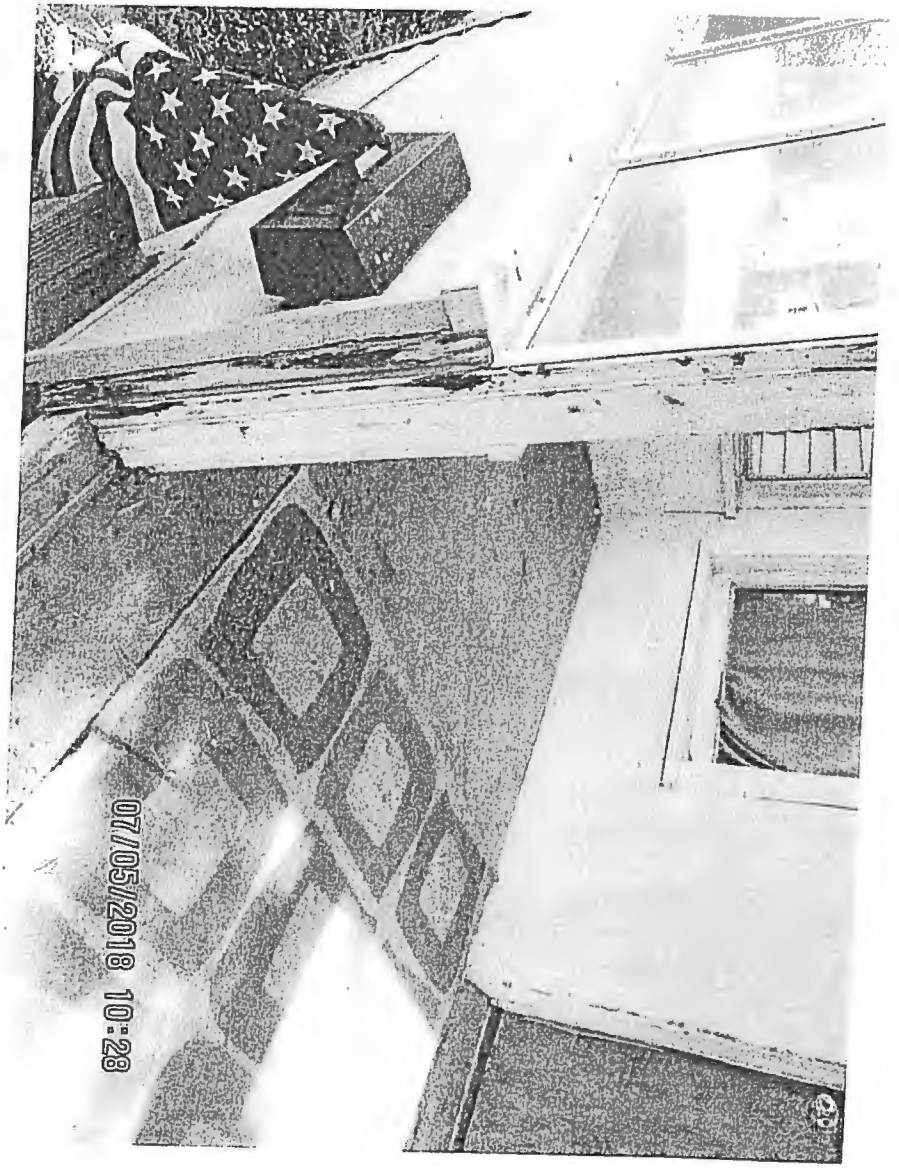












07/05/2018 10:28



07/05/2018 10:28





**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: 07/10/2018

Due Date: 08/09/2018

Pay Invoice In Full



FALLAHI AMIN  
 539 AVON ST  
 LANSING MI 48910-1701

Inv Number: 00116078  
 Parcel: 33-01-01-21-430-140  
 Address: 539 AVON ST

Parcel: 33-01-01-21-430-140

### Bill Detail

| Invoice Number   | Date of Service | Enforcement Num | Address     | Amount Due                |           |
|------------------|-----------------|-----------------|-------------|---------------------------|-----------|
| 00116078         |                 | E18-05281       | 539 AVON ST | \$768.00                  |           |
|                  |                 | Fee Details:    | Quantity    | Description               | Balance   |
|                  |                 |                 | 1.000       | Trash - Admin Fee         | \$ 265.00 |
|                  |                 |                 | 503.000     | Trash - Contractor Charge | \$ 503.00 |
| Total Amount Due |                 |                 |             |                           | \$ 768.00 |

**Questions** regarding this invoice: Contact **CODE ENFORCEMENT** 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](http://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 # 1990  
DATE 07/09/2018

PROPERTY ADDRESS  
539 Avon ST

PARCEL NUMBER  
33-01-01-21-430-140

| ACTIVITY                         | QTY | RATE   | AMOUNT |
|----------------------------------|-----|--------|--------|
| city:1hour 3 yards               | 1   | 175.00 | 175.00 |
| first hour and 3 cubic yards     |     |        |        |
| city:add hours                   | 1   | 150.00 | 150.00 |
| any hours after 1                |     |        |        |
| city:add cy                      | 1   | 22.00  | 22.00  |
| any after 3                      |     |        |        |
| city:class 2                     | 6   | 26.00  | 156.00 |
| construction material after 3    |     |        |        |
| 7/5/18                           |     |        |        |
| 10 yards                         |     |        |        |
| Jacob Odom                       |     |        |        |
| Removed trash out of bush pile.  |     |        |        |
| Explained to the renter but then |     |        |        |
| had to call and wait on Jacob to |     |        |        |
| show up.                         |     |        |        |

BALANCE DUE

\$503.00



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

FALLAHI AMIN  
539 AVON ST  
LANSING, MI 48910-1701

Violation Date: 06/22/2018  
Violation Location: 539 AVON ST  
Parcel No: 33-01-01-21-430-140  
Compliance Due Date: June 29, 2018

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: Mattresses**

**INSPECTOR COMMENTS:** *next to the house.*

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](mailto:Jacob.Odom@lansingmi.gov)

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

FALLAHI AMIN  
537 AVON  
LANSING, MI 48911

Violation Date: 06/22/2018  
Violation Location: 539 AVON ST  
Parcel No: 33-01-01-21-430-140  
Compliance Due Date: June 29, 2018

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: Mattresses**

**INSPECTOR COMMENTS:** *next to the house.*

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.

