

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



AGENDA FOR FEBRUARY 11, 2019

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

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, February 11, 2019 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of January 14 and February 4, 2019

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

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

1. Tribute and Mayoral Presentation; in recognition of the Michigan Bulletin Newspaper Twenty-Fifth Anniversary

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 Act-4-2019; Sale of City Property, Townsend Parking Ramp located at 221 Townsend Street to the Michigan Senate
2. In consideration of Fire Code Amendment; Adoption of the 2018 International Fire Code Chapter 39

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFOR, SPITZLEY, WASHINGTON, WOOD
 - a. Tribute; in recognition of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority, Inc.'s Annual Red and White Affair (PEND-740)
 - b. Tribute; in recognition of the Michigan Bulletin Newspaper Twenty-Fifth Anniversary (PEND-765)
 - c. Tribute; in recognition of Ninth Annual Pastors Salute (PEND-764)
2. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Confirmation of Appointment; Brian McGrain as a Member of the Local Development Finance Authority for a term to expire June 30, 2019 (PEND-695)
 - b. Confirmation of Appointment; Robert Gibb as an At-Large Member of the Historic District Commission for a term to expire June 30, 2021 (PEND-696)
 - c. Confirmation of Appointment; Robert Fryling as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021 (PEND-732)
 - d. Setting a Public Hearing in consideration of Brownfield Plan #62 Amendment #1; George F. Eyde Family LLC, Oliver Towers Redevelopment Project, 310 N. Seymour Ave. (PEND-728, 729)
 - e. Setting a Public Hearing in consideration of Lansing Economic Development Corporation REO Town Project, Pablo's Mexican Restaurant, 1102 S. Washington Avenue and W. Elm Street (PEND-730, 731)

- f. 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 (PEND-694)
- 3. BY THE COMMITTEE ON GENERAL SERVICES
 - a. Liquor License; Tannin, LLC for a transfer location of Class C Liquor License for 1620 E. Michigan Avenue, Lansing MI 48912 (PEND-721)
 - b. Claim Appeal; Claim #1632, June Mar Be for \$518 in trash fees at 2024 Hillcrest St. (PEND-722)
- 4. BY THE COMMITTEE ON PUBLIC SAFETY
 - a. Orders to Make Safe or Demolish; 2500 W. Jolly Rd. (PEND-670)
 - b. Orders to Make Safe or Demolish; 1414 Ballard St. (PEND-672)
- 5. BY THE COMMITTEE ON PUBLIC SERVICES
 - a. Fee Changes; Todd Martin Youth Leadership Tennis (PEND-717)
 - b. Groesbeck Golf Course, conveyance and re-acquisition to eliminate the restriction on charging different fees for use by non-residents (PEND-691)
- 6. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Confirmation of Reappointment; Michael DeMartelaere as the At-Large Member of the Income Tax Board of Review for a term to expire June 30, 2022 (PEND-733)
- 7. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Reappointment; Anita Turner as the 3rd Ward Member of the Medical Marihuana Commission for a term to expire on November 27, 2021 (PEND-673)
 - b. Outside Legal Counsel; Michael T. Small of Harvey Kruse, P.C. (PEND-704)
 - c. Confirmation of Reappointments; Cassie Alley to the Elected Officers Compensation Commission and Christine M. Zarkovich to the Downtown Lansing Inc. Board (PEND-720)
 - d. Sale of Townsend Parking Ramp, TIFA Amendment 6 (PEND-738)

- e. Sale of Townsend Parking Ramp, Accepting Deed from Lansing Building Authority (PEND-734)
- f. Issuance and Sale of Wet Weather Control Program State Revolving Fund Project Obligation Bonds (PEND-736)
- g. Confirmation of Appointment; Enrique Mendoza as an At-Large member of the Board of Review for a term to expire June 30, 2020 (PEND-760)

C. RESOLUTIONS FOR ACTION

- 1. BY THE COMMITTEE OF THE WHOLE
 - a. Sale of City Property; Miller Road Center, 6025 Curry Lane to Capital Area Soccer League (CASL) (PEND-645)
- 2. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Donation Acceptance; June Knostman Frances Park Fund (PEND-718)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

- 1. BY THE COMMITTEE ON PUBLIC SAFETY
 - a. Adoption of the 2015 International Property Maintenance Code (PEND-675, 676)

F. ORDINANCES FOR PASSAGE

- 1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Z-6-2018; 522 Leshner Place, Rezoning from "DM-3" Residential District to "D-1" Professional Office District (PEND-681)
 - b. Z-7-2018; Two Vacant Lots at the Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District (PEND-683)
- 2. BY THE COMMITTEE ON PUBLIC SAFETY
 - a. Fire Code Amendment; Adoption of Chapter 39 of the 2018 International Fire Code (PEND-702)

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. Tri-County Regional Planning Commission Audit, Fiscal Year 2018
 - c. Mayoral Executive Order 2019-01, Rotary Park, renaming park land
 - d. Mayoral Executive Order 2019-02; Adopting the 2018 City of Lansing Hazard Mitigation Plan
 - e. Mayoral Executive Order 2019-03; Mayor's Lansing Veterans Commission
 - f. General Fund Status Report; Fiscal Year 2019, Second Quarter
 - g. Lansing Housing Commission, Final Report with Supplemental Information, June 30, 2018
2. Letter(s) from the Mayor re:
 - a. Act-4-2019; Sale of City Property, Townsend Parking Ramp located at 221 Townsend Street to the Michigan Senate (PEND 753)
 - b. Appointment; Shaquila Myers as a City of Lansing Member of the Capital Area Transit Authority for a term to expire September 30, 2021 (PEND-754)
 - c. Z-9-2018; Parcel No. 33-01-01-17-480-021, Rezoning from "C" Residential District to "F" Commercial District (PEND-741, 742)
 - d. Z-8-2018; 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District (PEND-743, 744)
 - e. Issuance and Sale of Wet Weather Control Program State Revolving Fund Project Obligation Bonds (PEND-736, 737)

- f. SLU-2-2018; Residential Use in the “I” Heavy Industrial District, 1609 N. Larch Street (PEND-746, 747)
- g. Grant Acceptance; Byrne Justice Assistance Grant (JAG), Lansing Police Department (PEND-748)
- h. Act-10-2018; Development Sewer Easements, McLaren New Hospital Parcel (PEND-749)
- i. Grant Acceptance; Michigan Office of Highway Safety Planning (OHSP) Grant, Lansing Police Underage Drinking Enforcement Program (PEND-750)
- j. Grant Acceptance; Byrne Justice Assistance Grant (JAG) for Technology, Lansing Police Department (PEND-751)
- k. Fiscal Year 2018 Budget Carryforwards (PEND-752)
- l. Reappointment; Benjamin Bakken as a City of Lansing Member of the Local Development Finance Authority for a term to expire June 30, 2021 (PEND-755)
- m. Appointment; Enrique Mendoza as an At-Large member of the Board of Review for a term to expire June 30, 2020 (PEND-760)
- n. Act-1-2019; 212 E. Howe Avenue, requested by Nathan Shell (PEND-745)
- o. Orders to Make Safe or Demolish; 3815 Marion (PEND-761, ###)
- p. Orders to Make Safe or Demolish; 4704 Hughes Road (PEND-762, ###)
- q. Orders to Make Safe or Demolish; 434 S. Francis (PEND-763, ###)
- r. Ten year recycling agreement with Emterra Environmental (PEND-766)
- s. Revoke Obsolete Property Rehabilitation Exemption Certificate #3-08-0005, Spartan Internet Properties, LLC at 1030 South Holmes Street (PEND-767)
- t. Appointment; Thomas J. (T.J.) Bucholz as a Business Owner Member of the Downtown Lansing, Inc. Board for a term to expire of June 30, 2022 (PEND-768)

- u. Appointment; Stephen K. Purchase as an At-Large Member of the Board of Fire Commissions for a term to expire June 30, 2021 (PEND-769)
- v. Reappointment; Kenneth Salzman as an At-Large member of the Income Tax Board of Review for a term to expire June 30, 2022 (PEND-773)
- w. Appointment; Gary Manns as an At-Large member of the Planning Board for a term to expire June 30, 2022 (PEND-772)

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- 1. Affidavit of Disclosure, Darren Dykens, Lansing Police Department
- 2. Communication from Jack Alexander regarding request for financial investment to improve Cooley Law School Stadium
- 3. Claim Appeal; Claim #1634, Vonda Gilliam for \$668 in trash fees at 909 Ferley Street (PEND-756)
- 4. Claim Appeal; Claim #1657, Craig Skinner for \$4,500 in trash fees at 1001 W. Hillsdale (PEND-770)

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

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

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

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

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Townsend Parking Ramp between the City of Lansing and the Michigan Senate

The Lansing City Council will hold a public hearing on January 28, 2019, at 7:00 p.m, in the City Council Chambers, 10th Floor City Hall, 124 W. Michigan Ave., Lansing, Michigan, to consider a resolution selling the parcel commonly known as Townsend Parking Ramp, specifically described as:

Lots 7, 8, 9, and 10, ALSO that part of Lot 11 described as beginning at a point on the East line of Lot 11 a distance of 104.04 feet Southerly from the Northeast corner of Lot 12; thence Southerly along the East line of Lot 11 to the Southeast corner of Lot 11; thence Westerly along the South line of Lot 11 to the Southwest corner of Lot 11; thence Northerly along the West line of Lot 11 to a point on the West line of Lot 11 a distance of 104.33 feet Southerly from the Northwest corner of Lot 12; thence Easterly to the point of beginning of Block 116, of the Original Plat of the City of Lansing, according to the recorded Plat as thereof recorded in Liber 2 of Plats, Page 36, Ingham County Records.

Details of the sale are on file with the City Clerk's Office and are available at Ninth Floor, City Hall, 124 West Michigan Ave. or www.lansingmi.gov/clerk. For more information about this sale, phone City Council Offices on City business days, Monday through Friday, between 8 a.m. and 5 p.m. at 483-4177.

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

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

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

APPLICANT AND PROPOSAL:	The City of Lansing proposes to sell the Townsend Parking Ramp to the State Senate.
LOCATION:	The site is located in the 200 block of Townsend, east side, at the NE corner of Townsend and Washtenaw Streets.
EXISTING LAND USE & ZONING:	Use: Parking. Zoning: "G-1" Business District
PROPERTY SIZE AND SHAPE:	The property consists of two parcels forming a rectangular, 289.6' X 164.4, approx.. 47,610 s.f. site, containing 1250± parking spaces.
SURROUNDING LAND USE & ZONING	Downtown government and office uses, generally "G-1" zoning.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Development Office:	No comment.
LEAP/EDC:	No comment.
Parking Services Office:	We moved 176 city employees from N Cap to Townsend. We also had 52 city employees already at Townsend. Total city employees at Townsend: 228.
Parks and Recreation:	No comment.
Public Service Department:	The sale of this facility would not impact the operations of the Public Service Department.

BACKGROUND AND ANALYSIS

The City proposes the sale of the Townsend Parking Ramp to the Michigan Senate (see attached). The ramp was built in 2004 to accommodate the Capitol View building, a 160,000 square foot Class A office building located across the street from the State Capitol, which was built at the same time. The Senate offices now occupy the Capitol View building, and the Senate proposes to purchase the adjacent parking structure.

Like most of downtown, the property is zoned G-1 Business District. The ramp holds approximately 1250 parking spaces on nine levels (eight stories). City employees occupy 228 spaces in the ramp.

After the proposed sale, a maximum of 228 covered spaces will be reserved for City employees (in a 5-year, renewable parking agreement), and 50 spaces for public parking (in a 20-year parking agreement).

The property will remain exempt from property taxes after the sale.

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation

Finding:

- The parking structure was constructed primarily to accommodate the occupants of the Capitol View building.
- City ownership of the ramp is not required for the provision of employee and public parking.
- If the ramp is sold, there would be 50 parking spaces reserved for the public, and ample public parking opportunities for at other locations.
- The change in ownership will have no effect on the location, character, and extent of the site.

Recommendation: Approval as proposed.

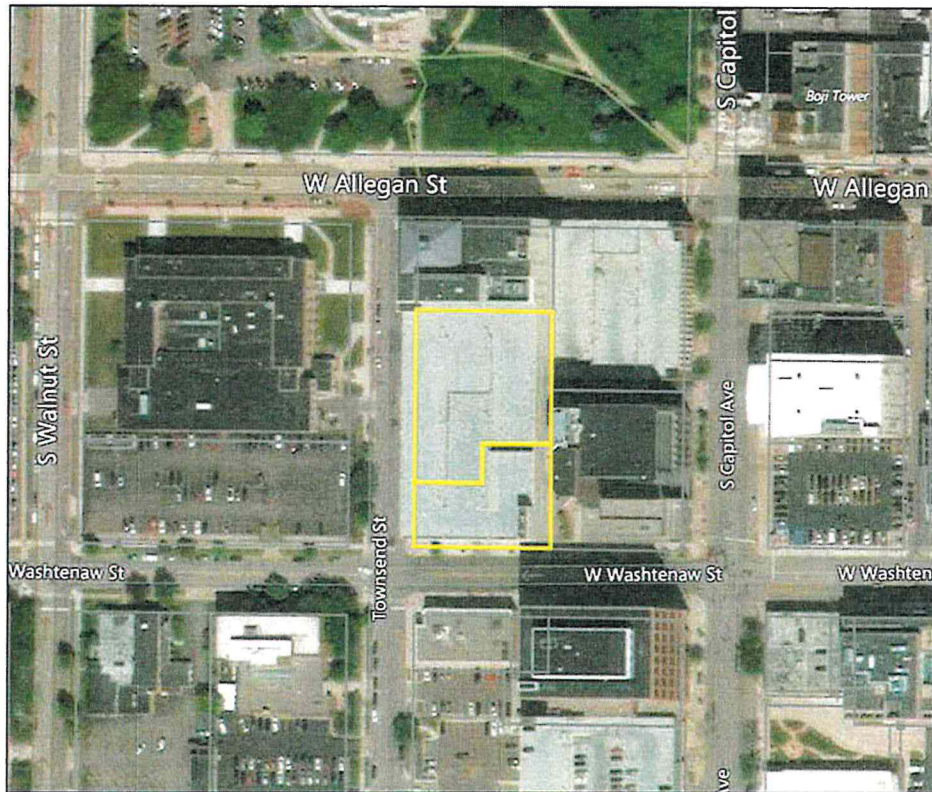
Image/Sketch for Parcel: 33-01-01-16-327-013



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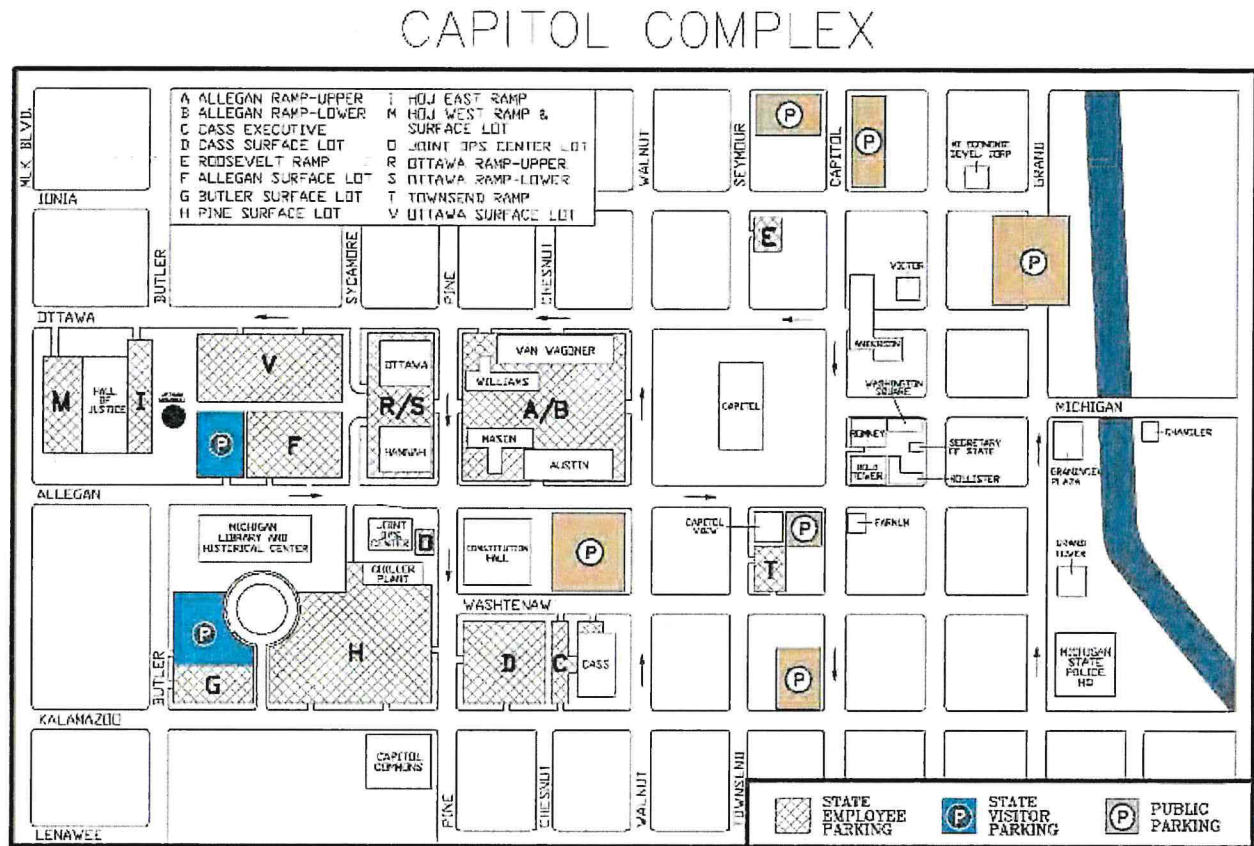
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Ingham County GIS Snip
221 Townsend Street
Lansing, Michigan



NEIGHBORHOOD DESCRIPTION (continued)

Within the Capitol Complex itself, the following map designates state and public parking. The subject is designated as "T".