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Code Officer: Jacob Odom (517) 483 4378 [Jacob.Odom@lansingmi.gov](mailto:Jacob.Odom@lansingmi.gov)

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

**Economic Development & Planning  
Code Enforcement Office**

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 07/03/2018

**TAXPAYER: FALLAHI AMIN, 539 AVON ST LANSING, MI 48910-1701**

**Location of Work:**

**Enf Num: E18-05281**

**Address: 539 AVON ST**

**Lot No:**

**Description:**

**Parcel No: 33-01-01-21-430-140**

**Remove Trash and Debris**

**Work Authorized:**

***Violation: Mattresses***

**INSPECTOR COMMENTS: *next to the house.***

**PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY**

**Authorized Time required to complete work: 2 hours**

**Authorized Cubic Yards: 10**

**Warning Comment:**

**<NONE>**

**Submitted By: Jacob Odom (517) 483 4378**

This action is authorized by the Manager of Code Compliance



536

07/05/2018 08:07





07/05/2018 08:07





07/05/2018 08:07



07/05/2018 08:08





07/05/2018 08:07





07/05/2018 10:28





07/05/2018 10:28





07/05/2018 10:28





07/05/2018 11:09



**OFFICE OF THE CITY ATTORNEY****MEMORANDUM**

---

**To:** CHRIS SWOPE, Clerks Office

**From:** VENUS KUMAR, Paralegal

**Subject:** SPECIAL ASSESSMENTS CLAIM; Victor Stelmashenko and David Wang  
**Date of Incident:** July 30, 2018

**Date:** November 28, 2018

Attached is a Claim Form received by this office from Victor Stelmashenko and David Wang for \$2,658.00 due to Trash violations at 4928 Hughes Road.

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

## Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: VICTOR STELMASHENKO AND DAVID WANG DATE: 9-29-2018  
 MAILING ADDRESS: 919 E. SHIAWASSEE STREET EMAIL: SHIJINGSHU@GMAIL.COM  
 CITY: LANSING STATE: MICHIGAN ZIP CODE: 48912  
 TELEPHONE: Home (517) 202-1005 Work (517) 202-1005

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: 4928 HUGHES ROAD PARCEL NO. 33-01-01-32-352-321  
 DATE OF INCIDENT: 7-30-2018 AMOUNT YOU WERE BILLED: \$2,658.00  
 TOTAL AMOUNT YOU ARE CONTESTING: \$2,658.00  
 TYPE OF ASSESSMENT: HOUSING CODE SECTION 302 VIOLATION

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.

JONATHAN FAIDLEY AND ELIZABETH JORAE WERE TOLD TO CLEAN THE PREMISES AND TO MAKE MONTHLY PAYMENTS MANY TIMES. ATTORNEY TOLD US NOT TOUCH THEIR PERSONAL ITEMS. FILLED FOR EVICTION AND POSSESSION OF PREMISES; COURT GAVE US RIGHT OF POSSESSION ON 8-2-2018, AT WHICH DAY OUR HANDYMAN CREW BEGAN CLEANING OF PREMISES; CONFRONTATION OCCURRED BETWEEN GLENN, OUR HANDYMAN, AND MEREDITH JOHNSON; GLENN CONTINUED TO CLEAN PREMISES AND MEREDITH JOHNSON CREW SHOWED UP ALSO. TO CLEAN PREMISES.

A description of the claims review process is available on our website at: [http://www.lansingmi.gov/Government/City Attorney/Forms & Documents/Claims Review Committee Form](http://www.lansingmi.gov/Government/City%20Attorney/Forms%20and%20Documents/Claims%20Review%20Committee%20Form)

WE SHALL BE BACK IN LANSING ON APRIL/MAY, 2019.

*Victor Stelmashenko*





## CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

DUE DATE: 09/21/2018

INVOICE

08/28/2018

TOTAL AMOUNT DUE

\$ 2,658.00



Bill To: STELMASHENKO VICTOR & WANG DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

| Invoice Number | Record No. | Address        | Amount Due |
|----------------|------------|----------------|------------|
| 00118613       | E18-06631  | 4928 HUGHES RD | \$2658.00  |

08/22/2018

Trash - Admin Fee

Trash - Contractor Charge

TOTAL DUE: \$2658.00

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, 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](http://www.lansingmi.gov). Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

### Other Information:

July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.

For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

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

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



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

STELMASHENKO VICTOR & WANG DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

Violation Date: 07/30/2018  
Violation Location: 4928 HUGHES RD  
Parcel No: 33-01-01-32-352-321  
Compliance Due Date: August 06, 2018

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: Brush & Tree Limb debris*

*Violation: Clothing/Cloth Products*

*Violation: Deteriorated Appliance(s)*

*Violation: Deteriorated building materials*

*Violation: Deteriorated electronic equipment*

*Violation: Deteriorated furniture*

*Violation: Deteriorated metal product*

*Violation: Shingle debris*

*Violation: Indoor type furniture in the outdoors*

*Violation: Motor vehicle parts debris*

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

*Violation: Trash found in bags/boxes/barrels*

*Violation: Garbage*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to



Andy Schor, Mayor

## ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

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

### Front Yard Parking Correction Notice

STELMASHENKO VICTOR & WANG DAVID or Current Occupant  
919 E SHIAWASSEE ST

**Violation Date: 07/30/2018**

**Violation Location: 4928 HUGHES RD**

**Parcel No: 33-01-01-32-352-321**

**Compliance Due Date: 07/31/2018**

**1286.02 No person shall park or place a motor vehicle, trailer or watercraft in a front yard.**

**INSPECTOR COMMENTS: 2- Door Volkswagen.**

The Office of Code Compliance has found the above-described vehicle, parked in the front yard, to be in violation of the Lansing Zoning Code, Section 1286. A warning notice was affixed to the vehicle stating that the vehicle must be removed immediately, or it will be taken in to custody and stored at the owner's expense.