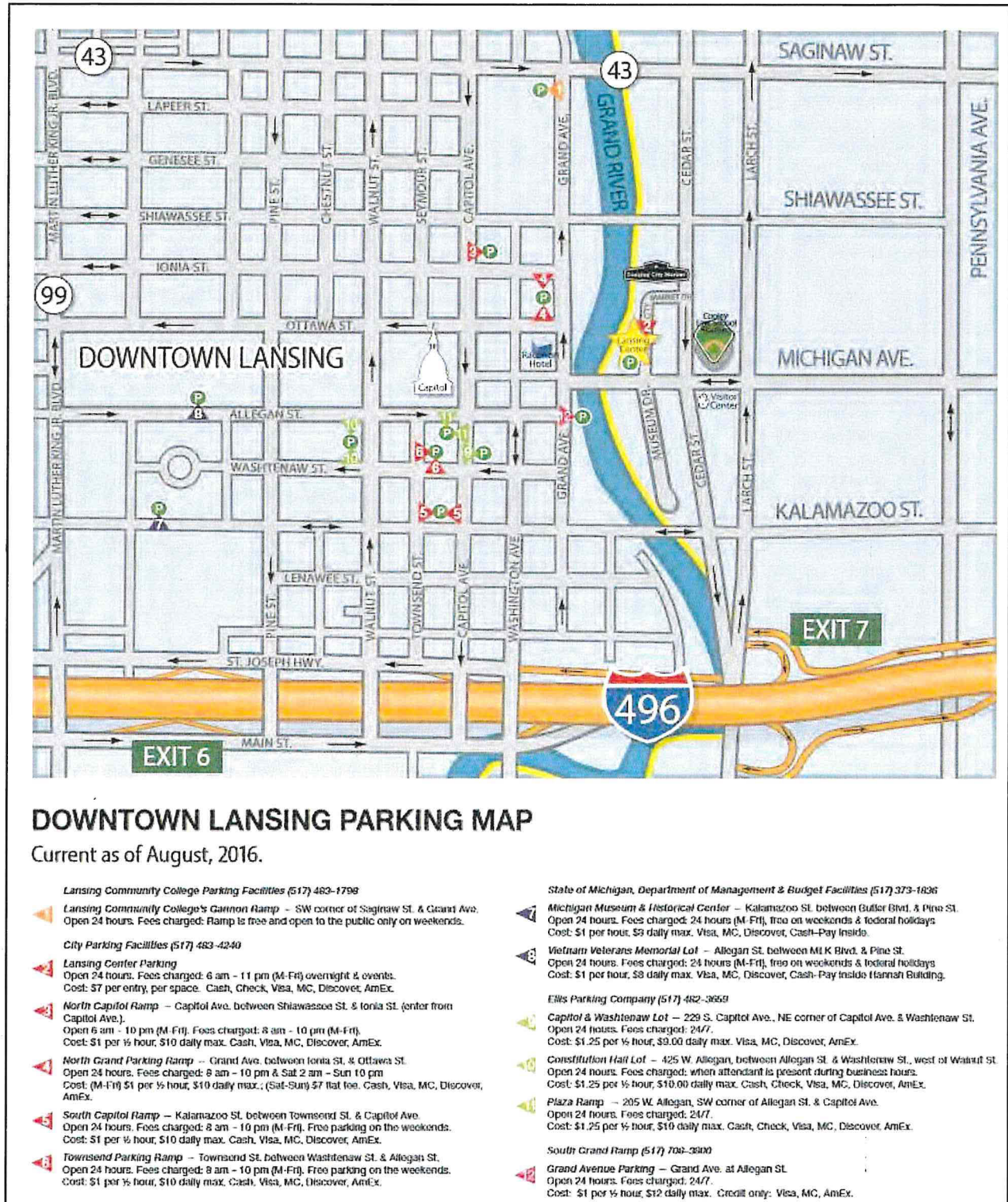


West of the subject, along Allegan Street is Constitution Hall and the State Library and Historical Center. To the northwest is the Hall of Justice, the Vietnam Veterans Memorial and state office buildings. To the north of the subject is the Capitol and to the east and northeast is Lansing's City Hall, the Romney Building, Boji Tower and the Farnum Building. Approximately five blocks northeast of the subject, along Museum Drive, is the Impression 5 Science Center, Riverwalk Theater, R.E. Olds Transportation Museum and the Lansing River Trail. The Lansing River Trail is a 20-mile paved path from Old Town to Waverly Road.

The immediate neighborhood of the subject is bordered by the Grand River to the east, Ottawa Street to the north, Martin Luther King Jr. Boulevard to the west and Kalamazoo Street to the south. It is known as the Capitol Complex. The area is made up of state office buildings, bank buildings, general office buildings and supporting restaurant, business and residents. Highway access is approximately $\frac{3}{4}$ of a mile south of the subject. These streets and highways provide easy access throughout the city and region.

NEIGHBORHOOD DESCRIPTION (continued)

In addition to the city owned parking is the following map of other downtown parking ramps and surface parking lots.





Lansing Parcel Viewer

Search Address or Parcel



Legend

Lansing Tax Parcels



Lansing Zoning

Lansing.GIS.ZoningDistrict_Dissolve

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- A
- B
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- DM-1
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- DM-3
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- F
- F-1
- G-1
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- H
- I
- J
- NONE
- ROW

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, January 28, 2019 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.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
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 COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORÉ, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Delta Sigma Theta Sorority, Inc. is a private, non-profit organization whose purpose is to provide assistance and support through the sorority's established programs; Educational Development, Economic Development, International Awareness and Involvement, Physical and Mental Health, and Political Awareness and Involvement; and

WHEREAS, the members of the Lansing Alumnae Chapter of Delta Sigma Theta Sorority have been actively involved in a wide variety of public service projects for the Lansing community including getting out to vote efforts, partnering with the American Red Cross to assist with blood drives, and promoting educational awareness and involvement with assisting with reading activities at local elementary schools; and

WHEREAS, the program has provided over \$100,000 in scholarships to individuals graduating from the Lansing area high schools for more than fifty (50) years; and

WHEREAS, the Lansing Alumnae Chapter of Delta Sigma Theta Sorority annual "Red & White Affair" will be held on February 9, 2019; and

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

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

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

WHEREAS, the Michigan Bulletin officially opened its door in February 1994. As a minority newspaper, it focuses on issues pertinent to the minority community. The publication has been able to communicate with and educate the Greater Lansing area through its dedicated staff, and;

WHEREAS, the Michigan publication is free to the general public and distributed twice monthly via Michigan Bulletin branded, red newspaper boxes and through distributors at many of the local churches. Every issue contains articles of interest to the minority community such as: Health, Legal Advice, Financial Advice, Calendar listing of Events, Religious articles and Monthly Birthdays and Anniversary celebration, and;

WHEREAS, we recognize Marcus Jefferson, Ernie Boone, Greg Kelley (Posthumously) as well as the staff and supporters of the organization. Marcus has dual degrees in Business Administration and Public Administration as well as a Masters in Specialty Program in Alcohol and Drug Abuse. Greg Kelley and Ernie Boone have degrees in Journalism, these combined backgrounds providing a valuable resource to the paper, and;

WHEREAS, the Michigan Bulletin is affiliated with numerous fraternal, religious, and civic organizations. These collaborations aid in their mission toward community outreach. One of the Newspaper's most notable accomplishments is working with young people through programs like the Young Publisher Club. This program gives those involved the opportunity to teach students from Grade 6th through college all aspects of the publishing business. This program hopes to inspire young people to major in Journalism, start their own publication, or seek employment in the field. A former Young Publisher, worthy of praise and recognition is Damon Brown, who has written over twenty books, which includes four New York best sellers.

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council deems it is a privilege to join with the citizens of the Lansing area in recognizing the 25th anniversary of the Michigan Bulletin, this milestone in history of institution will be celebrated offering the entire community an opportunity to acknowledge the publication's long-standing impact on minority issues. May all involved in the success of the Michigan Bulletin know of our admiration, may the newspaper long continue its exemplary course in its mission of communication and education.

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

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

WHEREAS, on Saturday, February 16, 2019, The Divine Connection in association with Dean Transportation, Two Men & A Truck, Tabernacle of David, and Paradise Funeral Chapel, just to name a few will honor some of the City's most esteemed and influential pastors of the Greater Lansing area at the 9th Annual Pastor's Salute; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize the 2019 most honored Lansing Pastors for their dedication to the community. We celebrate their triumphs as leaders, mentors, and motivators. Congratulations Pastors, we wish you continued success! "Now the God of hope fill you with all joy and peace in believing, that ye may abound in hope, through the power of the Holy Ghost." Romans 15:13

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
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 by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on February 4, 2019 and 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 ON DEVELOPMENT & PLANNING
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 by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development & Planning met on February 4, 2019 and 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.

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

WHEREAS, the Mayor made the appointment of Robert Fryling, 1428 Cambridge Road Lansing, MI 48911 as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021; and

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

WHEREAS, the Committee on Development and Planning met on February 4, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Robert Fryling, 1428 Cambridge Road, Lansing, MI 48911 as an At-Large Member of the Board of Zoning Appeals for a term to expire June 30, 2021

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 310 North Seymour Avenue located in the City of Lansing; and

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

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

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 25, 2019 at 7:00 p.m. on Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

The South 210 feet of Block 84 of Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of plats, page 36. Commonly known as 310 N. Seymour Avenue, Lansing, MI 48933, Tax Parcel No. 33-01-01-16-177-022.

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project and the scheduled public hearing.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING
(Pablo's Mexican Restaurant, LLC - REO Town Project)

WHEREAS, Pablo's Mexican Restaurant, LLC has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan to complete building renovation, obtain operational licenses, and purchase inventory necessary to open a restaurant on the property commonly known as 1102 S. Washington Avenue and W. Elm Street (the Project); and

WHEREAS, with a continued effort to foster business development, expansion and renovation of properties within the City of Lansing, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the targeted area for revitalization; and

WHEREAS, the Business Financing Assistance Program will utilize a portion of the LEDC's capital to make funds available for financing the Project; and

WHEREAS, the LEDC Board of Directors, in conformity with Public Act 338 of 1974, as amended (the "Act"), has approved the Project Plan, including a Project Area and Project District Area for the Project; and

WHEREAS, Section 8 of the Act requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a public hearing on the matter and secure the approval of the City Council; and

WHEREAS, at such hearing, the City Council shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing; and

WHEREAS, Section 4 of the Act requires the appointment of 2 additional Directors of the LEDC who shall serve only in respect to this project and shall be representative of neighborhood residents and business interests likely to be affected by the project proposed by the corporation and who shall cease to serve when the project is either abandoned or, if undertaken, is completed in accordance with the project plan;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 25, 2019 at 7:00 p.m. on the Pablo's Mexican Restaurant - REO Town Project for the Project Plan and Project Area, as designated by the LEDC, under Public Act 338 of 1974 more particularly described as:

Parcel #1: 1102 S WASHINGTON AVE, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-040

Legal Description: N 1/2 LOT 1 & E 46 FT OF N 1/2 LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #2: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-030

Legal Description: E 4 FT OF W 20 FT OF N 82.5 FT LOT 2 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #3: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-021

Legal Description: COM S LINE ELM ST 49 FT E OF NE COR LOT 4, TH E 33 FT, S 82.5 FT, W 33 FT, N 82.5 FT TO BEG; BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

Parcel #4: W ELM ST, LANSING, MI 48910

Parcel Number: 33-01-01-21-178-011

Legal Description: E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

BE IT FURTHER RESOLVED that the territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area is hereby recognized as having the same description as the Project Area.

BE IT FURTHER RESOLVED that the City Clerk shall provide notice of the time and place of the hearing given by publication once in a newspaper of general circulation designated by the municipality, not less than 10 days before the date set for the hearing.

BE IT FINALLY RESOLVED that the Lansing City Council hereby advises and confirms to the appointment by the Mayor of Julian Darden and Julie Haak as additional directors to the Board of Directors of the LEDC solely for this project, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

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,
for the sum of \$1.00.

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

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

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Tannin, LLC to transfer location of Class C Liquor License at 1620 E. Michigan Ave Lansing MI 48912; and

WHEREAS, the Committee on General Services reviewed the request on February 4, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Tannin, LLC to a transfer location of Class C Liquor License at 1620 E. Michigan Ave Lansing MI 48912, Ingham County.

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

WHEREAS, June Mar Be, sought to eliminate a special assessment of \$518.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 2024 Hillcrest (Tax ID #33-01-01-32-151-121); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on February 4, 2019 and partially granted the claim in the amount of \$78.00, leaving a remaining balance owing of \$440.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, partially grants the claim in the amount of \$78.00 for trash and debris removal fees, and all associated penalties and interest on the property tax bill for 2024 Hillcrest (Tax ID #33-01-01-32-151-121), leaving a balance owing of \$440.00.

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 Code Compliance Manager has determined that the building located at 2500 W. JOLLY RD., 33-01-01-31-476-211 legally described as: S 175 FT LOT 71 ECP FARMS is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on December 5, 2017; and

WHEREAS, a hearing was held by the Hearing Officers on 8/23/2018, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 10/23/2018; and

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

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

WHEREAS, the City Council held a show cause hearing on January 14, 2019, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 2500 W. JOLLY RD. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 60 days from the date of this resolution.

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

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

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

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

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

WHEREAS, the Code Compliance Manager has determined that the building located at 1414 Ballard ST., 33-01-01-10-157-001 legally described as: N 34 FT OF W 4 R LOT 17 BLOCK 2 HANDY HOME ADD is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on July 12, 2018; and

WHEREAS, a hearing was held by the Hearing Officers on 8/23/2018, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 10/23/2018; and

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

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

WHEREAS, the City Council held a show cause hearing on January 14, 2019, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 1414 BALLARD ST. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 60 days from the date of this resolution.

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

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

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

DRAFT

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

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

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

WHEREAS, administration is submitting fees for consideration and approval for summer 2019 classes and programming which will begin prior to the new fiscal year; and

WHEREAS, the Parks and Recreation Department desires to continue a program of recreational tennis available to residents of Lansing and non-residents of Lansing; and

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

WHEREAS, the new fees proposed are to compensate the Department of Parks and Recreation and offset the costs involved in facilitating youth tennis and tutoring programs.

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

BE IT FINALLY RESOLVED, the proposed fees are as follows:

TODD MARTIN YOUTH LEADERSHIP TENNIS PROPOSED FEES:

	<u>Proposed fee</u>
Tutoring	\$75/Res; \$110/Non-Res (42 hours)
Friday Night Tennis Local Excellence	\$65/Res; \$95/Non-Res (8 weeks)
Friday Night Tennis NJTL/QuickStart	\$50/Res; \$75/Non-Res (8 weeks)
Summer Tennis Local Excellence	\$25/Res; \$35/Non-Res (per week)
Summer Night Tennis NJTL/QuickStart	\$20/Res; \$30/Non-Res (per week)

BY THE COMMITTEE ON PUBLIC SERVICE
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 re-convey 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 re-convey 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 the 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 the 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 ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the following reappointment as stated below:

Income Tax Board of Review:

Michael DeMartelaere as an At-Large Member for a term to expire June 30, 2022; and

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

WHEREAS, the Committee on Ways and Means took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment as stated below:

Income Tax Board of Review:

Michael DeMartelaere as an At-Large Member for a term to expire June 30, 2022.

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

WHEREAS, the Mayor made the reappointment of Anita L. Turner to the Medical Marihuana Commission for a term to expire November 27, 2021; and

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

WHEREAS, the Committee of the Whole met on January 28, 2019 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Anita L. Turner to the Medical Marihuana Commission for a term to expire November 27, 2021.

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

WHEREAS, the City Attorney has requested and recommends 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.

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

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

Elected Officers Compensation Commission:

Cassie Alley as an At-Large Member for a term to expire October 1, 2024; and

Downtown Lansing Inc.:

Christine M. Zarkovich as a Business Owner for a term to expire June 30, 2022; and

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

WHEREAS, the Committee of the Whole took affirmative action;

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

Elected Officers Compensation Commission:

Cassie Alley as an At-Large Member for a term to expire October 1, 2024;

Downtown Lansing Inc.:

Christine M. Zarkovich as a Business Owner for a term to expire June 30, 2022.

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

RESOLUTION AUTHORIZING SUBSTITUTION OF PROPERTY UNDER CONTRACT
WITH TAX INCREMENT FINANCE AUTHORITY

WHEREAS, the City of Lansing, Michigan (the "City") has previously created the Tax Increment Finance Authority of the City of Lansing (the "Authority") under and in pursuance of the provisions of Act 450, Public Acts of Michigan, 1980, as amended (the "TIFA Act"); and

WHEREAS, pursuant to the TIFA Act, the Authority has prepared its amended Development Plan and Tax Increment Financing Plan for the Phase III – Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project (such Plan, as it may be amended or supplemented in the future, is referred to herein as the "Plan"); and

WHEREAS, in order to implement the Plan, the City leases various automobile parking structures and lots (the "Project") to the Authority pursuant to a Contract of Lease dated December 20, 1994 (the "Contract"); and

WHEREAS, under Section 10 of the Contract, the Authority may agree to release a portion of the Project and substitute other property of value equal to or greater than the value of the property being released; and

WHEREAS, the City wishes to release the portion of the Project commonly known as the Townsend Ramp, and described more fully on Exhibit A of this resolution (the "Released Property") from the Contract; and

WHEREAS, the City wishes to substitute the property commonly known as the North Capitol Ramp and South Capitol Ramp, described more fully on Exhibit B of this resolution (the "Substituted Property") for the Released Property; and

WHEREAS, pursuant to Section 10 of the Contract, the Office of the City Attorney has provided the Authority with an adequate legal description of that portion of the Project being released and of property to be substituted therefor, together with a survey thereof; and

WHEREAS, pursuant to Section 10 of the Contract, the Office of the City Attorney has provided the Authority with an opinion that the conveyances are in compliance with the City Charter and applicable state law and City ordinances; and

WHEREAS, pursuant to Section 10 of the Contract, the City Council has received a certificate signed by the Finance Director finding that as of the date of the substitution of the property, the value of the Project after consummation of the substitution of the property is equal to or greater than the value of the Project prior to the substitution;

NOW, THEREFORE, BE IT RESOLVED THAT the City hereby requests that the Authority accept the Substituted Property as a portion of the Project subject to the Contract, and in exchange therefor that the Authority release the Released Property from the terms of the Contract.