**The Zoning Office at 483-4085 may assist you with clarification or discuss options regarding a particular situation because of a hardship or practical difficulty.** If you have any questions regarding this matter you may contact me at the number below, Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

**Officer: Jacob Odom (517) 483 4378 [Jacob.Odom@lansingmi.gov](mailto:Jacob.Odom@lansingmi.gov)**

**Taxpayer's Copy**

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107 – Notices and Orders- a copy of this violation was sent to:

**Taxpayer of Record: STELMASHENKO VICTOR & WANG DAVID, 919 E SHIAWASSEE ST, LANSING, MI 48912**



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

Notice Printed: 07/30/2018

### Lack of Required Utilities Notice

STELMASHENKO VICTOR & WANG  
DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

Inspection Type: Safety  
Inspection Date: 07/30/2018  
Compliance Due Date: 08/29/2018

### Warning:

*Failure to comply with the requirements of this notice  
issuance of a Municipal Civil Infraction Violation 1  
for each violation)*

|                     |                     |
|---------------------|---------------------|
| Violation Location: | 4928 HUGHES RD      |
| Parcel No:          | 33-01-01-32-352-321 |

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108.1.3 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

*Sec 108.1.3 Lack of required utilities to the dwelling. The electric / water service is turned off. The dwelling lacks sanitary.*

This dwelling has been declared an **UNSAFE STRUCTURE** as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

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.

You must contact the under signed, no later than seven days before the compliance due date, to set up an appointment to meet at the structure (to verify that all corrections have been completed) or to acquire an authorized extension. Before the re-inspection you must obtain all required permits and have those repairs inspected and approved by the appropriate inspector. All violations must be corrected with approved materials and methods.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

**Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov**

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: **Meredith D Johnson (517) 483 6849 [Meredith.Johnson@lansingmi.gov](mailto:Meredith.Johnson@lansingmi.gov)**

"Equal Opportunity Employer"

Taxpayer's Copy



# D & K Investigative Services

**Daniel C. Duncan**

LICENSED PRIVATE INVESTIGATOR

706 Cowley, East Lansing, MI 48823  
517/332-1442

## STATEMENT OF SERVICE

\_\_\_\_\_ Circuit Court  
54-A District Court Case No: 18-02709-LT Attorney \_\_\_\_\_  
Plaintiff VICTOR STELMASHENKO Defendant JONATHAN FAIDLEY , ELIZABETH JORDE  
Person served: POSTED Address of Service 8-2-18 11:33AM  
Served by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

## SERVICE

\_\_\_\_\_ Summons and Complaint .....  
\_\_\_\_\_ Affidavit and Claim (Small Claims) .....  
\_\_\_\_\_ Affidavit and Writ of Garnishment .....  
\_\_\_\_\_ Garnishment Disclosure Fee .....  
☒ Writ of Restitution ..... ORDER OF EVICTION: \$39.00  
\_\_\_\_\_ Order to Show Cause .....  
\_\_\_\_\_ Subpoena (Order to appear) .....  
\_\_\_\_\_ Subpoena for Records .....  
\_\_\_\_\_ Affidavit of Incorrect Address .....  
\_\_\_\_\_ Other: .....

## MISCELLANEOUS

Mileage: 12 Miles at .81 per mile= \$9.72 Witness fee paid \_\_\_\_\_  
Other \_\_\_\_\_

Total Due \$48.72

*paid for*  
*m*  
*9-14-18*

Approved, SCAO

STATE OF MICHIGAN  
54-A JUDICIAL DISTRICT

APPLICATION AND ORDER OF EVICTION  
Landlord-Tenant / Land Contract

CASE NO.

18-02709LT LT

Court address

124 W. Michigan Ave., 6th Floor City Hall, Lansing, MI 48933

Court telephone no.

(517) 483-4426

Plaintiff's name, address, and telephone no.

VICTOR STELMASHENKO  
919 E. SHIAWASSEE STREET  
LANSING, MICHIGAN 48912  
(517)-202-1005

Plaintiff's attorney, bar no., address, and telephone no.

Defendant's name(s) and address(es)

FAIDLEY, JONATHAN  
JORDA, ELIZABETH  
FAIDLEY, CHRISTINE MARIE  
AND ALL OTHER OCCUPANTS  
4928 HUGHES ROAD  
LANSING, MICHIGAN 48910

NOTE: An application may be required even though a request for an order of eviction is granted in the judgment.

APPLICATION

1. On July 18, 2018 judgment was entered against the defendant(s) and the plaintiff was awarded

Date

possession of the following described property: 4928 HUGHES ROAD, LANSING, MI 48910

2. No payment has been made on the judgment or no rent has been received since the date of judgment, except the sum of

\$ ZERO received under the following conditions:

3. The plaintiff has complied with the terms of the judgment.

4. The time stated in the judgment before an order of eviction can be issued has elapsed.

I declare that the statements above are true to the best of my information, knowledge, and belief.

July 31, 2018

Date

Victor Stelmashenko  
Plaintiff/Attorney signature

ORDER OF EVICTION

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

To the Court Officer: You are ordered to restore the plaintiff to, and put the plaintiff in, full possession of the premises.

JUL 31 2018

Date issued

Judge

HUGH B. CLARKE, JR. P30156

Bar no.

NOTE: In tenancy cases, this order must be executed within 56 days of the issuance date.

MCL 600.5744, MCR 4.201(L),  
MCR 4.202(K)



# Economic Development & Planning

## Code Enforcement Office

REGISTRATION NUMBER  
CR18-0133

316 North Capital Ave, Suite C-1 & C-2  
Lansing, Michigan 48933-1238  
(517) 483-4361

Date: 07/27/2018

STELMASHENKO VICTOR & WANG DAVID J  
919 E SHIAWASSEE ST  
LANSING MI 48912

## Certificate of Compliance For Rental Dwelling

This certifies that the inspection of the rental dwelling listed below has been completed and the building complies with the Lansing Uniform Housing Code. This Certificate is issued on the condition that the premises remain in a safe, healthful and fit condition for occupancy and that it complies with the requirements of Lansing Planning and Zoning Code.

Date Certificate Expires: 03/01/2021

Location: 913 E SHIAWASSEE ST

Parcel #: 33-01-01-15-104-171

Name Of Complex:

Rental Owner:

Owner's Agent:

STELMASHENKO VICTOR & WANG DA  
919 E SHIAWASSEE ST  
LANSING MI 48912

STELMASHENKO VICTOR & WANG DA  
919 E SHIAWASSEE ST  
LANSING MI 48912

A Certificate of Compliance expires on the anniversary of the initial registration of the property, regardless of inspection or approval dates.

During the 60 days prior to expiration of this Certificate, it is the responsibility of the Owner/Manager to schedule the next inspection. Call (517) 483-4361 to schedule an inspection.

City of Lansing Housing Code Section 1460.49 requires that one copy of the certificate shall be prominently displayed in the front entrance area of the rental dwelling in dwellings containing one or more rental units when any rental unit in the dwelling is vacant. If both rental units are rented then the certificate need only be kept with 3 or more rental units must prominently display the certificate in the front entrance area of the rental dwelling.

If you have any questions regarding this matter, please contact our office Monday through Friday between the hours of 8:00 a.m. & 5:00 p.m. at (517) 483-4361.

RECEIVED NOV 28 2018

DATE: 11/20/2018

1641

PPN: 33-01-01-32-352-321  
DATE SUBMITTED: 10/05/2018  
ADDRESS OF VIOLATION: 4928 Hughes Road  
LISTED TAXPAYER OF RECORD: Stelmashenko, Victor  
OTHER TAXPAYER OF RECORD: Wang, David  
CLAIMANT: Stelmashenko, Victor and David Wang  
CLAIMANT'S ADDRESS: 919 E. Shiawassee Street  
Lansing, MI 48912

TYPE OF ACTIONS CONTESTED: Trash Removal  
VIOLATION DATE: 7/30/2018  
NOTIFICATION DATE: 7/30/2018  
2<sup>ND</sup> NOTICE ASSESSMENT DATE:  
AMOUNT OF ASSESSMENT: \$2,658.00  
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 18-T081 8/10/2018  
AMOUNT OF CLAIM: \$2,658.00

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

|          |                                    |                                 |
|----------|------------------------------------|---------------------------------|
| HISTORY: | Front Yard<br>Parking<br>7/30/2018 | Trash<br>Violation<br>7/30/2018 |
|----------|------------------------------------|---------------------------------|

|                              |                                                                                                                       |                                                                                  |                                 |                                     |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------|-------------------------------------|
| CITATIONS IN PREVIOUS YEARS: | Trash<br>Violation<br>4/04/2017<br>(City of<br>Lansing<br>cleaned the<br>property)<br>Grass<br>Violation<br>9/22/2016 | Grass<br>Violation<br>5/02/2017<br>(City of<br>Lansing<br>mowed the<br>property) | Grass<br>Violation<br>8/08/2016 | Failure to<br>Register<br>8/22/2016 |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------|-------------------------------------|

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 7/30/2018 with a compliance due date of 8/06/2018. The Code Compliance Officer returned on 8/07/2018 the property was still in violation, due to the condition of the property the Code Officer went over and above to contact the owner at the phone number they have listed with our office and informed the owner that if the debris were still present on Friday 8/10/2018 she was going to have the property cleaned that day. Officer Meredith Johnson arrived on 8/10/2018 the property was still in violation she then called the owners a second time the call was directed to voice mail she then informed the owners that she was having the property cleaned that day. When the officer and the cleanup crew were present a neighbor came over with a phone and stated the wife of Victor Stelmashenko was on the phone and was telling Officer Johnson that they were advised by the court not to remove any belongings. Officer Johnson informed the owner that at this time it was too late as she sent notification and called twice with no response from the owners. The owners do not have the right to remove belongings from the home but do have the right to access the property and remove items outside as to avoid assessments. The owner also could have called our office and asked for an extension but failed to do so. The City of Lansing removed trash from this dwelling in 2017 and mowed the grass as well. The property was also Red Tagged as it was found to be open and accessible and poor conditions within the home the officer informed the owner she would have the structure boarded if they did not secure the dwelling the owners maintenance man did arrive while the cleanup was taking place and secured the property. This office would also like to note that the owners have scheduled and rescheduled the required rental inspection five times and due this the property is now receiving \$150.00 per month Red Tag Monitoring fees as a result of their inability to address the issues with the property. This office recommends denial of the claim.

RECEIVED OCT 05 2018



# City of Lansing

OFFICE OF THE CITY ATTORNEY

1641

## Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: VICTOR STELMASHENKO AND DAVID WANG DATE: 9-29-2018

MAILING ADDRESS: 919 E. SHIAWASSEE STREET EMAIL: SHIJINGHU@GMAIL.COM

CITY: LANSING STATE: MICHIGAN ZIP CODE: 48912

TELEPHONE: Home (517) 202-1005 Work (517) 202-1005

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: 4928 HUGHES ROAD PARCEL NO. 33-01-01-32-352-321

DATE OF INCIDENT: 7-30-2018 AMOUNT YOU WERE BILLED: \$2,658.00

TOTAL AMOUNT YOU ARE CONTESTING: \$2,658.00

TYPE OF ASSESSMENT: HOUSING CODE SECTION 302 VIOLATION

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.

JONATHAN FAIDLEY AND ELIZABETH JORAE WERE TOLD TO CLEAN THE PREMISES AND TO MAKE MONTHLY PAYMENTS MANY TIMES. ATTORNEY TOLD US NOT TOUCH THEIR PERSONAL ITEMS. FILLED FOR EVICTION AND POSSESSION OF PREMISES; COURT GAVE US RIGHT OF POSSESSION ON 8-2-2018, AT WHICH DAY OUR HANDYMAN CREW BEGAN CLEANING OF PREMISES; CONFRONTATION OCCURRED BETWEEN GLENN, OUR HANDYMAN, AND MEREDITH JOHNSON; GLENN CONTINUED TO CLEAN PREMISES AND MEREDITH JOHNSON CREW SHOWED UP ALSO. TO CLEAN PREMISES.