BE IT FURTHER RESOLVED that in reliance on the certificate signed by the Finance Director, the City hereby determines that the value of the Project, after the consummation of such substitution of property, is equal to or greater than the value of the Project prior to the substitution.

BE IT FURTHER RESOLVED that the City Council hereby approves Amendment No. 6 to Contract of Lease in substantially the form on file with the City Clerk, with such changes or revisions as may be necessary or advisable as approved by the Mayor or the City Attorney. The Mayor and the City Clerk are hereby authorized to execute Amendment No. 6 and deliver it to the Authority.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Finance Director, City Attorney, and other officers, administrators, agents and attorneys of the City are authorized and directed to execute such documentation and take all other actions necessary and convenient to facilitate the transactions authorized by this resolution.

BE IT FINALLY RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

EXHIBIT A

Description of the Portion of the Project to be Released

Townsend Ramp

Lots 7, 8, 9, and 10, ALSO that part of Lot 11 described as beginning at a point on the East line of Lot 11 a distance of 104.04 feet Southerly from the Northeast corner of Lot 12; thence Southerly along the East line of Lot 11 to the Southeast corner of Lot 11; thence Westerly along the South line of Lot 11 to the Southwest corner of Lot 11; thence Northerly along the West line of Lot 11 to a point on the West line of Lot 11 a distance of 104.33 feet Southerly from the Northwest corner of Lot 12; thence Easterly to the point of beginning of Block 116, of the Original Plat of the City of Lansing, according to the recorded Plat as thereof recorded in Liber 2 of Plats, Page 36, Ingham County Records.

Subject to easements, encumbrances, and restrictions of record.

EXHIBIT B

Description of the Portion of the Project to be Substituted

North Capitol Ramp – N. Capitol & Shiawassee

W 125 FT OF LOTS 7 THRU 12 INCL BLOCK 83 ORIG PLAT

and

South Capitol Ramp – S. Capitol & Kalamazoo

LOTS 3 THRU 6 INCL, LOTS 9 & 10, E 49.5 FT LOT 7, LOT 8
EXC S 25.75 FT OF W 115.5 FT, ALSO LOT 11 EXC E 55 FT
BLOCK 127 ORIG PLAT



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

WHEREAS, a certain quit claim deed dated January 9, 2019, has been presented to the City conveying property known as the Townsend Parking Ramp by the City of Lansing Building Authority.

BE IT RESOLVED that the City of Lansing hereby accepts the conveyance of the quit claim deed attached hereto as Exhibit A.

NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
WET WEATHER CONTROL PROGRAM PROJECT

CITY OF LANSING

(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality has required, consistent with Administrative Consent Order #ACO-SW02-030, the City of Lansing (the "City") to abate sanitary sewer overflows from its combined sewer collection system; and

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

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.00% and in an aggregate amount not to exceed \$16,000,000 for the purpose of financing a sanitary sewer rehabilitation project, the Central Interceptor/Sycamore-Lindbergh Interceptor Rehabilitation Project Phase II; as further described in plans on file with the City related to the Wet Weather Control Program State Revolving Fund Project Plan, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before February 13, 2019, in the LANSING CITY PULSE, or other newspaper of general circulation in the City, as a display advertisement at least $\frac{1}{4}$ page in size.
2. Said Notice of Intent so published shall be substantially in the following form:

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

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$16,000,000 for the purpose of financing the Central Interceptor/Sycamore-Lindbergh Interceptor Rehabilitation Project Phase II as further described in plans on file with the City (the "Improvements"), related to Wet Weather Control Program State Revolving Fund Project Plan and required by the Administrative Consent Order. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.00%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

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

RIGHT OF REFERENDUM

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

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

Chris Swope,
City Clerk

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

2. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Wet Weather Control Program Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

- (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
- (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$16,000,000, which may be issued in one or more series.
- (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

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

2. Miller, Canfield, Paddock and Stone, P.L.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

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

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____



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

WHEREAS, the Mayor made the appointment of Enrique Jose Mendoza, 3809 Kendalwood Drive, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2020; and

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

WHEREAS, the Committee _____ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Enrique Jose Mendoza, 3809 Kendalwood Drive, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2020.

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

WHEREAS, the City of Lansing is the owner of real property commonly known as the Miller Road Center (the "Property") located 6025 Curry Lane, Lansing, Michigan and legally described as: COM 198 FT N OF SE COR LOT 2, TH N 139 FT, W 165 FT, S 40 FT, E 16.5 FT, S 99 FT, E 148.5 FT TO BEG; SUPERVISORS PLAT NO 9 T3N R2W, CITY OF LANSING), INGHAM COUNTY, MICHIGAN.

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

WHEREAS, the electors of the City of Lansing on the November 4, 2014 ballot voted and approved to sell the physical structure known as the Miller Road Center currently located on the parcel of property located at 6025 Curry Lane in Lansing; and

WHEREAS, the City published a Request for Proposal, RFP 19/032, to purchase the Miller Road Center on July 23, 2018 which generated three (3) proposals; and

WHEREAS, the proposal that was best able to comply with the terms of the Request for Proposal was received from Capital Area Soccer League whose address is 2875 Northwind Drive, Suite 123, East Lansing, Michigan, for purchase in the amount of One Hundred Twenty Five Thousand Dollars (\$125,000), subject to the terms of the Request for Proposal.

NOW, THEREFORE, BE IT RESOLVED that City Council approves of the sale of the Miller Road Center, legally described as:

COM 198 FT N OF SE COR LOT 2, TH N 139 FT, W 165 FT, S 40 FT, E 16.5 FT, S 99 FT, E 148.5 FT TO BEG; SUPERVISORS PLAT NO 9 T3N R2W, CITY OF LANSING), INGHAM COUNTY, MICHIGAN.

Tax Parcel ID: 33-01-05-04-477-002

to Capital Area Soccer League, for One Hundred Twenty Five Thousand Dollars (\$125,000), subject to the restrictions on transfer as set forth in Request for Proposal RFP 19/032.

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

BE IT FINALLY RESOLVED, any net proceeds from the sale of the Property will be used for improvements in the City of Lansing park and recreation system.

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

WHEREAS, the June Knostman Living Trust has bestowed to the Department of Parks and Recreation a fund in the amount of Two Hundred Thousand and 00/100 dollars (\$200,000.00)

WHEREAS, the June Knostman Frances Park Fund will be used to make improvements to the City of Lansing's Frances Park, Rose Garden and Overlook; and

WHEREAS, meetings were held with neighbors, Friends of Frances Park and Trustee Gordon Hall to receive input on the improvements; and

WHEREAS, the Fund will be the exclusive property of the City of Lansing Parks and Recreation Department; and

WHEREAS, distributions from the Fund may be used to pay for contracted services and improvement projects, but may not be used to pay wages or benefits for City of Lansing employees.

NOW, THEREFORE BE IT RESOLVED that the City Council approves the acceptance of the June Knostman Frances Park Fund; and

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

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INTRODUCTION OF ORDINANCE

The Committee on Public Safety introduced:

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1460, SECTIONS 1460.01 AND 1460.02 OF THE LANSING CODIFIED ORDINANCES TO ADOPT THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH CERTAIN ADDITIONS, DELETIONS, AND ALTERATIONS.

The Ordinance is read a first time by its title and referred to the Committee on Public Safety

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of an amendment to Chapter 1460, Sections 1460.01 and 1460.02 of the Lansing Codified Ordinances to adopt the 2015 International Property Maintenance Code with certain additions, deletions, and alterations.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 25, 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an amendment to Chapter 1460, Sections 1460.01 and 1460.02 of the Lansing Codified Ordinances to adopt the 2015 International Property Maintenance Code with certain additions, deletions, and alterations.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1460, SECTIONS 1460.01 AND 1460.02 OF THE LANSING CODIFIED ORDINANCES TO ADOPT THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH CERTAIN ADDITIONS, DELETIONS, AND ALTERATIONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1460.01 of the Codified Ordinances of the City of Lansing, Michigan, is hereby amended as follows:

1460.01. PROPERTY MAINTENANCE CODE

For the purpose of regulating and governing the conditions and maintenance of all premises and any structures thereon; providing standards for supplied utilities and facilities, other physical aspects of structures, and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and providing a mechanism for condemnation of structures unfit for occupancy and use and the demolition of such structures, the ~~2009~~2015 International Property Maintenance Code ("IPMC") is hereby adopted as if fully set forth herein, with the following additions, deletions, and alterations:

(a) When used in the IPMC:

(1) "[Name of jurisdiction]" and "the jurisdiction" are replaced with "Lansing" or "the City."

(2) "International Building Code" is replaced with "the Building Code, as adopted in Chapter 1420 of the Lansing Codified Ordinances."

- 1 (3) "International Mechanical Code" is replaced with "the Mechanical Code, as adopted in
- 2 Chapter 1426 of the Lansing Codified Ordinances."
- 3 (4) "ICC Electrical Code" is replaced with "the Electrical Code, as adopted in Chapter
- 4 1424 of the Lansing Codified Ordinances."
- 5 (5) "International Zoning Code" is replaced with "the Zoning Code, Title Six of Part
- 6 Twelve of the Lansing Codified Ordinances."
- 7 (6) "International Fire Code" is replaced with "the Fire Code, as adopted in Chapter 1610
- 8 of the Lansing Codified Ordinances."
- 9 (7) "International Plumbing Code" is replaced with "the Plumbing Code, as adopted in
- 10 Chapter 1422 of the Lansing Codified Ordinances."
- 11 (8) "Department of Property Maintenance Inspection" and "Department" are replaced with
- 12 "Office of Code Compliance."
- 13 (9) "Legal representative of the jurisdiction," "legal officer of the jurisdiction," and "legal
- 14 counsel of the jurisdiction" are replaced with "City Attorney."
- 15 (10) "Appointing authority" AND "CHIEF APPOINTING AUTHORITY" ~~is~~ARE
- 16 replaced with "Mayor."
- 17 (11) "Appeals Board" is replaced with "Building Board of Appeals."
- 18 (b) The following language is added to Section 102.6 after the word "designated": By the Federal,
- 19 State, or local government.
- 20 (c) Section 103.2 is deleted.

1 (d) The text of Section 103.3 is replaced with the following: The Code Official has the authority
2 to appoint Code Compliance Officers and to delegate to any of them any of his or her duties
3 or functions under this Code.

4 (e) The text of Section 103.5 is replaced with the following: The fees for services performed by
5 the Office of Code Compliance under this Code shall be established by Council Resolution.

6 (f) The following language is added to the end of Section 104.1: The Office of Code Compliance
7 is responsible for enforcing this Code and acts as the Local Health Department under Part 24
8 of the Public Health Code, PA 368 of 1978. The Office of Code Compliance may also enforce
9 any provision of the Housing Law of Michigan, PA 167 of 1917.

10 (g) The following language is added to the end of Section 106.1: Unless otherwise provided, a
11 property's owner is responsible for violations of this Code occurring on the property, even
12 where this Code imposes an additional duty on the occupant or where the owner has imposed
13 responsibility on the occupant by agreement.

14 (h) The text of Section 106.3 is replaced with the following: The Code Official and all Code
15 Compliance Officers are hereby designated as authorized City Officials for the purpose of
16 issuing municipal civil infraction notices directing alleged violators to appear at the City of
17 Lansing Municipal Ordinance Violations Bureau or a local court of competent jurisdiction.
18 Unless otherwise provided in this Code or by State law, any person in violation of any
19 provision of this Code is responsible for a municipal civil infraction and subject to a \$500.00
20 fine and all other penalties and remedies allowed by law. Any person in violation of Section
21 108.4.1 or Section 108.5 is responsible for a misdemeanor and subject to the penalties provided
22 in Section 202.99(b) of the Lansing Codified Ordinances and all other penalties and remedies

1 allowed by law. If a violation of this Code is not corrected as required by the notice of violation
2 given pursuant to Section 107, the Code Official may institute the appropriate proceeding at
3 law or in equity to restrain, correct, or abate such violation; or to require the removal or
4 termination of any unlawful occupancy of the structure. With the exception of the 30 days
5 within which a vacant structure must be closed pursuant to Section 108.2, the Code Official
6 has the authority to grant an extension of the time specified in the notice of violation, upon
7 request by the person responsible for the violation, provided that the person agrees to correct
8 the violation within the extended time period to be granted and the Code Official determines
9 that a condition dangerous to life or property will not be created or perpetuated by granting
10 such extension. No such extension of time for the correction of a violation will extend the time
11 for filing an appeal.

12 (i) Section 106.6 is added, to read as follows: Violations of Section 302.4 and violations of Section
13 308 are hereby declared to be nuisances and may be abated by the City if not corrected within
14 the time provided in the notice given pursuant to Section 107. Any expense incurred in abating
15 a nuisance pursuant to this section, including an administrative service fee, shall be paid by the
16 owner or party in interest whose name appears on the City's real property tax assessment
17 records. The owner or party in interest whose name appears on the City's real property tax
18 assessment records shall be notified of the amount owed by first class mail at the address shown
19 on the City's real property tax assessment records. After 30 days, any unpaid amount shall be
20 reported to the City Assessor for placement on the next tax roll of the City and imposition of a
21 lien against the property on which the nuisance was located, as permitted by State law.

22 (j) When used in Section 107.1, "person" is replaced with "~~persons~~PERSON(S)."

1 (k) In Section 107.2:

2 (1) The following language is added to the end of number 4: For violations of Section
3 302.4, the notice shall require correction within 7 days.

4 (2) The text of number 6 is replaced with the following: Inform the property owner that,
5 when permitted by law, a lien may be imposed upon the property.

6 (l) The following language is added to the end of Section 108.1.1: Any structure that is a
7 "dangerous building" as defined in the Housing Law of Michigan, PA 167 of 1917, is also an
8 unsafe structure.

9 (m) The text of Section 108.5 is replaced with the following: Any structure condemned and
10 placarded by the Code Official shall be vacated. No person shall occupy any such structure or
11 allow any domestic animal to occupy any such structure. No person shall operate equipment
12 condemned and placarded by the Code Official. Repairs required by a correction order may be
13 made during the hours of 8 am and 5 pm on Mondays through Fridays or at other times for
14 which the Code Compliance Office has granted permission. The Code Compliance Office shall
15 grant permission for repairs to be made at other reasonable times set by Department policy if
16 the person seeking permission has obtained all permits necessary for the work to be done and
17 provides documentation indicating that the work cannot be performed between 8 am and 5 pm
18 on Mondays through Fridays.

19 (n) Section 108.8 is added, to read as follows: The owner of any structure placarded FOR MORE
20 THAN 90 DAYS pursuant to Section 108.4 is responsible for paying a monthly, non-
21 refundable administrative fee while the placard remains on the structure. The administrative
22 fee shall be established by Council resolution in an amount sufficient to defray the cost incurred

1 by the City to monitor the structure for the purpose of preventing public safety hazards. The
2 owner or party in interest whose name appears on the City's real property tax assessment
3 records shall be notified of the amount owed by first class mail at the address shown on the
4 City's real property tax assessment records. After 30 days, any unpaid amount shall be reported
5 to the City Assessor for placement on the next tax roll of the City and imposition of a lien
6 against the property, as permitted by State law.

7 (o) Section 108.9 is added, to read as follows: The Code Official may request permission to inspect
8 any structure intended to be used as a dwelling when that structure has remained vacant for
9 180 days. If permission to inspect is denied, the Code Official may seek a warrant from a court
10 of competent jurisdiction.

11 (p) Section 110 is deleted. In its place, MCL 125.538-125.542, with the exception of MCL
12 125.541c, from Article VII of the Housing Law of Michigan, PA 167 of 1917, are hereby
13 adopted by reference. Pursuant to MCL 125.534(6), regardless of whether or not the cost of
14 repair of a structure exceeds its state equalized value, the Code Official may bring a court
15 action to remove or rehabilitate it if (1) it is an unsafe structure pursuant to Section 108.1.1,
16 (2) it remains vacant or boarded, and (3) a significant attempt has not been made to rehabilitate
17 it for a period of 24 consecutive months.

18 (q) Section 111.1 is replaced with the following: Appeal of a decision that a structure is a
19 dangerous building pursuant to MCL 125.542 shall follow the procedures described in the
20 Housing Law of Michigan, PA 167 of 1917, and adopted in subsection (p). Any person directly
21 affected by any other decision of the Code Official or notice or order issued under this Code
22 may appeal to the Building Board of Appeals. The Code Official shall be an ex-officio member

1 of the Building Board of Appeals when it hears appeals brought under this Code, but the Code
2 Official shall have no vote on any matter before the Board. Written application for an appeal
3 must be filed within 20 days of service of the decision, notice, or order being appealed. An
4 application for appeal must be based on a claim that the true intent of this Code or the rules
5 legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do
6 not apply, or the purposes of this Code's requirements are adequately fulfilled by other means.

7 (r) Sections 111.2-~~111.7~~111.8 are deleted.

8 (s) The following definitions replaces those provided in Section 202:

9 *PERSON. ANY LEGAL ENTITY.*

10 (t) The definitions of "COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS,"
11 "inoperable motor vehicle," and "operator" are deleted.

12 (u) The following definitions are added to Section 202:

13 a. *Absentee landlord.* Any owner of rental property whose principal residence is located
14 more than forty miles from the corporate limits of the City.

15 b. *Code Compliance Officer.* Any duly authorized representative of the Code Official.

16 c. *Dwelling.* Any "dwelling," as defined in the Housing Law of Michigan, PA 167 of
17 1917.

18 d. *Leasehold.* Any "leasehold" as defined in the Housing Law of Michigan, PA 167 of
19 1917.

20 e. *Motor vehicle.* Any "motor vehicle" as defined in the Michigan Vehicle Code, PA 300
21 of 1949.

1 f. *Rental property.* Any premises, dwelling, dwelling unit, or rooming unit which is not
2 occupied on a daily basis by the owner(s), and which is offered to let, to hire, or to
3 assign for a period of more than 30 days to any person(s) for any or no consideration.

4 (v) The following language is added to the end of Section ~~302.4~~302.1: No mattresses or indoor
5 furniture shall be kept on exterior property or premises.

6 (w) The first paragraph of Section 302.4 is replaced with the following: All premises shall be
7 maintained free of weeds and of grass eight inches or more in height.