A description of the claims review process is available on our website at: [http://www.lansingmi.gov/Government/City Attorney/Forms & Documents/Claims Review Committee Form](http://www.lansingmi.gov/Government/City%20Attorney/Forms%20&%20Documents/Claims%20Review%20Committee%20Form)

WE SHALL BE BACK IN LANSING ON APRIL/MAY, 2019.

*[Signature]*





# CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

STELMASHENKO VICTOR & WANG DAVID

919 E SHIAWASSEE ST

LANSING, MI 48912

DUE DATE: 09/21/2018

INVOICE

08/28/2018



TOTAL AMOUNT DUE

\$ 2,658.00

| Invoice Number | Record No. | Address        | Amount Due |
|----------------|------------|----------------|------------|
| 00118613       | E18-06631  | 4928 HUGHES RD | \$2658.00  |

08/22/2018

Trash - Admin Fee

Trash - Contractor Charge

TOTAL DUE: \$2658.00

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, 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](http://www.lansingmi.gov). Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

## Other Information:

July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.

For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

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

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



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

STELMASHENKO VICTOR & WANG DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

Violation Date: 07/30/2018  
Violation Location: 4928 HUGHES RD  
Parcel No: 33-01-01-32-352-321  
Compliance Due Date: August 06, 2018

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: Brush & Tree Limb debris*

*Violation: Clothing/Cloth Products*

*Violation: Deteriorated Appliance(s)*

*Violation: Deteriorated building materials*

*Violation: Deteriorated electronic equipment*

*Violation: Deteriorated furniture*

*Violation: Deteriorated metal product*

*Violation: Shingle debris*

*Violation: Indoor type furniture in the outdoors*

*Violation: Motor vehicle parts debris*

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

*Violation: Trash found in bags/boxes/barrels*

*Violation: Garbage*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to



Andy Schor, Mayor

## ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

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

### Front Yard Parking Correction Notice

STELMASHENKO VICTOR & WANG DAVID or Current Occupant  
919 E SHIAWASSEE ST

Violation Date: 07/30/2018

Violation Location: 4928 HUGHES RD

Parcel No: 33-01-01-32-352-321

Compliance Due Date: 07/31/2018

**1286.02 No person shall park or place a motor vehicle, trailer or watercraft in a front yard.**

INSPECTOR COMMENTS: 2- Door Volkswagen.

The Office of Code Compliance has found the above-described vehicle, parked in the front yard, to be in violation of the Lansing Zoning Code, Section 1286. A warning notice was affixed to the vehicle stating that the vehicle must be removed immediately, or it will be taken in to custody and stored at the owner's expense.

The Zoning Office at 483-4085 may assist you with clarification or discuss options regarding a particular situation because of a hardship or practical difficulty. If you have any questions regarding this matter you may contact me at the number below, Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Officer: Jacob Odom (517) 483 4378 [Jacob.Odom@lansingmi.gov](mailto:Jacob.Odom@lansingmi.gov)

Taxpayer's Copy

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107 – Notices and Orders- a copy of this violation was sent to:

Taxpayer of Record: STELMASHENKO VICTOR & WANG DAVID, 919 E SHIAWASSEE ST, LANSING, MI 48912



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

Notice Printed: 07/30/2018

### Lack of Required Utilities Notice

STELMASHENKO VICTOR & WANG  
DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

Inspection Type: Safety  
Inspection Date: 07/30/2018  
Compliance Due Date: 08/29/2018

### Warning:

*Failure to comply with the requirements of this notice  
issuance of a Municipal Civil Infraction Violation for each violation)*

|                     |                     |
|---------------------|---------------------|
| Violation Location: | 4928 HUGHES RD      |
| Parcel No:          | 33-01-01-32-352-321 |

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108.1.3 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

*Sec 108.1.3 Lack of required utilities to the dwelling. The electric / water service is turned off. The dwelling lacks sanitary.*

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with Fines: \$500 per day for each violation.

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.

You must contact the under signed, no later than seven days before the compliance due date, to set up an appointment to meet at the structure (to verify that all corrections have been completed) or to acquire an authorized extension. Before the re-inspection you must obtain all required permits and have those repairs inspected and approved by the appropriate inspector. All violations must be corrected with approved materials and methods.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Meredith D Johnson [Meredith.Johnson@lansingmi.gov](mailto:Meredith.Johnson@lansingmi.gov)

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: Meredith D Johnson (517) 483 6849 [Meredith.Johnson@lansingmi.gov](mailto:Meredith.Johnson@lansingmi.gov)

"Equal Opportunity Employer"

Taxpayer's Copy



## D & K Investigative Services

**Daniel C. Duncan**  
LICENSED PRIVATE INVESTIGATOR

706 Cowley, East Lansing, MI 48823  
517/332-1442

### STATEMENT OF SERVICE

\_\_\_\_\_ Circuit Court  
54-A District Court Case No: 18-02709-LT Attorney \_\_\_\_\_  
Plaintiff VICTOR STELMASHENKO Defendant JONATHAN FAIDLEY , ELIZABETH JORDE  
Person served: POSTED Address of Service 8-2-18 11:33AM  
Served by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

### SERVICE

\_\_\_\_\_ Summons and Complaint .....  
\_\_\_\_\_ Affidavit and Claim (Small Claims) .....  
\_\_\_\_\_ Affidavit and Writ of Garnishment .....  
\_\_\_\_\_ Garnishment Disclosure Fee .....  
☒ Writ of Restitution ..... ORDER OF EVICTION: ..... \$39.00  
\_\_\_\_\_ Order to Show Cause .....  
\_\_\_\_\_ Subpoena (Order to appear) .....  
\_\_\_\_\_ Subpoena for Records .....  
\_\_\_\_\_ Affidavit of Incorrect Address .....  
\_\_\_\_\_ Other: \_\_\_\_\_

### MISCELLANEOUS

Mileage: 12 Miles at \$.81 per mile = \$9.72 Witness fee paid \_\_\_\_\_

Other \_\_\_\_\_

Total Due \$48.72

*paid for*  
*9-14-18*

Approved, SCAO

STATE OF MICHIGAN  
54-A JUDICIAL DISTRICT

APPLICATION AND ORDER OF EVICTION  
Landlord-Tenant / Land Contract

CASE NO.

18-02709LT LT

Court address

124 W. Michigan Ave., 6th Floor City Hall, Lansing, MI 48933

Court telephone no.

(517) 483-4426

Plaintiff's name, address, and telephone no.

VICTOR STELMASHEWKO  
919 E. SHIAWASSEE STREET  
LANSING, MICHIGAN 48912  
(517)-202-1005

Defendant's name(s) and address(es)

FAIDLEY, JONATHAN  
JORDA, ELIZABETH  
FAIDLEY, CHRISTINE MARIE  
AND ALL OTHER OCCUPANTS  
4928 HUGHES ROAD  
LANSING, MICHIGAN 48910

Plaintiff's attorney, bar no., address, and telephone no.

APPLICATION

NOTE: An application may be required even though a request for an order of eviction is granted in the judgment.

1. On July 18, 2018 judgment was entered against the defendant(s) and the plaintiff was awarded

possession of the following described property: 4928 HUGHES ROAD, LANSING, MI 48910

2. No payment has been made on the judgment or no rent has been received since the date of judgment, except the sum of  
\$ Zero received under the following conditions:

3. The plaintiff has complied with the terms of the judgment.

4. The time stated in the judgment before an order of eviction can be issued has elapsed.

I declare that the statements above are true to the best of my information, knowledge, and belief.

July 31, 2018  
Date

Victor Stelmashenko  
Plaintiff/Attorney signature

ORDER OF EVICTION

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

To the Court Officer: You are ordered to restore the plaintiff to, and put the plaintiff in, full possession of the premises.

JUL 31 2018

Date issued

Judge

HUGH B. CLARKE, JR. P30156

Bar no.

NOTE: In tenancy cases, this order must be executed within 56 days of the issuance date.

CITY OF LANSING  
316 N. CAPITOL SUITE C2  
Lansing, MI 48933  
Ph: (517) 483-4361  
Fax: (517) 377-0100

Invoice No.: 00118613

Date: 08/22/2018

Record: E18-06631

STELMASHENKO VICTOR & WANG DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

**TOTAL AMOUNT DUE**

**\$2,658.00**

| Item Category    | Item Description          | Amount Due |
|------------------|---------------------------|------------|
| Code Compliance  | Trash - Admin Fee         | \$265.00   |
| Code Compliance  | Trash - Contractor Charge | \$2,393.00 |
| Total Amount Due |                           | \$2,658.00 |

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 # 2099

DATE 08/20/2018

PROPERTY ADDRES  
4928 Hughes

PARCEL NUMBER  
NO PARCEL

| ACTIVITY                                           | QTY | RATE   | AMOUNT   |
|----------------------------------------------------|-----|--------|----------|
| city:1hour 3 yards<br>first hour and 3 cubic yards | 1   | 175.00 | 175.00   |
| city:add hours<br>any hours after 1                | 8   | 150.00 | 1,200.00 |
| city:add cy<br>any after 3                         | 30  | 22.00  | 660.00   |
| city:class 2<br>construction material after 3      | 12  | 26.00  | 312.00   |
| city:appliance<br>freon removal                    | 1   | 35.00  | 35.00    |
| city:tire<br>tire removal                          | 2   | 5.50   | 11.00    |

8/10/18

45 yards

Meredith Johnson

It was a emergency clean up. We  
never received a actual work  
order so there I couldn't put a  
parcel number.

BALANCE DUE

**\$2,393.00**



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

316 North Capital Ave, Suite C-1 & C-2  
Lansing, Michigan 48933-1238  
(517) 483-4361

REGISTRATION NUMBER  
CR18-0133

Date: 07/27/2018

STELMASHENKO VICTOR & WANG DAVID J  
919 E SHIAWASSEE ST  
LANSING MI 48912

### Certificate of Compliance For Rental Dwelling

This certifies that the inspection of the rental dwelling listed below has been completed and the building complies with the Lansing Uniform Housing Code. This Certificate is issued on the condition that the premises remain in a safe, healthful and fit condition for occupancy and that it complies with the requirements of Lansing Planning and Zoning Code.

Date Certificate Expires: 03/01/2021

Location: 913 E SHIAWASSEE ST

Parcel #: 33-01-01-15-104-171

Name Of Complex:

---

Rental Owner:

STELMASHENKO VICTOR & WANG DA  
919 E SHIAWASSEE ST  
LANSING MI 48912

Owner's Agent:

STELMASHENKO VICTOR & WANG DA  
919 E SHIAWASSEE ST  
LANSING MI 48912

A Certificate of Compliance expires on the anniversary of the initial registration of the property, regardless of inspection or approval dates.

During the 60 days prior to expiration of this Certificate, it is the responsibility of the Owner/Manager to schedule the next inspection. Call (517) 483-4361 to schedule an inspection.

City of Lansing Housing Code Section 1460.49 requires that one copy of the certificate shall be prominently displayed in the front entrance area of the rental dwelling in dwellings containing one or more rental units when any rental unit in the dwelling is vacant. If both rental units are rented then the certificate need only be kept with 3 or more rental units must prominently display the certificate in the front entrance area of the rental dwelling.

If you have any questions regarding this matter, please contact our office Monday through Friday between the hours of 8:00 a.m. & 5:00 p.m. at (517) 483-4361.



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

STELMASHENKO VICTOR & WANG DAVID  
919 E SHIAWASSEE ST  
LANSING, MI 48912

Violation Date: 07/30/2018  
Violation Location: 4928 HUGHES RD  
Parcel No: 33-01-01-32-352-321  
Compliance Due Date: August 06, 2018

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: Brush & Tree Limb debris*

*Violation: Clothing/Cloth Products*

*Violation: Deteriorated Appliance(s)*

*Violation: Deteriorated building materials*

*Violation: Deteriorated electronic equipment*

*Violation: Deteriorated furniture*

*Violation: Deteriorated metal product*

*Violation: Shingle debris*

*Violation: Indoor type furniture in the outdoors*

*Violation: Motor vehicle parts debris*

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

*Violation: Trash found in bags/boxes/barrels*

*Violation: Garbage*

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.