8 (x) The text of Section 302.8 is replaced with the following: No motor vehicle that is inoperative,
9 stripped, dismantled, or in a state of major disassembly or disrepair may be kept on any exterior
10 premises. Motor vehicles may be removed from private property in accordance with the towing
11 regulations established by the State as the "special anti-theft laws" sections of Division II of
12 the Michigan Vehicle Code, MCL 257.252—MCL 257.254.

13 (y) When used in Section 304.14, "during the period from [date] to [date]" is replaced with
14 "between May and October."

15 (z) In Sections 602.3 and 602.4, "during the period from [date] to [date]" is deleted.

16 (aa) Section 404.5 is deleted.

17
18 Section 2. That Section 1460.02 of the Lansing Code of Ordinances of the City of Lansing
19 Michigan, is hereby amended as follows:

20 **1460.02. - COPY OF ~~2009~~2015 International Property Maintenance Code for Public**
21 **Inspection.**

1 A copy of the ~~2009~~2015 International Property Maintenance Code is available for public
2 inspection in the City Clerk's Office.

3
4 Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
5 inconsistent with the provisions hereof are hereby repealed.

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

9 Section 5. This ordinance shall take effect on the 30th day after enactment, unless given
10 immediate effect by City Council, and shall expire on December 31, 2027.

11
12 APPROVED BY THE ORDINANCE REVIEW COMMITTEE
13 OF THE OFFICE OF THE CITY ATTORNEY

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PASSAGE OF 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.

Z-6-2018; 522 Leshar Place, Rezoning from "DM-3" Residential District to "D-1" Professional Office District

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

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORÉ	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐

☐ ADOPTED

☐ FAILED

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 Leshar 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.

PASSAGE OF 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.

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

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

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORÉ	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐

☐ ADOPTED

☐ FAILED

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.

PASSAGE OF ORDINANCE

Insert Title of ordinance – Example: 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.

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.

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

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORÉ	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐

☐ ADOPTED

☐ FAILED

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.

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

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

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

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

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

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Chris Swope
Lansing City Clerk

February 8, 2019

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

Police Board of Commissioners

December 4, 2018

Lansing Entertainment and Public Facilities

November 27, 2018

Medical Marihuana Commission

January 18, 2019

Lansing Board of Water and Light Board of Commission

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,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, CMC, CMMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear President and Council Members:

My office has received and placed on file:

Tri-County Regional Planning Commission Audit, Fiscal Year 2018

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

Sincerely,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear Councilmembers:

This is to notify you that my office received on January 22, 2019 Mayor Schor's Executive Order 2019-01, Rotary Park, renaming park land to be placed on file. The Order is attached.

Sincerely,

Chris Swope, CMMC/MMC
Lansing City Clerk

Attachment

Andy Schor
Mayor



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

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

**TO: COUNCIL PRESIDENT, COUNCIL VICE PRESIDENT, MEMBERS OF
LANSING CITY COUNCIL; ALL OFFICERS, EMPLOYEES, AGENCIES,
BOARDS, AUTHORITIES, AND DEPARTMENTS OF THE CITY OF LANSING**

RE: EXECUTIVE ORDER OF INTENT TO NAME "ROTARY PARK"

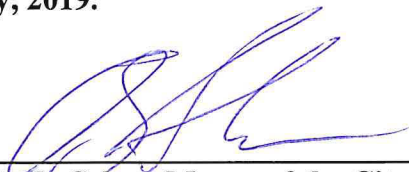
As Mayor of the City of Lansing, I am charged with the designated responsibility to name public amenities as provided for by Lansing Ordinance #1232.

I am today issuing the following Executive Order in consideration of the expected construction of public park improvements, amenities, and enhancements ("the Improvements") to be made to the area depicted in Attachment A, together with agreement for the future maintenance of the Improvements, all as contracted for in the Development Agreement and Maintenance Agreement, dated December 12, 2018 (collectively "the Improvement Agreements").

EXECUTIVE ORDER 2019-01

I hereby announce my intent to name the area in Attachment A as ROTARY PARK, except for the river trail, to become effective upon completion of the following requirements contained in the Improvement Agreements: Completion of Construction; the Final Project Acceptance; and the Conveyance of the Improvements to the City.

Issued and ordered this 22 day of January, 2019.

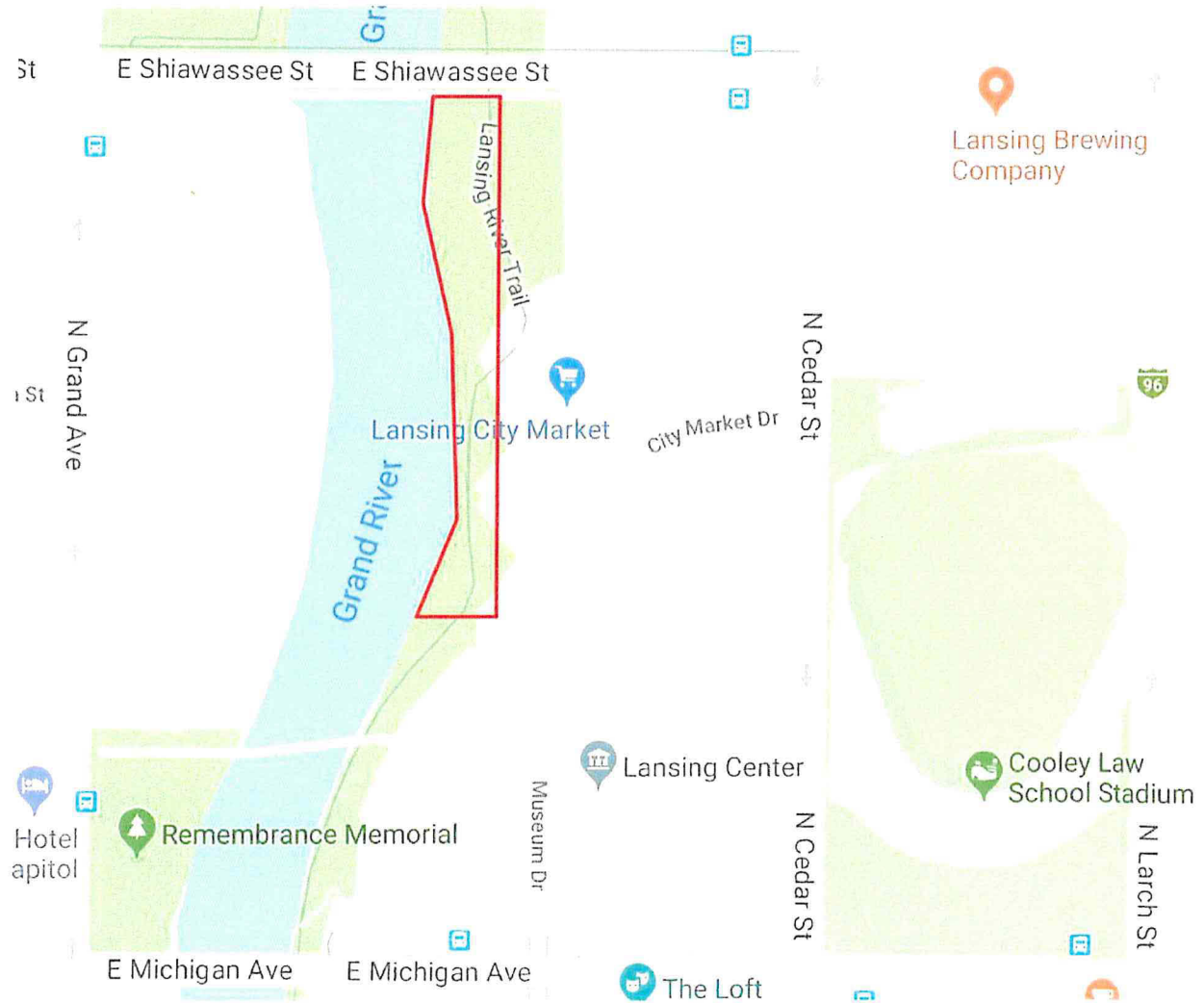


**Andy Schor, Mayor of the City of
Lansing, Michigan**

RECEIVED
2019 JAN 22 PM 2:47
LANSING CITY CLERK

ATTACHMENT A

Proposed Rotary Park





Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear Councilmembers:

This is to notify you that my office received on February 1, 2019 Mayor Schor's Executive Order 2019-02, Adopting the 2018 City of Lansing Hazard Mitigation Plan, to be placed on file. The Order is attached.

Sincerely,

Chris Swope, CMMC/MMC
Lansing City Clerk

Attachment



RECEIVED

2019 FEB -1 PM 2:02

LANSING CITY CLERK

OFFICE OF MAYOR ANDY SCHOR

124 W. Michigan Avenue – Ninth Floor

Lansing, MI 48933

**TO: COUNCIL PRESIDENT, COUNCIL VICE PRESIDENT, AND MEMBERS OF THE
LANSING CITY COUNCIL; ALL OFFICERS, EMPLOYEES, AGENCIES, BOARDS,
AUTHORITIES, AND DEPARTMENTS OF THE CITY OF LANSING**

**RE: EXECUTIVE ORDER ADOPTING THE 2018 CITY OF LANSING HAZARD
MITIGATION PLAN**

The City of Lansing recognizes the threat that natural and technological hazards pose to the people and community. Undertaking hazard mitigation actions will reduce the potential harm to people and property from future hazard occurrences. An adopted hazard mitigation plan is a required condition of future funding for multiple FEMA pre- and post-disaster mitigation grant programs. Michigan State Police Emergency Management and Homeland Security Division and Federal Emergency Management Agency officials have reviewed the 2018 City of Lansing Hazard Mitigation Plan and the Lansing Flood Mitigation Plan and have approved them contingent upon official adoption.

The following executive order shall be effective immediately.

EXECUTIVE ORDER – 2019 -02

I hereby adopt the 2018 City of Lansing Hazard Mitigation Plan and Lansing Flood Mitigation Plan as conditionally accepted by the Michigan State Police and the Federal Emergency Management Agency.

Issued and ordered this Thirty-first day of January, 2019

A handwritten signature in black ink, appearing to read "AS", is written over a horizontal line.

Andy Schor, Mayor of the City of Lansing, Michigan



Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear Councilmembers:

This is to notify you that my office received on February 6, 2019 Mayor Schor's Executive Order 2019-03, Mayor's Lansing Veterans Commission to be placed on file.

The Order is attached.

Sincerely,

Chris Swope, CMMC/MMC
Lansing City Clerk

Attachment

Andy Schor
Mayor



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

OFFICE OF THE MAYOR

CITY OF LANSING, MICHIGAN

TO: COUNCIL PRESIDENT, COUNCIL VICE PRESIDENT, MEMBERS OF LANSING CITY COUNCIL; ALL OFFICERS, EMPLOYEES, AGENCIES, BOARDS, AUTHORITIES, AND DEPARTMENTS OF THE CITY OF LANSING

RE: EXECUTIVE ORDER ESTABLISHING THE MAYOR'S LANSING VETERANS COMMISSION 2019-03

-
- 1) In recognition that veterans have a positive impact on the local economy, build community, provide an opportunity for celebration of Lansing's heritage and diversity, and provide opportunities for lifelong learning, as Mayor of the City of Lansing I am hereby establishing a Veterans Commission through this Executive Order.

The following Executive Order shall be effective immediately.

EXECUTIVE ORDER – 2019 - 03

I hereby establish and create an organization to assist me in enhancing the quality of life in the City of Lansing through the promotion of understanding and recognition of those who have served through military service. The organization shall be known as the "Mayor's Lansing Veterans Commission" and will report to me and provide advice and recommendation regarding all such matters within their charge.

To expedite the creation of the Mayor's Lansing Veterans commission, per my direction the City Attorney prepared the attached Charter for the organization's duties, organization, and procedures.

Issued and ordered this 6th of February, 2019.



Andy Schor
Mayor

"Equal Opportunity Employer"



RECEIVED
2019 FEB -6 AM 10:24
LANSING CITY CLERK

**CHARTER
MAYOR'S LANSING VETERANS COMMISSION
CITY OF LANSING, MICHIGAN**

1. Name. In recognition that veterans have a positive impact on the local economy, build community, provide an opportunity for celebration of Lansing's heritage and diversity, and provide opportunities for lifelong learning, as Mayor of the City of Lansing I am hereby establishing the Lansing Veterans Commission through this Executive Order.

2. Vision. The Vision of the Commission will be to serve Lansing veterans, including services for public education, honors, information, and the facilitation for gaining benefits, employment and services through the following actions:

- Raise the profile of the City of Lansing's commitment to veterans in order to boost attendance and media coverage, and attract support for veterans within the broader community;
- Raise funds for veterans events and carry out the events in concert with City of Lansing resources and support in-kind;
- Contribute time, talent and funding by stakeholders and interested parties;
- Create continuity year-to-year by maintaining contacts, mailing information, and communication with speaker and artists/performers.

3. Statement of Mission. The Mission of the Commission shall be to provide expertise , resources, and support for the following work streams to enable the realization of the Vision:

- Serving as a resource to the Mayor on matters related to Lansing veterans;
- Developing and recommending annual Memorial Day and Veterans Day event plans for the Mayor;
- Developing and recommending ongoing veterans plan performance measures and best practices; and
- Studying and developing proposed additions, deletions, or modifications to this Charter.

4. Membership – Initial, Additions and Withdrawals: The Commission shall consist of “Members” appointed by the Mayor for terms set by the Mayor.

The Commission shall have a Chair, Vice Chair, Treasurer and Secretary, as officers elected annually at a meeting of the Members. The Commission may establish other officer positions, not to exceed 13 members total. The first annual meeting shall be held in 2019.

Vice Presidents, as needed to coordinate program areas or committees, may be elected from the Members at any time.

The initial officers of the Veterans Commission shall be appointed by the Mayor; after the Veterans Commission is established, officers may be selected by the Veterans Commission at any meeting to serve until the next annual meeting.

Officer positions and appointments made by the Veterans Commission shall be invited from the following organizations:

- Veterans service organizations such as the American Legion, Disabled American Veterans, United Service Organizations, Veterans of Foreign Wars, and Vietnam Veterans.
- Community support organizations.
- Educational institutions.
- Business and employers.
- City of Lansing representatives.
- Labor Veterans Liaison.
- City of Lansing residents.

Subsequent to the Effective Date of this Charter and the identification of the Initial Members, other Members may be added, and vacancies filled by the Mayor.

A Member may withdraw from membership upon written notice to the Mayor.

The absence of any Member for three consecutive meetings without valid excuse will result in an automatic removal of the Member from the Veterans Commission.

5. Role of Veterans Commission Members: It is intended that the Commission leverage the experience, expertise, and insight of key individuals at organizations committed to building professionalism in the management of Mission activities. Individual Members may not be directly responsible for managing work stream activities, but will provide support and guidance for those who do. Thus individually, Members should:

- Understand the strategic implications and outcomes of initiatives being pursued through this Charter, its Vision, and its Mission;
- Appreciate the significance of veterans role in the community and their enhancement to the quality of life;
- Be genuinely interested in the work stream initiatives and be an advocate for the outcomes being pursued.

In practice, the above mean that Members should review the status of the activities under this Charter and ensure that the outputs meet the requirements of the Mission in order to realize the Vision. Conflicting priorities and resources should be

balanced. Members should consider all ideas and issues submitted by other Members, provide guidance to the committees established herein, and check adherence to standards of best practices. Further, positive communication both inside and outside of the Commission should be fostered.

6. Officers: The following are the officers of the Commission; however, other officer positions may be created by the Commission, as needed.

The Chair shall guide the Veterans Commission; set goals and objectives; set the calendar, activities, and meeting agendas; follow through on action items; and preside over meetings.

The Vice Chair shall serve as Chair in the absence or disability of the Chair and shall assist in the performance of the duties of the Chair as agreed upon with the Chair.

The Secretary shall keep the minutes and records and assist with communications.

The Treasurer shall track and maintain log of all funding for all Veterans Commission events.

Members shall coordinate program areas, committees, or initiatives.

7. Meetings: Roberts Rules of Order shall be followed in Veterans Commission meetings.

The Members shall adopt a regular meeting schedule; however, special meetings may be called by the Chair, a Vice Chair, or a majority of the Members.

A majority of the duly qualified Members of the Veterans Commission physically present in person, at a meeting is necessary for a quorum. Except as otherwise provided in this Charter, an affirmative majority vote of the Members at a meeting, a quorum being present, is required for approval of any action.

Meetings using electronic or telephonic means is discouraged but may be permitted in limited circumstances.

The Commission is established by the Mayor and is advisory to the Mayor only. It is not a Lansing Charter board or committee; nor, is it established by ordinance or City Council resolution or action of any type. It has no decision or policy making authority; but, is advisory in nature and is established for advice and recommendation to the Mayor only.

Unless altered by a majority vote of a quorum of the Members, the agenda of each meeting shall include:

- Minutes

- Additions to agenda
- Review of previous actions
- Overall Mission and progress status
- Old Business
- New Business
- Milestone review
- Deliverable acceptance
- Accomplishments
- Plans for next period
- Outstanding issues
- Specific requests
- Other
- Next meeting

8. Committees: The following initial Committees are hereby established to support the work streams:

- Veterans Planning
- Education
- Resource and Best Practices Gathering
- Events
- Metrics Development

Committees may be added or eliminated by a majority vote of a quorum of the Members. Each Committee shall be chaired by a Vice Chair. The Chair may create Ad Hoc Committees at any time to last the length of the President's term unless continued by a successor Chair.

9. Annual Meeting Deliverables:

- A Veterans Plan for the Mayor's approval;
- An Education Plan for the Mayor's approval;
- A report on veterans events in Lansing during the preceding year;
- Development of metrics for the Mayor's approval and an annual report on progress using the approved metrics as a guide; and
- Goals, Objectives, and accompanying timelines to support the Mission and achieve the Vision.

10. Measurements:

The success of the Commission will be monitored by metrics developed by the Metrics Development Committee and approved by the Mayor.

11. Miscellaneous:

- An annual report shall be published by the end of March of each year covering the preceding calendar year's activities.
- This Charter may be amended or dissolved by the Mayor at any time.
- With the approval of the Mayor, the organizational structure of the Veterans Commission may be altered by the Mayor to comply with Internal Revenue Service rules and regulations allowing the Veterans Commission to receive grant funds and contributions.