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Code Officer:     **Meredith D Johnson (517) 483 6849 [Meredith.Johnson@lansingmi.gov](mailto:Meredith.Johnson@lansingmi.gov)**

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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

### TRASH AND DEBRIS CORRECTION NOTICE

Occupant  
4928 HUGHES RD  
LANSING, MI 48910

Violation Date: 07/30/2018  
Violation Location: 4928 HUGHES RD  
Parcel No: 33-01-01-32-352-321  
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Code Officer:     Meredith D Johnson (517) 483 6849   **Meredith.Johnson@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy



Andy Schor, Mayor

## Economic Development & Planning Code Enforcement Office

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 08/10/2018

**TAXPAYER: STELMASHENKO VICTOR & WANG DAVID, 919 E SHIAWASSEE ST LANSING, MI 48912**

**Location of Work:**

**Enf Num: E18-06631**

**Address: 4928 HUGHES RD**

**Lot No:**

**Description:**

**Parcel No: 33-01-01-32-352-321**

**Remove Trash and Debris**

**Work Authorized:**

***Violation: Brush & Tree Limb debris***

***Violation: Clothing/Cloth Products***

***Violation: Deteriorated Appliance(s)***

***Violation: Deteriorated building materials***

***Violation: Deteriorated electronic equipment***

***Violation: Deteriorated furniture***

***Violation: Deteriorated metal product***

***Violation: Shingle debris***

***Violation: Indoor type furniture in the outdoors***

***Violation: Motor vehicle parts debris***

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

This action is authorized by the Manager of Code Compliance

***Violation: Trash found in bags/boxes/barrels***

***Violation: Garbage***

**PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY**

**Authorized Time required to complete work: 8**

**Authorized Cubic Yards: 40**

**Warning Comment:**

**<NONE>**

**Submitted By: Meredith D Johnson (517) 483 6849**



## ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

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8/7/18: Went by and did my re-check trash was still there. Called number in system and left a message that I would be back Friday to clean up if things were still outside.MJ

8/10/18: When I went back again trash was still outside. I tried calling the owners again and no answer so I left another message letting them know I would be cleaning it up today and that anything the contractors were not able to get to today they would be back Monday to finish. I also said in the message if they were not able to come and secure it I would be doing that also. The neighbor came outside with Victor's wife on the phone and I explained all of this to her and that I had given her plenty of notice and not one person had tried to contact me in regards to the trash notice they received. She sent someone over by the name of Glen and I told both her and Glen it did not matter at this point and that I was cleaning it up regardless and that they had until 3:30pm today to secure it or else I would. She stated that they had just done an eviction and were advised by the courts that they were not allowed to clean up anything on the property until they had a writ. I have attached additional pics under the submittal.MJ

18-T081





## ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

---

06/19/18- Victor came into the office to register this property. Scheduled the RI for 8/7/18 at 11am.  
CAT

06/28/18-Victor came in to reschedule RI, said that he would be out of town 08/07 moved to 07/26 at  
10,TDB

07/19/18 called and left VM for RI reminder. -ALS

07/19/18- Victor came in to reschedule RI again, he said that they are still not done with the repairs to  
the property. We rescheduled the RI for 8/13/18 at 11am. CAT

08/06/18- Spoke with David's wife (I think) she confirmed the scheduled RI for next week. She said  
their friend/handyman will be there. CAT

08/13/18-Owners wife or someone on behalf of Victor called to reschedule RI, said they just evicted the  
tenant and have some work to do on the house, moved to 10/22/18 at 11,TDB

10/01/18-Owners wife called, moved inspection a day later 10/23 at 3,TDB

10/16/18-Called for reminder, phone disconnected,TDB

10/23/18-Meredith called to let me know that the owners are still out of the country and no one would  
show up to inspection. Called to reschedule, she said the house still wasn't ready and I told her I could  
move it to January she asked for something sooner, told her the only opening was 11/05, moved  
inspection to that date at 2:15,TDB

10/29/18-Spoke with owner for RI reminder,TDB

11/01/18 Victors wife called to cancel RI said she would call back to schedule when they are ready. -  
ALS





















4928

08/10/2018 14:57







08/10/2018 14:57



08/10/2018 14:58







08/10/2018 14:58

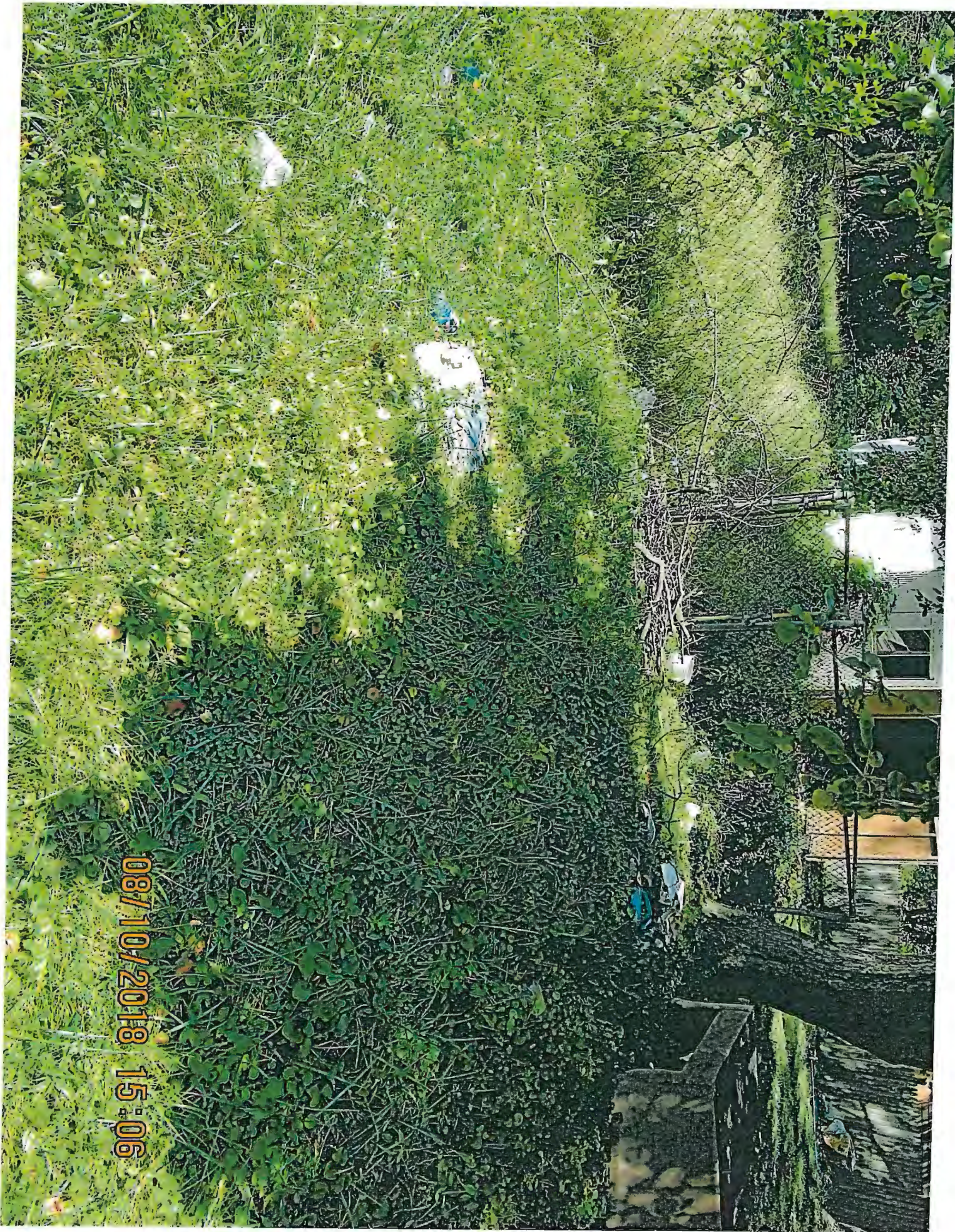


08/10/2018 15:02





08/10/2018 15:06







08/10/2018 15:07









08/10/2018 15:08





08/10/2018 16:25



08/10/2018 23:06

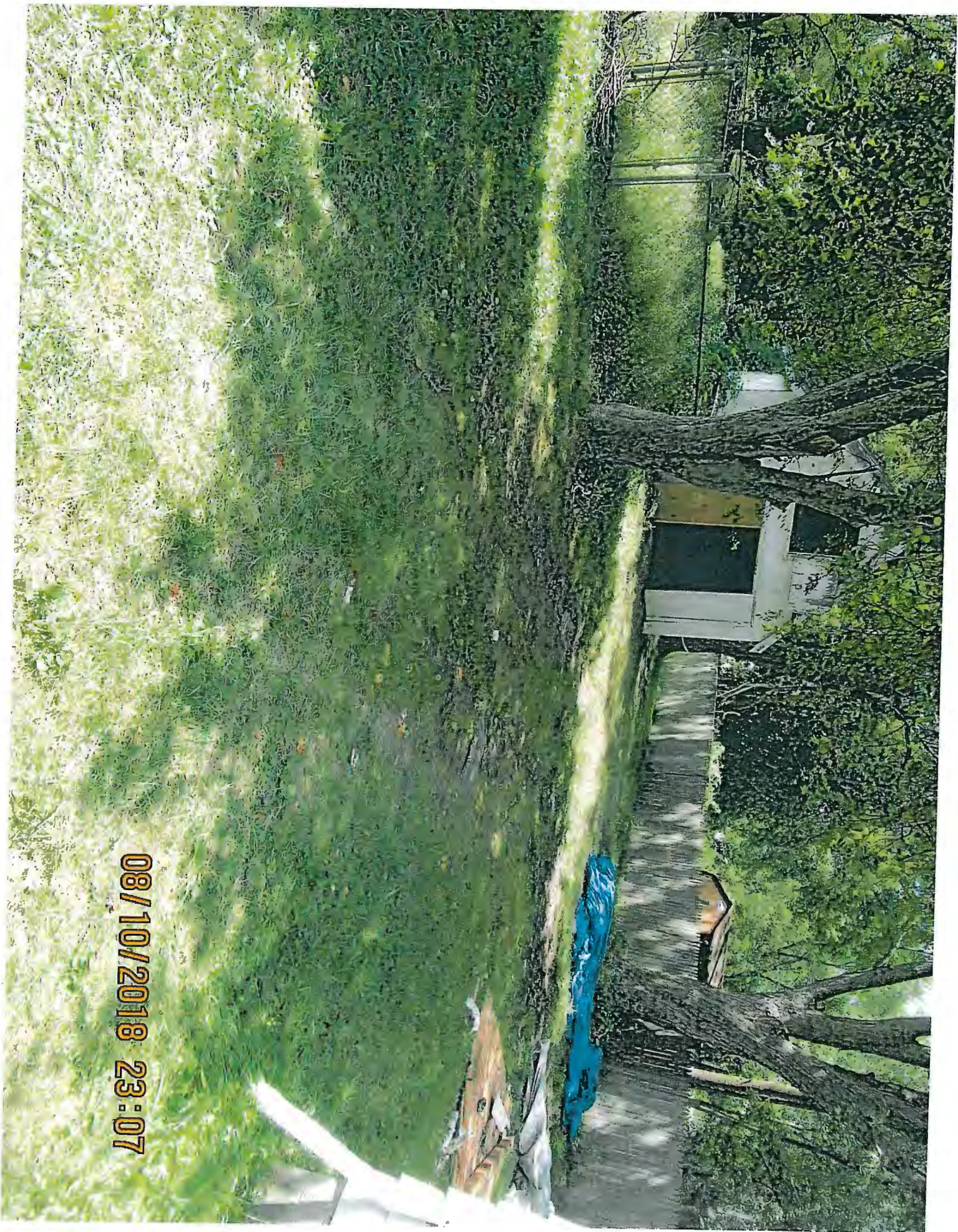






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