THIS AMENDED CHARTER IS DECLARED EFFECTIVE THIS 6th DAY OF FEBRUARY, 2019 (the "EFFECTIVE DATE").

A handwritten signature in black ink, appearing to read 'AS', is written over a horizontal line.

Andy Schor,
Mayor, City of Lansing, Michigan



Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear President and Council Members:

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

FY 2019 Second Quarter General Fund Status Report

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

Sincerely,

A handwritten signature in black ink that reads "Chris Swope".

Chris Swope, CMC
Lansing City Clerk

City of Lansing
General Fund Status Report – FY 2019 2nd Quarter
Please see accompanying summary detail (page 3)

Summary

For the second quarter of FY 2019, total General Fund revenues were slightly below budgetary targets, and expenditures were within budgetary targets.

Revenues

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

In total, General Fund revenues collected in the second quarter of Fiscal Year 2019 (July – December), as a percent of budget, were slightly below the prior three years' second quarter collection rates, as a percentage of year-end amounts, at 57.7% compared to 58.2%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year, however they are subject to tax appeals and other adjustments throughout the year. Collections were on par with previous years as of the second fiscal year quarter-end, at 99.1% compared to the previous years' collection rate of 99.8%.
- As a percentage of budget, **Income Tax** collections, as a percent of budget, were higher than the average collection rate for the past three years, at 34.8% of budget, compared to 32.3%. The adoption of East Lansing's income tax will affect our income tax revenues beginning January 1; however, it is not anticipated that any budgetary adjustment will be needed, as that possibility was factored into the FY 2019 budget projection. It should be noted that income tax revenues can fluctuate from previous trends due to timing differences in remittances.
- **State Revenue Sharing** and Fire Protection/Bad Driver Fees were on target for the second quarter, at 40.8% collected, compared to 40.9%.
- In total, **Licenses and Permits** revenues were lower than the average collection rate of the same period for the last three years as a percentage of year-end totals, at 20.6% of budget, compared to 31.5%, with the prior year collection rate somewhat skewed by medical marijuana application timelines in FY 2018. When medical marijuana revenues are removed from the prior years' trend, the prior years' benchmark becomes 21.3%. Licenses and permits make up only 1.5% of General Fund revenues.
- **Charges for Services** were on par with the average of the same period for the last three years, at 41.6% of budget compared to 42.2% in prior years.

(continued)

City of Lansing
General Fund Status Report – FY 2019 2nd Quarter
Please see accompanying summary detail (page 3)

Revenues (continued)

- Collection rates for **Fines and Forfeiture** for the second quarter were lower as a percentage of year-end totals for the average of the last three years, at 38.9% of the budget compared to 42.4%, due to lesser-than-anticipated penal case revenues.
- The first of two semiannual **Return on Equity** payments from the Board of Water and Light, was slightly lower than previous years' first installment collection percentages, at 49.1%, compared to 51.7%. This return on equity payment is dependent on gross revenues of the Board of Water and Light.
- As a category, **Interest and Rents** higher than previous years' trends. Interest revenue is posted as investments mature, the timing of which varies from year-to- year. While somewhat ahead of budgetary targets as of December 31, at 42.7% compared to 33.7%, interest and rents comprise only 0.2% of the General Fund budget.
- The **Other Revenues** category collection rate was on target as of the second quarter-end, at a 32.2% collection rate compared to 32.7% in the prior three years.

Expenditures

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

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were within the budgetary target -- at 46.3% as of December 31, compared to a budgetary target of 48.1%. All departments were within budgetary targets, with the exception of the City Clerk's Office, due to election preparation, and the Human Relations and Community Services Department, due to the timing of programs.

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

Of note, year-to-date revenues always exceed expenditures in the second quarter of the year as a result of the collection of the majority of property taxes, comprising 30% of total General Fund revenues, at the beginning of the fiscal year.

General Fund Status Report – FY 2019 2nd Quarter (as of December 31, 2018)

Revenues	Annual Budget	Actual as of 12/31/18	Percent of Budget	Avg. Percent of Year-End Actuals as of December 31 FY 2016 - 2018
Property Taxes	\$ 40,315,000	\$ 39,963,008	99.1%	99.8%
Income Taxes	38,500,000	13,412,494	34.8%	32.3%
Revenue Sharing	19,196,700	7,841,617	40.8%	40.9%
Licenses & Permits	1,677,000	345,211	20.6%	31.5%
Charges for Services	9,027,200	3,751,316	41.6%	42.2%
Fines & Forfeitures	2,456,100	955,168	38.9%	42.4%
Return on Equity	22,500,000	11,042,869	49.1%	51.7%
Interest & Rent	205,000	87,594	42.7%	33.7%
Other Revenue	433,000	139,520	32.2%	32.7%
Total Revenues	<u>\$ 134,310,000</u>	<u>\$ 77,538,797</u>	<u>(1) 57.7%</u>	<u>58.2%</u>

Expenditures	Annual Budget	Actual as of 12/31/18	Percent of Budget	12/31/18 Budgetary Target
Council	\$ 714,000	\$ 303,640	42.5%	46.9%
Internal Audit	194,900	87,879	45.1%	46.7%
Courts	6,605,500	2,770,033	41.9%	47.0%
Mayor's Office	1,296,800	575,036	44.3%	45.8%
Media Center	469,900	184,199	39.2%	46.1%
Clerk's Office	1,197,000	718,519	60.0%	52.8%
Neighborhood & Citizen Engagement	863,500	283,583	32.8%	39.2%
Economic Development & Planning	5,021,300	2,563,185	51.0%	52.7%
Finance	5,471,600	2,118,426	38.7%	46.9%
Human Resources	2,118,000	934,333	44.1%	47.6%
Attorney's Office	2,168,300	832,743	38.4%	46.4%
Vacancy Factor	(500,000)			
Police	43,193,300	20,508,360	47.5%	48.6%
Fire	34,129,900	16,503,604	48.4%	48.9%
Public Service	11,572,500	4,894,986	42.3%	45.2%
Human Relations & Community Service	1,598,300	801,897	50.2%	46.9%
Parks & Recreation	8,301,000	3,480,772	41.9%	47.5%
Subtotal - Departmental Budgets	<u>\$ 124,415,800</u>	<u>\$ 57,561,194</u>	<u>46.3%</u>	<u>48.1%</u>
Human Services & City Supported Agencies	\$ 2,041,400	\$ 711,119	34.8%	
Library Lease	150,000	67,853	45.2%	
Debt Service	1,154,000	-	(2) 0.0%	
Transfers	6,548,800	6,349,805	97.0%	
Subtotal - Non-departmental Budgets	<u>9,894,200</u>	<u>7,128,776</u>		
Total General Fund	<u>\$ 134,310,000</u>	<u>\$ 64,689,970</u>	<u>(1)</u>	

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

(1) **Note: Year-to-date revenue is always greater than expenditures at this time of year as property taxes, accounting for 30% of General Fund revenues, are collected at the beginning of the year. Property taxes include delinquent amounts that will be reimbursed by the counties upon settlement. Property tax collection exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.**

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



Chris Swope
Lansing City Clerk

February 8, 2019

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

Dear President and Council Members:

My office has received and placed on file:

Lansing Housing Commission, Final Report with Supplemental Information, June 30, 2018

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

Sincerely,

Chris Swope, CMC
Lansing City Clerk

**RESOLUTION #2019-
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

Planning Board Act-4-19, 221 Townsend, Sale of Townsend Ramp

WHEREAS, the City of Lansing proposes to sell the Townsend Parking Ramp to the Michigan Senate for \$18,000,000.00; and

WHEREAS, Robert J. Vertalka, MAI, SRA, JD, on November 21, 2018, appraised the value of the property at \$17,840,000 (Seventeen Million Eight Hundred Forty Thousand Dollars); and

WHEREAS, the Real Estate Purchase Agreement between the City of Lansing and the Michigan Senate was placed on file with the City Clerk on December 21, 2018, and is presented for approval; and

WHEREAS, on January 22, 2019, the Planning Board conducted an Act 33 Review of the proposed sale of property pursuant to Section 208.08 of the Code of Ordinances; and

WHEREAS, the Planning Board reviewed the location, character, and extent of the Act-4-19 proposal in accordance with its Act 33 Review procedures, and found that:

- the parking structure was constructed primarily to accommodate the occupants of the Capitol View building,
- if the ramp is sold, there would be up to 228 parking spaces reserved for City employees pursuant to a parking agreement, 50 parking spaces reserved for the public, and ample public parking opportunities at other nearby City locations,
- City ownership of the ramp is not required for the provision of employee and public parking,
- the change in ownership will have no effect on the location, character, and extent of the site; and

WHEREAS, at the Special Meeting held open to the public on January 22, 2019, the Board voted unanimously (7-0) to recommend approval of Act 4-19, the sale of the Townsend Parking Ramp to the Michigan Senate; and

WHEREAS, the Lansing City Council held a duly noticed public hearing on this matter at its meeting on January 28, 2019; and

WHEREAS, the Committee of the Whole has reviewed the report and recommendation of the Planning Board, as well as the Purchase Agreement, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the Real Estate Purchase Agreement for the Townsend Parking Ramp property, dated December 19, 2018.

BE IT FURTHER RESOLVED, that the Lansing City Council hereby authorizes the sale of the Townsend Parking Ramp Property, located at 221 Townsend Street, Lansing, Michigan, and legally described as

Lots 7, 8, 9, and 10, ALSO that part of Lot 11 described as beginning at a point on the East line of Lot 11 a distance of 104.04 feet Southerly from the Northeast corner of Lot 12; thence Southerly along the East line of Lot 11 to the Southeast corner of Lot 11; thence Westerly along the South line of Lot 11 to the Southwest corner of Lot 11; thence Northerly along the West line of Lot 11 to a point on the West line of Lot 11 a distance of 104.33 feet Southerly from the Northwest corner of Lot 12; thence Easterly to the point of beginning of Block 116, of the Original Plat of the City of Lansing, according to the recorded Plat as thereof recorded in Liber 2 of Plats, Page 36, Ingham County Records.

Subject to easements, encumbrances, and restrictions of record.

to the Michigan Senate, for the sum of \$18,000,000.

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 transaction, subject to their prior approval as to content and form by the City Attorney.

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

APPLICANT AND PROPOSAL:	The City of Lansing proposes to sell the Townsend Parking Ramp to the State Senate.
LOCATION:	The site is located in the 200 block of Townsend, east side, at the NE corner of Townsend and Washtenaw Streets.
EXISTING LAND USE & ZONING:	Use: Parking. Zoning: "G-1" Business District
PROPERTY SIZE AND SHAPE:	The property consists of two parcels forming a rectangular, 289.6' X 164.4, approx.. 47,610 s.f. site, containing 1250± parking spaces.
SURROUNDING LAND USE & ZONING	Downtown government and office uses, generally "G-1" zoning.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Development Office:	No comment.
LEAP/EDC:	No comment.
Parking Services Office:	We moved 176 city employees from N Cap to Townsend. We also had 52 city employees already at Townsend. Total city employees at Townsend: 228.
Parks and Recreation:	No comment.
Public Service Department:	The sale of this facility would not impact the operations of the Public Service Department.

BACKGROUND AND ANALYSIS

The City proposes the sale of the Townsend Parking Ramp to the Michigan Senate (see attached). The ramp was built in 2004 to accommodate the Capitol View building, a 160,000 square foot Class A office building located across the street from the State Capitol, which was built at the same time. The Senate offices now occupy the Capitol View building, and the Senate proposes to purchase the adjacent parking structure.

Like most of downtown, the property is zoned G-1 Business District. The ramp holds approximately 1250 parking spaces on nine levels (eight stories). City employees occupy 228 spaces in the ramp.

After the proposed sale, a maximum of 228 covered spaces will be reserved for City employees (in a 5-year, renewable parking agreement), and 50 spaces for public parking (in a 20-year parking agreement).

The property will remain exempt from property taxes after the sale.

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation

Finding:

- The parking structure was constructed primarily to accommodate the occupants of the Capitol View building.
- City ownership of the ramp is not required for the provision of employee and public parking.
- If the ramp is sold, there would be 50 parking spaces reserved for the public, and ample public parking opportunities for at other locations.
- The change in ownership will have no effect on the location, character, and extent of the site.

Recommendation: Approval as proposed.

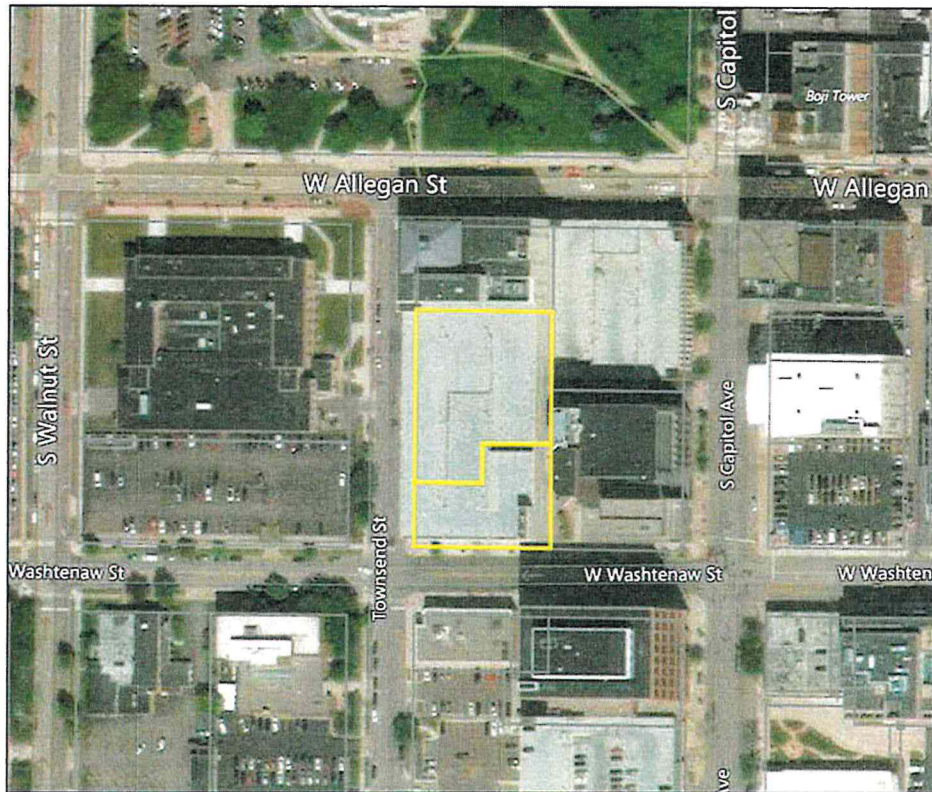
Image/Sketch for Parcel: 33-01-01-16-327-013



****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.

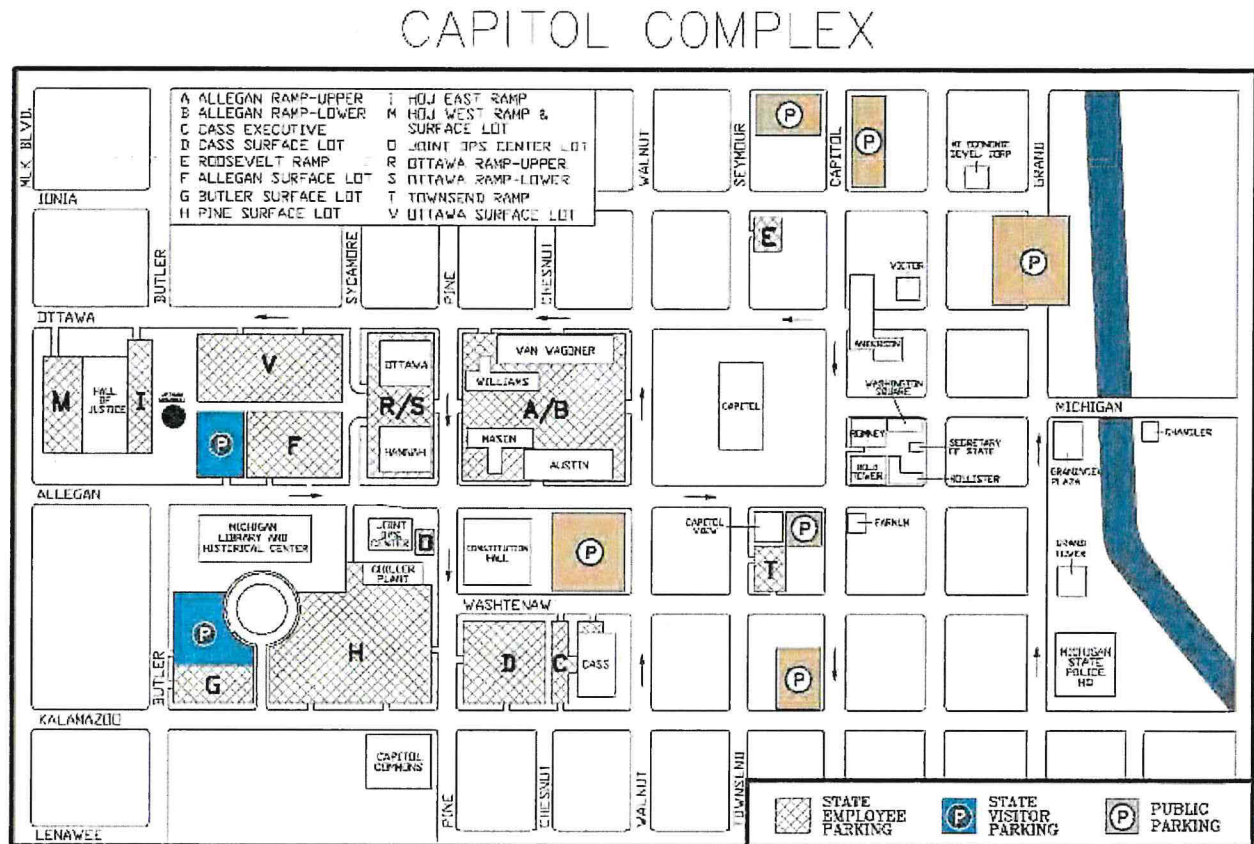
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Ingham County GIS Snip
221 Townsend Street
Lansing, Michigan



NEIGHBORHOOD DESCRIPTION (continued)

Within the Capitol Complex itself, the following map designates state and public parking. The subject is designated as "T".

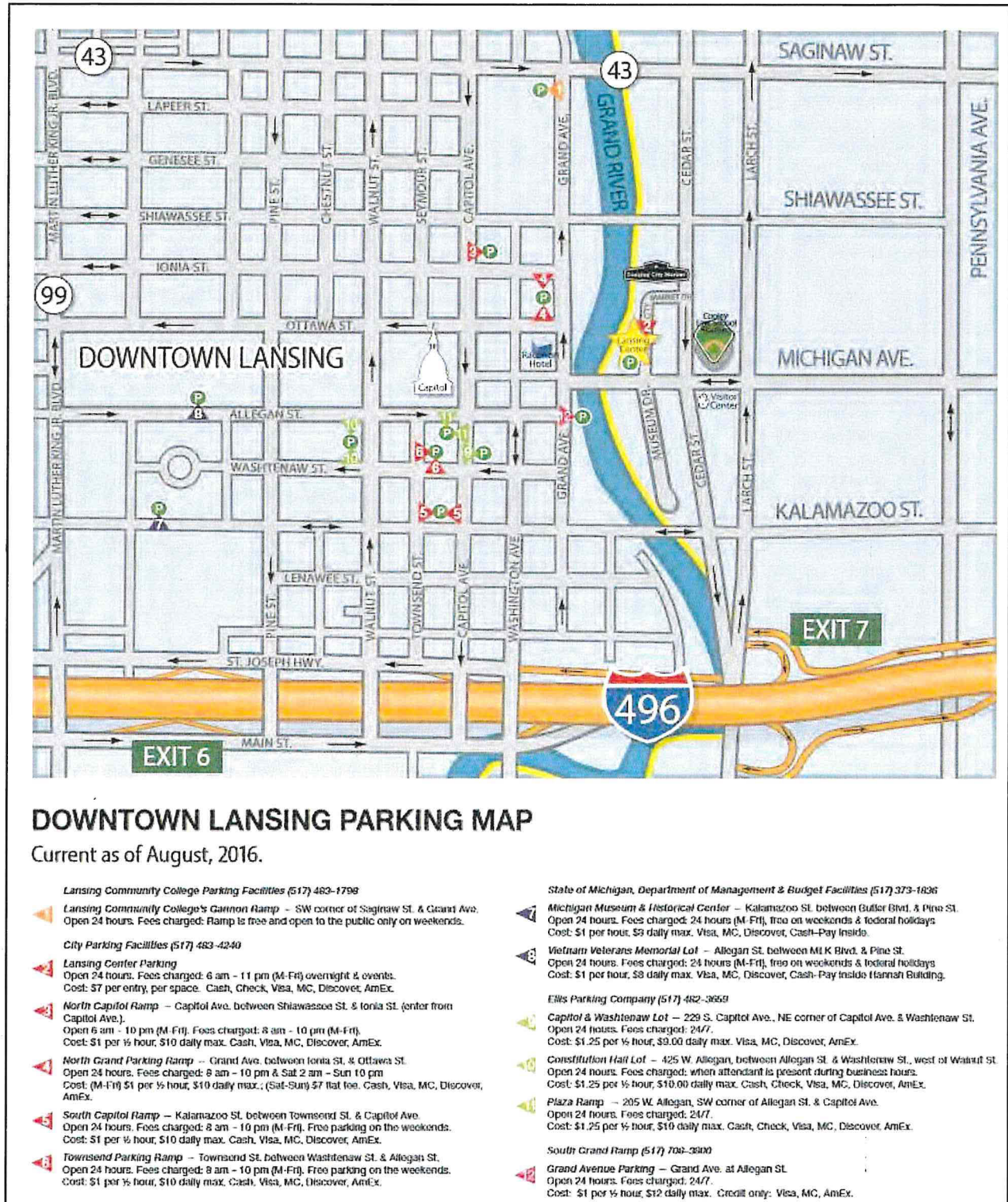


West of the subject, along Allegan Street is Constitution Hall and the State Library and Historical Center. To the northwest is the Hall of Justice, the Vietnam Veterans Memorial and state office buildings. To the north of the subject is the Capitol and to the east and northeast is Lansing's City Hall, the Romney Building, Boji Tower and the Farnum Building. Approximately five blocks northeast of the subject, along Museum Drive, is the Impression 5 Science Center, Riverwalk Theater, R.E. Olds Transportation Museum and the Lansing River Trail. The Lansing River Trail is a 20-mile paved path from Old Town to Waverly Road.

The immediate neighborhood of the subject is bordered by the Grand River to the east, Ottawa Street to the north, Martin Luther King Jr. Boulevard to the west and Kalamazoo Street to the south. It is known as the Capitol Complex. The area is made up of state office buildings, bank buildings, general office buildings and supporting restaurant, business and residents. Highway access is approximately $\frac{3}{4}$ of a mile south of the subject. These streets and highways provide easy access throughout the city and region.

NEIGHBORHOOD DESCRIPTION (continued)

In addition to the city owned parking is the following map of other downtown parking ramps and surface parking lots.





Lansing Parcel Viewer

Search Address or Parcel



Legend

Lansing Tax Parcels



Lansing Zoning

Lansing.GIS.ZoningDistrict_Dissolve

<Null>

- A
- B
- C
- CUP
- D-1
- D-2
- DM-1
- DM-2
- DM-3
- DM-4
- E-1
- E-2
- F
- F-1
- G-1
- G-2
- H
- I
- J
- NONE
- ROW

11 -84.545 42.735 Degrees

XV A. 2 b.

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

WHEREAS, the Mayor made the appointment of Shaquila Myers, 1720 Osband Road, Lansing, MI 48915 as a City of Lansing Member of the Capital Area Transit Authority for a term to expire September 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 Shaquila Myers, 1720 Osband Road, Lansing, MI 48915 as a City of Lansing Member of the Capital Area Transit Authority for a term to expire September 30, 2021.

INTRODUCTION OF ORDINANCES

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

Z-9-2018: Parcel No. 33-01-01-17-480-021, Rezoning from “C” Residential District to “F” Commercial District

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

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 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-9-2018: Parcel No. 33-01-01-17-480-021, Rezoning from “C” Residential District to “F” Commercial 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-9-2018

Parcel Number's: 33-01-01-17-480-021

Address: Vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd.

Legal Descriptions: The South 31 feet of the West ½ of Lot 9, the South 31 feet of Lot 10, and the North 2 feet of Lot 11, Block 7, Bush, Butler & Sparrow's Addition to the City of Lansing, from "C" Residential District to "F" Commercial District.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 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 on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-9-2018, Vacant Parcel South of 601 S. ML King Jr. Blvd.
Rezoning from “C” Residential District to “F” Commercial District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-9-2018. This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from “C” Residential District to “F” Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT/OWNER:	Bryant Hill on behalf of the Gilbert M. Hill Trust 421 Curtis Road East Lansing, MI 48823
REQUESTED ACTIONS:	Rezone the vacant lot south of 601 S. ML King, Jr. Blvd. from "C" Residential District to "F" Commercial District
EXISTING LAND USE:	Vacant
EXISTING ZONING:	"C" Residential
PROPOSED ZONING:	"F" Commercial
PROPERTY SIZE:	Slightly Irregular Shape 2,657 square feet - 122 acres
SURROUNDING LAND USE:	N: Vacant commercial building S: Office building E: Single Family Residential W: Union Missionary Baptist Church
SURROUNDING ZONING:	N: "F" Commercial S: "F" Commercial E: "C" Residential W: "E-2" Local Shopping
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property for medium-density residential-urban land use. S. M.L. King is designated as a major arterial

SPECIFIC INFORMATION

This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd., legally described as:

South 31 Feet of the West ½ of Lot 9, the South 31 Feet of Lot 10 & the North 2 Feet of Lot 11, Block 7, Bush, Butler & Sparrows Addition (Parcel No. 33-01-01-17-480-021)

from "C" Residential District to "F" Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

AGENCY RESPONSES

Assessor:

BWL: See attached.

Building Safety: The Building Safety Office has no objections to the rezoning.
New development is subject to building plan review.

Fire Marshal:

Parks & Rec.: No comments.

Public Service: No objections to the rezoning. If the property is developed in the future, a site plan would be required for review.

Transportation:

COMPATIBILITY WITH SURROUNDING LAND USE:

The subject property is currently vacant and is surrounded to the north and south by property that is zoned "F" Commercial. The property in the 600 block on the west side of S. M. L King is zoned "F" Commercial as well, but for one parcel of land that is zoned "E-2" Local Shopping district. The applicant's proposal to rezone the subject property to "F" Commercial will, thus, make it consistent with the zoning pattern already established in the area.

The subject property is too small on its own to be developed for any type of commercial land use. Even under the current zoning, the site would only be able to accommodate a very small single family home. Given the street system in the area and the surrounding zoning and land use patterns, it is highly unlikely that the site would be deemed desirable for the construction of a new home. The proposed rezoning allows the owner to make use of the property by combining it with one of the adjoining properties for expansion of their existing facilities or to create a larger site for redevelopment.

COMPLIANCE WITH MASTER PLAN:

While the Design Lansing Comprehensive Plan designates the subject property for medium-density residential use—urban land use, it has the same designation for the adjacent properties to the north and south that are currently zoned "F" Residential. Therefore, despite the Comprehensive Plan designation, the proposed zoning will make the subject property consistent with the zoning pattern that already exists in the area. Consistent zoning patterns create consistent land use patterns which is a primary goal of the Comprehensive Plan and of proper planning and zoning principles in general.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

Given the small size of the site and the close proximity that a new driveway would be to the existing driveways to the north and south, it may be necessary to secure an easement from one of the adjoining property owners to allow a connection to one of the existing driveways.

IMPACT ON PUBLIC FACILITIES:

Any new construction on the property will have to be reviewed and approved through the City's administrative site plan review process. The site plan review process is intended, in part, to determine whether public utility systems in the area are adequate to support the proposed development. A primary component of the site plan review process is a storm water management plan to ensure that run-off from the site does not negatively impact the surrounding properties or place demands on the storm sewer system in excess of its capacity.

ENVIRONMENTAL IMPACT:

The site is currently vacant. As noted above, new construction will have to be reviewed and approved through the City's administrative site plan review process to ensure compliance with all applicable City codes and ordinances and to mitigate any negative impacts on the environment.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning will not have any negative impacts on future patterns of development in the area. As evidenced by the attached zoning map, the properties to the north and south of the subject property are currently zoned "F" Commercial and thus, the proposed rezoning will merely create consistency in the zoning pattern that already exists in the area.

SUMMARY

This is a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from "C" Residential District to "F" Commercial District. The purpose of the request is to make the zoning of the subject property consistent with the zoning of the adjoining parcels to the north and south.

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

RECOMMENDATION

Pursuant to the findings described in this staff report, staff recommends approval of Z-9-2018, a request by Bryant Hill to rezone the vacant parcel of land located immediately south of 601 S. M.L. King Jr. Blvd. from "C" Residential District to "F" Commercial District.

Respectfully Submitted,

**Susan Stachowiak
Zoning Administrator**

BOARD OF WATER AND LIGHT MEMO

January 9, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL Rezoning- Z-9-2018_Comments

BWL Electric: Approved.

- No Comments. Contact person: Jerry Wheeler, Electric Utility Designer, LBWL, PH: 517-702-6644

BWL Street Lighting: Approved.

- No comments. Contact person: Karen Carter, phone: 517-702-7080

**BWL Water & Steam Distribution:
Approved**

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

- Site Specific Comments:
 - The proposed rezoning does not appear to impact existing BWL water facilities.
 - Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the BWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>.
- General Comments:
 - A BWL Service Agreement shall be established with payment prior to performing work. All services up to and including the meter are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. Service risers to the building will only be constructed by BWL forces or a BWL approved contractor. The plumbing contractor is not to stub services out of the building. Water services stubbed out of the building by a non-approved contractor, and without inspection by the BWL, will not be acceptable.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
 - Services, mains, and meter settings shall conform to BWL Rules & Regulations. <http://www.lbwl.com/Commercial/Rules-Regulations-for-Service/>.
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via e-mail at: Jerrod.Wade@lbwl.com.

BWL Water Operations: Randall Roost-Approved

I have no concerns with the proposed rezoning.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality-Approved

I have no concerns.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

CERTIFICATE OF SURVEY

For: Gilbert Hill
3044 Scarborough Drive
Lansing, MI 48910

S. M. L. King Jr Blvd

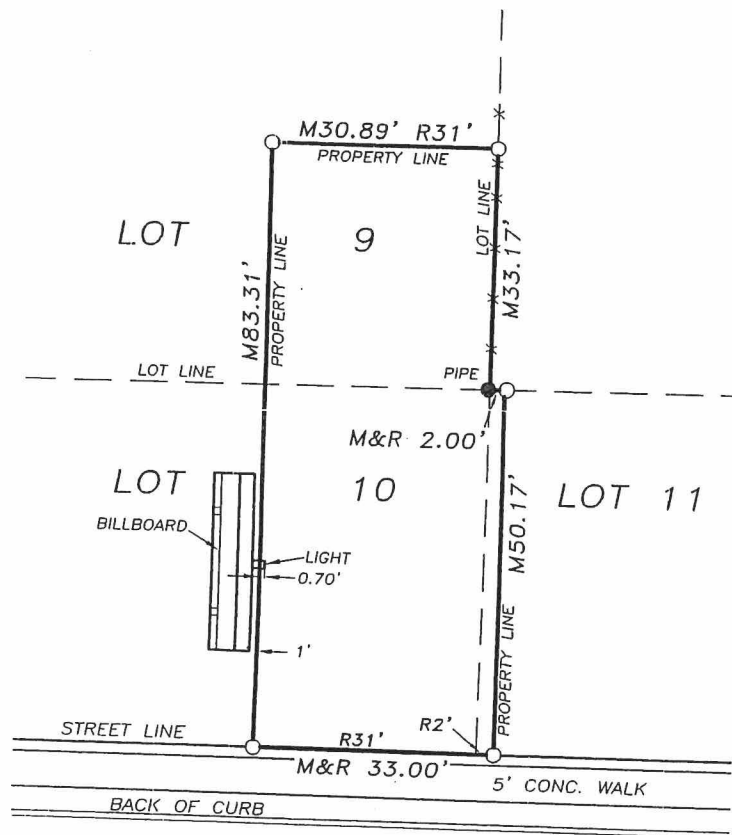
Parcel 35-01-01-17-480-021

Legal Description:

The South 31 feet of the West 1/2 of Lot 9, the South 31 feet of Lot 10, and the North 2 feet of Lot 11, Block 7, Bush, Butler and Sparrow's Addition to the City of Lansing, Ingham County, Michigan.



1" = 20'



MARTIN LUTHER KING BLVD.

D = Deeded
M = Measured
P = Platted

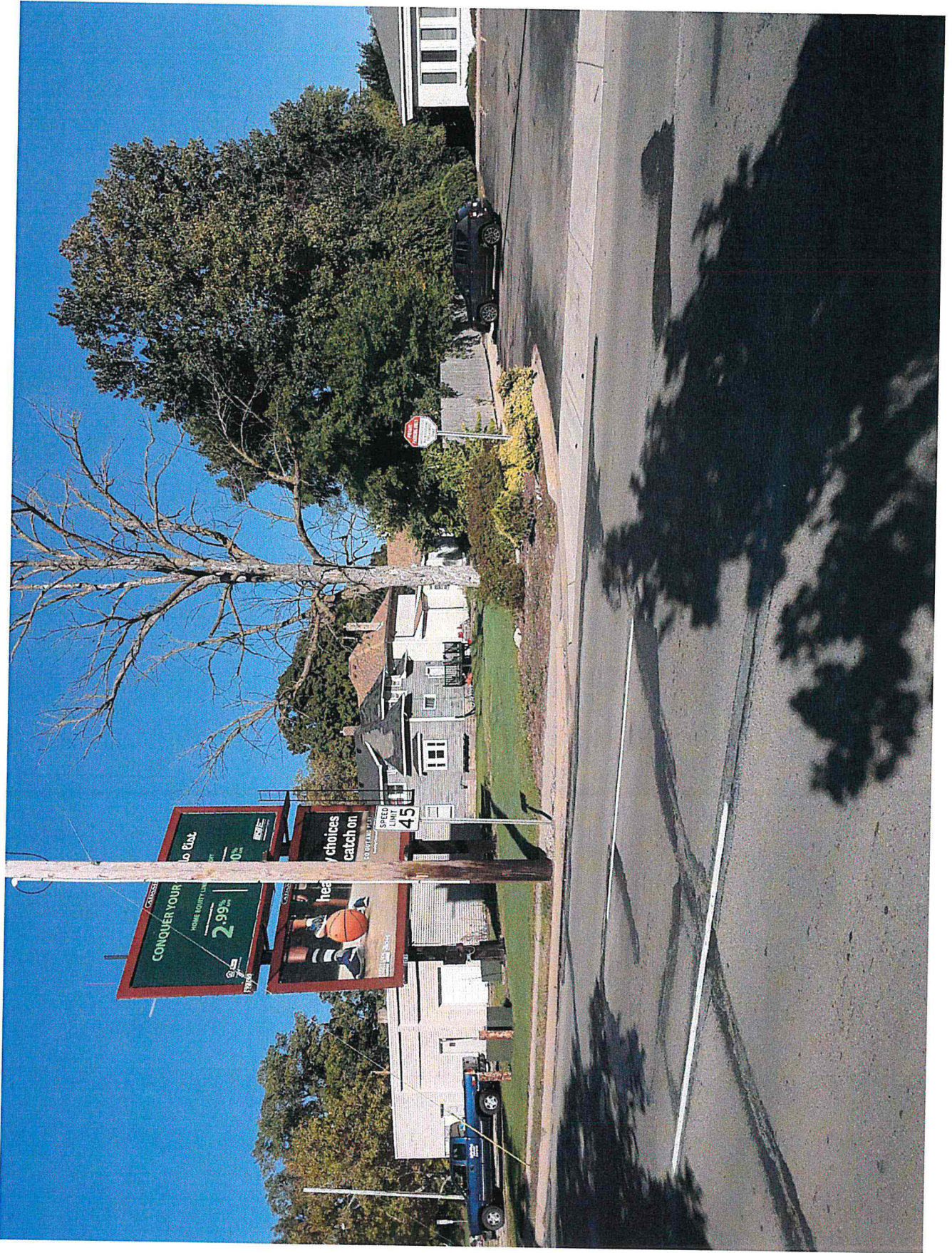
● Found as noted
○ Set iron & cap #12034

We hereby certify that we have surveyed the property herein describe; that the buildings and improvements as shown are entirely within the property lines; and that there are no visible encroachments upon the above described property, except as shown hereon.

FRED WHITE ENGINEERING COMPANY
2300 North Grand River Avenue
Lansing, Michigan 48906
Phone (517) 321-7111

Fred N. White
Fred N. White P.E. & P.S. No. 12034
Survey No. 030877-1
Date: 12 July 2004







Legend

- roads_final
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

City of Lansing Zoning Map

W Hillsdale St

S Martin Luther King Jr Blvd

"C"
Residential

W Saint Joseph St

N



INTRODUCTION OF ORDINANCES

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

Z-8-2018: 5400 S. Cedar Street, Rezoning from “F” Commercial & “J” Parking
Districts to “G-2” Wholesale District

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

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, _____, 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-8-2018: 5400 S. Cedar Street, Rezoning from “F” Commercial & “J” Parking
Districts to “G-2” Wholesale 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-8-2018

Parcel Number's: 33-01-05-04-202-021

Address: 5400 S. Cedar Street

Legal Descriptions: Commencing 7 feet West of the Southeast Corner of Lot 7, Jolly-Cedar Plaza, Thence South 501.78 feet to the North line of the Consumers Power right-of-way, West 913.64 feet, North 600 feet, East 405.33 feet, South 98.07 feet, East 506.14 feet to the point of beginning; Section 4, T3N R2W, from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 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 on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-8-2018, 5400 S. Cedar Street
Rezoning from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-8-2018. This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT: AMERICO Real Estate Company
2727 N. Central Avenue, Suite 500
Phoenix, AZ 85004

OWNER: A & W Greshenson
31500 Northwestern Hwy., Suite 100
Farmington Hills, MI 48334

REQUESTED ACTIONS: Rezone the property at 5400 S. Cedar Street (former K-Mart Building) from “F” Commercial & “J” Parking district to “G-2” Wholesale district

EXISTING LAND USE: Vacant Commercial Building

EXISTING ZONING: “F” Commercial & “J” Parking Districts

PROPOSED ZONING: “G-2” Wholesale District

PROPERTY SIZE: 9.380 +/- acres – Irregular Shape

SURROUNDING LAND USE: N: Commercial/Vacant
S: Consumer’s Energy Right-of-Way/Parking Lot
E: Commercial
W: Vacant

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

MASTER PLAN: The Design Lansing Master Plan designates the subject property for “Community Mixed-Use Center”. S. Cedar Street is designated as a major arterial.

DESCRIPTION:

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from “F” Commercial & “J” Parking Districts to “G-2” Wholesale District. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

AGENCY RESPONSES

BWL:	See attached.
Building Safety:	The Building Safety Office has no objections. This project will be subject to site and building plan reviews as set forth by the State Construction Code Act.
Development Office:	
Fire Marshal:	
Parks & Recreation:	I have concerns about the sight lines for people using the pathway if the proposed storage unit goes to the road.
Public Service:	The use for proposed self-storage facility does not typically generate any significant sanitary flows that I'm aware of. Further, the redevelopment uses the existing building structure that would have had to have been served by bathroom facilities, so, historically, there would have been existing flows from the building. I believe this building would be connected to the 10-inch sanitary sewer in Cedar Street. Based on the above, it appears there are no sanitary service issues considering the info we have. Also, since there does not appear to be increased impervious areas (same building, etc.), stormwater requirements should not be an issue here.
Traffic Engineer:	No comments or requirements relative to the rezoning request.

REZONING ANALYSIS**COMPATIBILITY WITH SURROUNDING LAND USE:**

The subject property adjoins a "G-2" zoned parcel of land to its west that is accessed via Perry Robinson Circle off of E. Jolly Road. As evidenced by the attached zoning map, however, the vast majority of the properties along S. Cedar Street, including those that surround the subject property on 3 sides, are zoned "F" Commercial. Therefore, despite the zoning of the property to the west, the proposed zoning would still be considered a "spot zone" of "G-2" Wholesale zoning along S. Cedar Street. Spot zoning is typically considered to be an inappropriate zoning practice because it affords development options to a single land owner that are not available to the adjoining properties and creates inconsistent land use patterns.

S. Cedar Street is zoned, master planned and designed for customer-oriented, commercial uses that generate a high volume of traffic on a daily basis. In other words, S. Cedar Street is intended for the types of uses that benefit from and in fact, depend on exposure to high volumes of traffic in order to provide a strong customer base for their businesses. The primary concern with self-storage uses is that

they are not customer oriented businesses and as such, they generate very little traffic on a regular basis. Self-storage facilities are destination type uses that do not depend on pass-by traffic to create and sustain a customer base. The majority of the time, the parking lots are mostly vacant, with the exception of trucks and equipment that are available for lease, which detracts rather than contributes to a healthy commercial environment.

COMPLIANCE WITH MASTER PLAN:

The Design Lansing Master Plan designates the subject property for Community Mixed-Use Center. The purpose of this district, as stated in the Plan, is to:

“Encourage the transformation of large commercial concentrations into mixed-use districts.”

The Plan recommends development that includes first floor retail uses clustered to create a shopping core with residentially-scaled structures (4-6 stories) on neighborhood edges.

The proposed rezoning will not allow for the type of development that is consistent with the land use pattern being advanced in the Master Plan. While the “G-2” Wholesale district permits all of the general commercial uses that are permitted in the “F” Commercial district, it does not allow residential use, even with a special land use permit. Furthermore, the “G-2” district permits storage and warehouse facilities as a matter of right, which would be completely contrary to the Master Plan designation for the subject property and with proper planning principles in general. The applicant is requesting the rezoning for the primary purpose of converting the building at 5400 S. Cedar Street into self-storage. Self-storage is a destination type of use that generates little customer activity on a daily basis and thus, does not contribute to the vibrancy of a primary commercial corridor. The intent of both the Zoning Ordinance and the Master Plan is to concentrate the most intensive commercial land uses along major arterials, such as S. Cedar Street, where they receive maximum exposure to the highest volumes of traffic. Storage facilities, by contrast, are more appropriately located in areas where they are accessible from but not located directly on a major arterial.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC:

The proposal is not anticipated to have any negative impacts on vehicular or pedestrian traffic in the area. S. Cedar Street is a major arterial that is designed to serve the traffic needs of high volume commercial uses that benefit from a high level of exposure in order to attract customers. S. Cedar Street is also a major bus route that serves many employees and customers of the businesses along the corridor. Storage facilities typically generate a very low volume of vehicular traffic, have few employees, virtually no pedestrian customer traffic and are considered destination uses which is why they are more appropriately located on secondary thoroughfares.

IMPACT ON PUBLIC FACILITIES:

With the exception of a couple of new self-storage buildings as shown on the attached aerial photograph, the applicant is not proposing any changes to the site at this time. New building area and/or new impervious surface of 1,000 square feet or more in area will require administrative site plan review, during which the drainage system as well as all other physical aspects of the property will be reviewed for compliance with all City codes.

ENVIRONMENTAL IMPACT:

The primary purpose of the rezoning is to allow reuse of the existing building for indoor, self-storage which will have no impact on the physical environment. The site is almost entirely covered by impervious surface which generates a great deal of storm water run-off. If any changes are made to the site that requires site plan review at some time in the future, storm water reduction may be required.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT:

Approval of the requested rezoning may have considerable impacts on future patterns of development along S. Cedar Street and other major commercial corridors in the City as well. Since the proposed rezoning is contrary to basic planning principles and to the existing zoning and land use patterns in the area, as described in the preceding sections of this report, approval of the request will set a negative precedent for future rezoning requests of a similar nature along the City's commercial corridors.

SUMMARY

This is a request by AMERICO Real Estate Company to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District. The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

The findings of fact as outlined in this staff report do not support a positive recommendation to approve the rezoning. The proposed rezoning will permit land uses that are inconsistent with the land use pattern being advanced in the Master Plan. In addition, the proposed "G-2" zoning will not be consistent with the existing zoning pattern along S. Cedar Street and may set a negative precedent for future requests to rezone properties along S. Cedar Street and elsewhere in the City to the "G-2" Wholesale district.

RECOMMENDATIONS

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

Z-8-2018 be denied to rezone the property at 5400 S. Cedar Street from "F" Commercial & "J" Parking districts to "G-2" Wholesale district, based on the findings of fact as described in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



SCALE: N.T.S.

GENERAL NOTES:

REVISIONS:

NO.	DATE	INITIALS	NOTES
1			
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

ARCHITECT LOGO:

CONCEPTUAL

AMERCO.
REAL ESTATE COMPANY
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502
F: (602) 277-1026

SITE ADDRESS:
PROPOSED U-HAUL
5400 CEDAR ST.
LANSING, MI 48911

SHEET CONTENTS:
CONCEPTUAL
SITE PLAN

DRAWN:	HRK
CHECKED:	PB
DATE:	12.14.2018

LansingKmartA1D.ai

1-1

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BOARD OF WATER AND LIGHT MEMO

December 10, 2018

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL SPR Rezoning-8-2018_5400 S. Cedar St. Comments

BWL Electric:

Approved with the following comments:

- The BWL can provide an (**underground and/or overhead**) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, **Christopher Cavin @ 517-702-7192**, to initiate service agreement process.
- There are no apparent conflicts with the proposed development and the existing BWL electric distribution facilities.

BWL Street Lighting: Approved

- There are no apparent conflicts with the proposed development and BWL Street Light Service. For BWL Street Light questions contact Karen Carter office: 517-702-7080 cell: 517-285-8455, karen.carter@lbwl.com

BWL Water & Steam Distribution:

Approved

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

- Site Specific Comments:
 - The proposed rezoning does not appear to have an impact on the existing water service or any other BWL water facility.
 - Should the customer require changes to the water service in order meet new zoning requirements, the customer will be required to submit an application to the BWL utility service department at (517)-702-6700. The customer will be required to enter a service agreement, meet BWL requirements and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
- General Comments:
 - Prior to receiving service, the customer must submit an application to the BWL Utility Service Department at 517-702-6700 for any new service or alterations to existing services or metering. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade, via e-mail at Jerrod.Wade@lbwl.com.

BWL Water Operations: R. Roost

I have no comments or concerns.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

Rejuvenating South Lansing

Where Everyone is a Neighbor

Elaine Womboldt, Facilitator
4815 Tressa Drive
Lansing, MI 48910

December 4, 2018

Susan Stachowiak, Zoning Administrator
City of Lansing, Planning Office
316 N. Capitol, Ave, Suite D-1
Lansing, MI 48933-1234

Ms. Stachowiak and Planning Board Members,

Rejuvenating South Lansing strongly opposes the request Z-8-2018, 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking districts to "G-2" Wholesale district. This was the former K-Mart property.

According to the on-line packet it states "The purpose of the rezoning is to permit the property to be used for self-storage, U-Haul truck and trailer sharing and a moving and storage retail store.

The following are some of the reasons, but not all, Rejuvenating South Lansing opposes the request for rezoning:

- South Lansing is approaching a saturation mark for self-storage units in our area. There are statistics to prove this statement.
- There is one located at 5814 S. Pennsylvania, 3512 S. MLK, 5830 S. Pennsylvania, the new development at 930 W. Holmes that will have a very large self-storage business. Of course there is the U-Haul on South Cedar and U-Haul is developing another self-storage on Penn and Cedar Street.
- If the rezoning is approved at 5400 S. Cedar for the purpose of self-storage there will be an additional 100,000 sq ft for storage space, South Lansing will have an oversupply of this type of business.
- South Lansing needs to have different businesses to help bring a better economic development to our residents and area to entice other businesses to buy into South Lansing.
- The Planning Board need to be responsible stewards for South Lansing and look to helping us have diverse business owners who will bring in more people for buying power and help us develop a stronger community through its various types of businesses.

Rejuvenating South Lansing opposes the request for the rezoning of 5400 S. Cedar Street and urges the Planning Board members to oppose the rezoning tonight.

Sincerely,



Elaine Womboldt, Facilitator
Rejuvenating South Lansing
Where Everyone is a Neighbor

Stachowiak, Susan

From: Nancy Mahlow <nmahlow2012@gmail.com>
Sent: Tuesday, December 04, 2018 10:14 AM
To: Stachowiak, Susan
Cc: Hussain, Adam; Washington, Jody; Wood, Carol
Subject: Rezoning of the Old Kmart Property

This rezoning will set a precedent for any future developments along Cedar Street. There are already several U-haul facilities within this area and they don't need anymore. This is simply a sneaky way to put in any type of marijuana business.

This is a huge piece of property and should be developed accordingly to fit the area such as businesses that would promote the growth of the area for the surrounding neighborhoods.

As a resident of Lansing, I do not support this rezoning and would like my email added to the packet. Thank you

--
Nancy Mahlow
nmahlow2012@gmail.com
517-372-3249

Stachowiak, Susan

From: irvinemari@comcast.net
Sent: Tuesday, December 04, 2018 2:29 PM
To: Stachowiak, Susan
Cc: Garza, Jeremy; Wood, Carol
Subject: Rezoning of K-Mart Property

Hello Ms. Stachowiak,

First let me say, thank you, for all the service you provide to our city and all the very important information you have responsibility for.

I would like to give **my opinion to not allow the "rezoning change of K-Mart Property, on S. Cedar", to be granted.** I don't believe we need another self-storage provision on the south side. I do believe we need some businesses that will generate a more positive environment for the other existing businesses on S. Cedar, as well as the people living in South Lansing. We could use shops, restaurants, quality apartments or hotel that would be inviting into our area of town.

When looking at the "Master Plan" that was developed for the city's south side, that had some possibilities. Honestly, I hate to invite my large extended families, that basically live in the downriver Detroit area and westward, as there are no quality hotels and such in my south end.

I am sorry, I will not be able to attend tonight's meeting to give verbal comment, but hope this can be added.

Thank you -

Marilyn Irvine

5211 Tulip Avenue

Lansing, MI 48911

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555 • Fax: 602.277.5824 • Email: holly_reading@uhaul.com

Narrative Project Summary

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Lansing's participation and counseling in regards to Rezoning for the property located at 5400 Cedar St. Lansing, MI. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed 9.380 acre property is located at 5400 Cedar St. U-Haul is proposing an adaptive reuse of the existing 119,650 SF building by converting it into a U-Haul Moving and Storage Store. Our uses consist of self-storage and U-Haul truck and trailer 24/7 sharing. The interior of the building will be retrofitted to house self-storage units. This infill development will allow U-Haul to better serve the storage needs of the community and activate a property that is vacant.

The property is currently zoned F- Commercial. The use of self-storage and truck and trailer sharing isn't permitted. U-Haul is proposing to apply for a petition the rezone the property to G-2, in order for our uses to be permitted. The building will be used structurally as is with the exception of imaging and signage.

U-Haul will be providing a valuable service to the city, as we are a one-stop shop for the moving and storage needs of our customers. It is important to recognize the significant economic and community development changes that have occurred throughout the United States. A perfect example of this is the outdated "big-box" retailer such as Kmart. These retailers are closing at a rapid pace leaving behind large buildings that then remain vacant for years at a time. By converting this building through an adaptive reuse, we are continuing a long and proud history of revitalizing commercial properties. We have been met with great success in turning these properties into productive businesses that both provide jobs and help promote infill development.

Custom site design for every U-Haul store assures that the facility compliments the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in their own automobiles, enter the showroom and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.
- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape and sustainable packing materials.
- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.
- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the

added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.
- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a U-Haul storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.
- Items that may not be stored include: chemicals, flammables, and paints.
- U-Haul stores are protected by video surveillance.
- U-Haul stores are non-smoking facilities.
- U-Haul will provide added services and assistance to our customers with disabilities.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model and an environmentally-sound way to conduct business.

USE COMPARISON					
Use	Square Feet	Traffic	Volume	Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

U-Haul looks forward to working with the City of Lansing as you consider the rezoning petition we are currently submitting.

Sincerely,

Holly Reading Keilman
AMERCO Real Estate - Planner



Jolly Cedar Ct

S Cedar St

5400 S. Cedar Street

Redner St

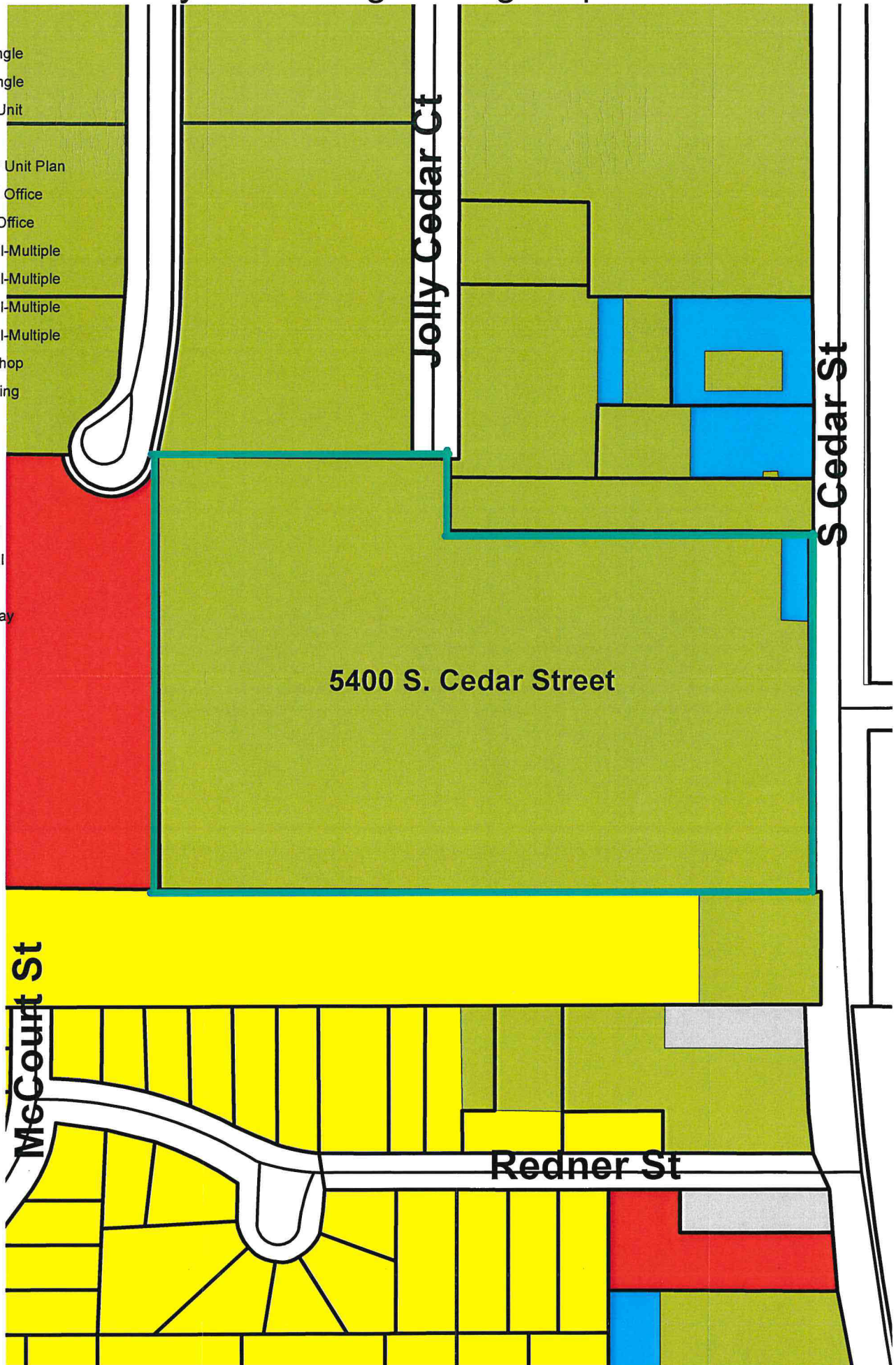
Trinity Cir



Legend

- roads_final
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

City of Lansing Zoning Map



RESOLUTION #2019-__
NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
WET WEATHER CONTROL PROGRAM PROJECT

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality has required, consistent with Administrative Consent Order #ACO-SW02-030, the City of Lansing (the "City") to abate sanitary sewer overflows from its combined sewer collection system; and

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

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.00% and in an aggregate amount not to exceed \$16,000,000 for the purpose of financing a sanitary sewer rehabilitation project, the Central Interceptor/Sycamore-Lindbergh Interceptor Rehabilitation Project Phase II; as further described in plans on file with the City related to the Wet Weather Control Program State Revolving Fund Project Plan, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before **February 6**, 2019, in the LANSING CITY PULSE, or other newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.
2. Said Notice of Intent so published shall be substantially in the following form:

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

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$16,000,000 for the purpose of financing the Central Interceptor/Sycamore-Lindbergh Interceptor Rehabilitation Project Phase II as further described in plans on file with the City (the "Improvements"), related to Wet Weather Control Program State Revolving Fund Project Plan and required by the Administrative Consent Order. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.00%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

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

RIGHT OF REFERENDUM

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

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

Chris Swope,
City Clerk

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

4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Wet Weather Control Program Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

- (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
- (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$16,000,000, which may be issued in one or more series.
- (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
- (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

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

6. Miller, Canfield, Paddock and Stone, P.L.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

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

ADOPTED BY THE FOLLOWING VOTE:

YEAS: _____

NAYS: _____

RESOLUTION #2019-__
RESOLUTION TO AUTHORIZE ISSUANCE OF
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2019

CITY OF LANSING
(Ingham and Eaton Counties, Michigan)

WHEREAS, the State of Michigan Department of Environmental Quality (the "DEQ") has required, consistent with Administrative Consent Order #ACO-SW02-030, the City of Lansing (the "City") to abate combined sewer overflows from its combined sewer collection system; and

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

WHEREAS, the DEQ and the City have agreed to implement the Wet Weather Control Program State Revolving Fund Project Plan, as amended (the "Wet Weather Control Program Project Plan"), in compliance with the Administrative Consent Order; and

WHEREAS, the City desires to finance the Central Interceptor/Sycamore-Lindbergh Interceptor Rehabilitation Project Phase II as further described in plans on file with the City (the "Improvements"), which Improvements are related to the Wet Weather Control Program Project Plan and which are required by the Administrative Consent Order; and

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

WHEREAS, in order to obtain loans from the SRF Program, the City must issue bonds and, on _____, 2019, pursuant to Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended, the City published in the *Lansing City Pulse* the "Official Notice to Electors and Taxpayers of the City of Lansing of Intent to Issue Bonds Secured by the Taxing Power of the City and Right of Referendum Thereon" (the "Notice of Intent"), which described bonds to be issued in one or more series in an aggregate principal amount not-to-exceed \$16,000,000 for the purpose of paying the costs of the Improvements; and

WHEREAS, to finance the cost of making the Improvements the City Council deems it necessary to borrow the sum of not to exceed \$16,000,000 and to issue its Wet Weather Control Program Limited Tax General Obligation Bond, Series 2019 therefore pursuant to the provisions of Act 451 (the "Bond"); and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

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

2. ESTIMATED COST - PERIOD OF USEFULNESS. The total cost of the Improvements, including the payment of engineer's fees, legal and financial expenses and other expenses incident to the financing of the Improvements, which is estimated to be approximately \$16,000,000 is hereby approved and confirmed, and the estimated period of usefulness of the Improvements is determined to be in excess of thirty (30) years.

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

4. ISSUANCE OF BOND. To defray the cost of the Improvements, including legal, engineering, financial and other expenses, the City shall issue its bond known as the "Wet Weather Control Program Limited Tax General Obligation Bond, Series 2019" (the "Bond") in the aggregate principal sum of not to exceed \$16,000,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents, pursuant to the SRF Program. The balance of the cost of the Improvements, if any, shall be paid by grants or funds appropriated by the City.

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

5. BOND TERMS. The Bond shall be issued as one fully registered manuscript bond, shall be sold and delivered to the Authority in any denomination. The Bond shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates determined by the Authorized Officer at the time of sale, provided the final maturity shall be no later than thirty years after the date of issuance. The Bond shall bear interest at a rate not to exceed two percent (2.00%) per annum as determined by the Authorized Officer, payable semiannually on the dates determined by the Authorized Officer at the time of sale. Notwithstanding the above, the final amount of any maturity and the terms of the Bond shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

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

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

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

9. PAYING AGENT AND REGISTRATION.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19. ADDITIONAL BONDS. In accordance with the provisions of Act 451, the City reserves the right to issue additional bonds, which shall be of equal standing and priority with the Bond.

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

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

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

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

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

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

24. BOND COUNSEL. The engagement of the firm of Miller, Canfield, Paddock and Stone, P.L.C. of Lansing, Michigan, as bond counsel to the City in connection with the issuance of Bond is hereby ratified, confirmed and approved.

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

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

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

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

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

EXHIBIT A

NO. ____

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON
CITY OF LANSING
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2019**

Interest Rate

Maturity Date

Date of Original Issue

Registered Owner: MICHIGAN FINANCE AUTHORITY

Principal Amount:

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

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

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

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

This Bond being one fully registered manuscript bond is issued in accordance with the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"), and a resolution adopted by the City Council of the City on _____, 2019, for the purpose of paying a portion of the cost of purchasing, acquiring and constructing sanitary sewer improvements (the "Improvements") as part of the Wet Weather Control Program State Revolving Fund Project Plan, as amended, in compliance with Administrative Consent Order #ACO-SW02-030.

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

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

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

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

IN WITNESS WHEREOF, the City of Lansing, Ingham and Eaton Counties, Michigan, by its City Council, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and Clerk, all as of the _____ day of _____, 2019.

Andy Schor, Mayor

Chris Swope, Clerk

ASSIGNMENT

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

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

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

Dated: _____ Signed: _____

In the presence of: _____

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

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

Signature Guaranteed: _____

SCHEDULE I

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

SCHEDULE I

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

Due Date	Amount of Principal Installment Due
_____	_____

Interest on the Bond shall accrue on that portion of principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of 2.00% per annum, payable _____ 1, 20__, and semiannually thereafter.

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

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Chris Swope, City Clerk
City of Lansing

STATE OF MICHIGAN)
) SS
COUNTY OF INGHAM)

I, Chris Swope, the duly qualified and acting Clerk of the City of Lansing, Ingham and Eaton Counties, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on _____, 2019, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of _____, 2019.

Chris Swope, City Clerk
City of Lansing

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

SLU-2-2018
Residential Use in the "1" Heavy Industrial District
1609 N. Larch Street

WHEREAS, Adam Brewer, Larch Street, LLC has requested a Special Land Use permit to convert the building at 1609 N. Larch Street into residential apartments; and

WHEREAS, residential use is permitted in the "I" Heavy Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council; and

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

WHEREAS, the Planning Board held a public hearing on January 22, 2019, at which the applicant spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board, at a special meeting held on January 22, 2019, voted (7-0) to recommend approval of SLU-2-2018, a Special Land Use permit to convert the building at 1609 N. Larch Street into residential apartments; and

WHEREAS, the City Council held a public hearing regarding SLU-2-2018 on 2019; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-2-2018, a Special Land Use permit to convert the building at 1609 N. Larch Street into residential apartments.

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

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

1. The proposed residential use is compatible with the essential character of the surrounding area, as designed.
2. The proposed residential use will not change the essential character of the surrounding area.
3. The proposed residential use will not interfere with the general enjoyment of adjacent properties.
4. The proposed residential use will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.

5. The proposed residential use will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed residential use can be adequately served by essential public facilities and services.
7. The proposed residential use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed residential use is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed residential use will comply with the requirements of the "I" Heavy Industrial District.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

SLU-2-2018: 1609 N. Larch Street, Special Land Use Permit, Residential use in the “I”
Heavy Industrial zoning district

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-2-2018, 1609 N. Larch Street
Special Land Use Permit - Residential Use in the “H” Light Industrial District

The Lansing City Council will hold a public hearing on Monday, , 2019 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-2-2018. This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2019 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

GENERAL INFORMATION

APPLICANT/OWNER: Adam Brewer
Larch Street, LLC
2547 W. Main Street
Lansing, MI 48917

REQUESTED ACTION: Special Land Use Permit for residential use in the “H” Light Industrial District

EXISTING LAND USE: Vacant Board of Water & Light power substation building

EXISTING ZONING: “I” Heavy Industrial District

PROPOSED ZONING: No change

PROPERTY SIZE & SHAPE: Irregular Shape, 11,238 square feet - .25 acres

SURROUNDING LAND USE: N: Vacant, Freeway Right-of-Way
S: Parking Lot
E: Manufacturing Facility
W: Manufacturing Facility

SURROUNDING ZONING: N: “I” Heavy Industrial District
S: “I” Heavy Industrial District
E: “I” Heavy Industrial District
W: “I” Heavy Industrial District

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property for general industrial land use. N. Larch Street is designated as a principal arterial.

Request

This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

BWL: See attached.

Building Safety: The Building Safety Office has no objections. This project will be subject to site and building plan reviews.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: No objections. The developer should submit an estimated sanitary\ sewer usage to this department to ensure there is adequate capacity for the prospective development. The site will require a site plan for review.

Transportation:

ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

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

The applicant purchased the subject property from the City in 2018, following approval of an Act 33 request (Act-3-2018) authorizing its disposition. The property contains a 2-story, 5,040 square foot masonry building that was formerly used as a Board of Water & Light electrical substation. The building has been vacant for more than 10 years. The applicant proposes to convert the building into 5 residential apartments. Since the property is zoned "I" Heavy Industrial, a special land use permit is required for the proposed residential use.

The subject property is located in an area that is entirely zoned heavy industrial and being used exclusively for heavy industrial uses. Given the nature of the surrounding area, the ideal use of the building would be for some type of industrial business. The building and the site, however, are too small to reasonably accommodate an industrial business and thus, without a special land use permit to allow for residential use, the building may continue to sit vacant which is not beneficial to the area in which it is located.

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

Converting the building at 1609 N. Larch Street into residential apartments will not necessarily change the character of the surrounding area. The applicant's proposal will introduce a residential use into an industrial area, however, the building and its appearance will be preserved. The small size of the site and the building present significant challenges with regard to its reuse. Allowing the building to be converted to residential apartments will make use of the building so that it does not continue to sit vacant and further deteriorate over time.

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

Residential use of the site will not interfere with the enjoyment of adjacent properties. The surrounding properties are industrial and are more intensive than the use proposed by the applicant.

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

The applicant's plan for the site includes constructing a 9-space parking lot on the site, north of the building. Since the proposed parking lot will result in more than 1,000 square feet of new impervious surface, a site plan will have to be reviewed and approved through the City's administrative site plan review process before any construction of the parking lot can commence. A storm-water management plan is a required component of the site plan review submission to the City.

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

No nuisances are anticipated to result from the proposed residential use of the buildings on the site. In fact, residential use would be a very low impact use of the property, particularly in comparison to many of the uses that would be permitted by right in the "I" Heavy Industrial district (storage yard, salvage yard, heavy automobile repair facility, manufacturing, vehicle sales, etc.).

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

No negative comments have been received from any of the reviewing departments or agencies with regard to impacts on public facilities and services.

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

The City's Public Service Department will require an estimate of the sanitary\ sewer usage in order to determine if there is adequate capacity for the proposed use. The applicant/developer will be responsible for any upgrades to the systems necessary to accommodate the development.

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

The Zoning Ordinance permits residential land use in the "I" Heavy Industrial district, with a special land use permit when it can be determined through an analysis of the criteria contained in Section 1282.03(f)(1)-(9) of the Zoning Ordinance that such use is appropriate for the proposed location. In this particular case, conversion of the building at 1609 N. Larch Street to residential apartments can comply with the applicable criteria used for evaluating special land use permits.

The Design Lansing Master Plan designates the subject property for "General Industrial" use. The intent of this designation as stated in the Plan is:

"To provide an environment for industrial facilities that are larger in scale and require outdoor materials or equipment storage."

The Master Plan lists the following as typical uses for this designation:

"Power plants, automobile component manufacturing and assembly; scrap processing/recycling; and outdoor storage of equipment or materials. Light industrial uses should also be permitted."

While the Master Plan does not promote residential use in the "general industrial" land use category, the preservation and adaptive reuse of existing buildings is strongly encouraged.

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

The attached site plan demonstrates compliance with all applicable dimensional requirements of the Zoning Ordinance. The Ordinance requires 9 parking spaces for the proposed 2, 1-bedroom units and 3, 2-bedroom units. At this time the only parking that exists on the site is a 12-foot wide driveway off of N. Larch Street. If approved, the applicant intends to construct a 9 space parking lot on the north side of the building.

SUMMARY

This is a request by Adam Brewer, Larch Street, LLC, for a special land use permit to convert the building at 1609 N. Larch Street into residential apartments. Residential use is permitted in the "I" Heavy Industrial district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

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

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services.
7. It has not been determined whether the proposed Special Land Use will place demands on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is not consistent with the intent and purpose of the Design Lansing Comprehensive Plan.
9. The proposed Special Land Use will comply with the dimensional requirements of the Zoning Ordinance.

RECOMMENDATION

Staff recommends approval of SLU-2-2018, based on the findings of fact described in the staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



BOARD OF WATER AND LIGHT MEMO

January 9, 2019

TO: City of Lansing – Planning Department, Susan Stachowiak
FROM: Andy Baumgartner, Real Property Analyst, Legal Services, 517-702-6795
RE: COL SLU-2-2018 Agency Referral_ Comments

BWL Electric: Approved with the following comments:

- The BWL can provide an (**underground and/or overhead**) electric service to serve the new development based on the Board's Rules and Regulations for Electric Service.
- A copy of the final site, grading, and electrical plans for the proposed development must be supplied to the Customer Projects Department before a final cost for electric service and service agreement can be provided to the owner/ developer.
- Owner/ developer must contact BWL Customer Projects Department, **Jerry Wheeler @ 517-702-6644**, to initiate service agreement process.
- The BWL will need to cut and fill the underground duct bank system that currently exists at the proposed development.

BWL Street Lighting: Approved.

- There are no apparent conflicts with the proposed development and the existing BWL Street Light Service. For BWL Street Light Design contact Karen Carter, 517-702-7080 or: karen.carter@lbwl.com

BWL Water & Steam Distribution:

Approved

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

- **Site Specific Comments:**
 - The proposed rezoning does not appear to impact existing BWL water facilities.
 - If, during the course of the parking lot construction, it is determined that any water facilities are impacted, the customer will be responsible for the costs of protecting those facilities as well as any repairs and/or relocations.
 - The customer is responsible for verifying the precise location and depths of the existing water mains or services prior to construction. The BWL will not be responsible for unanticipated conflicts caused by inaccuracies in the customer's design documents or MISS-DIG staking in the field.
 - Should the customer require changes to the water service to meet new zoning requirements, then the customer will be required to submit an application to the BWL Utility Service Department at 517-702-6700. The customer will be required to enter a service agreement, meet BWL requirements, and pay applicable fees prior to receiving service. Additional information can be found online at <http://www.lbwl.com/Commercial/Water-Services/Water-Service-Installation/>.
- **General Comments:**
 - A BWL Service Agreement shall be established with payment prior to performing work. All services up to and including the meter are part of the water system and cannot be installed or altered without a BWL Water Service Agreement in place. Service risers to the building will only be constructed by BWL forces or a BWL approved contractor. The plumbing contractor is not to stub services out of the building. Water services stubbed out of the building by a non-approved contractor, and without inspection by the BWL, will not be acceptable.
 - It is the applicant's responsibility to determine the estimated water demand (including fire flow requirements) of this project, and sizing services accordingly. The BWL will not take responsibility for inadequately sized services or metering specified by the applicant.
 - Services, mains, and meter settings shall conform to BWL Rules & Regulations. <http://www.lbwl.com/Commercial/Rules-Regulations-for-Service/>.
 - The customer is responsible for all costs of water service installation and removals, including connection fees, installation, metering, and engineering and administration costs for the work.
- Any questions about specific water service requirements may be directed to the BWL Water Distribution Department; Jerrod Wade via e-mail at Jerrod.Wade@lbwl.com.

BWL Water Operations: Randall Roost-Approved

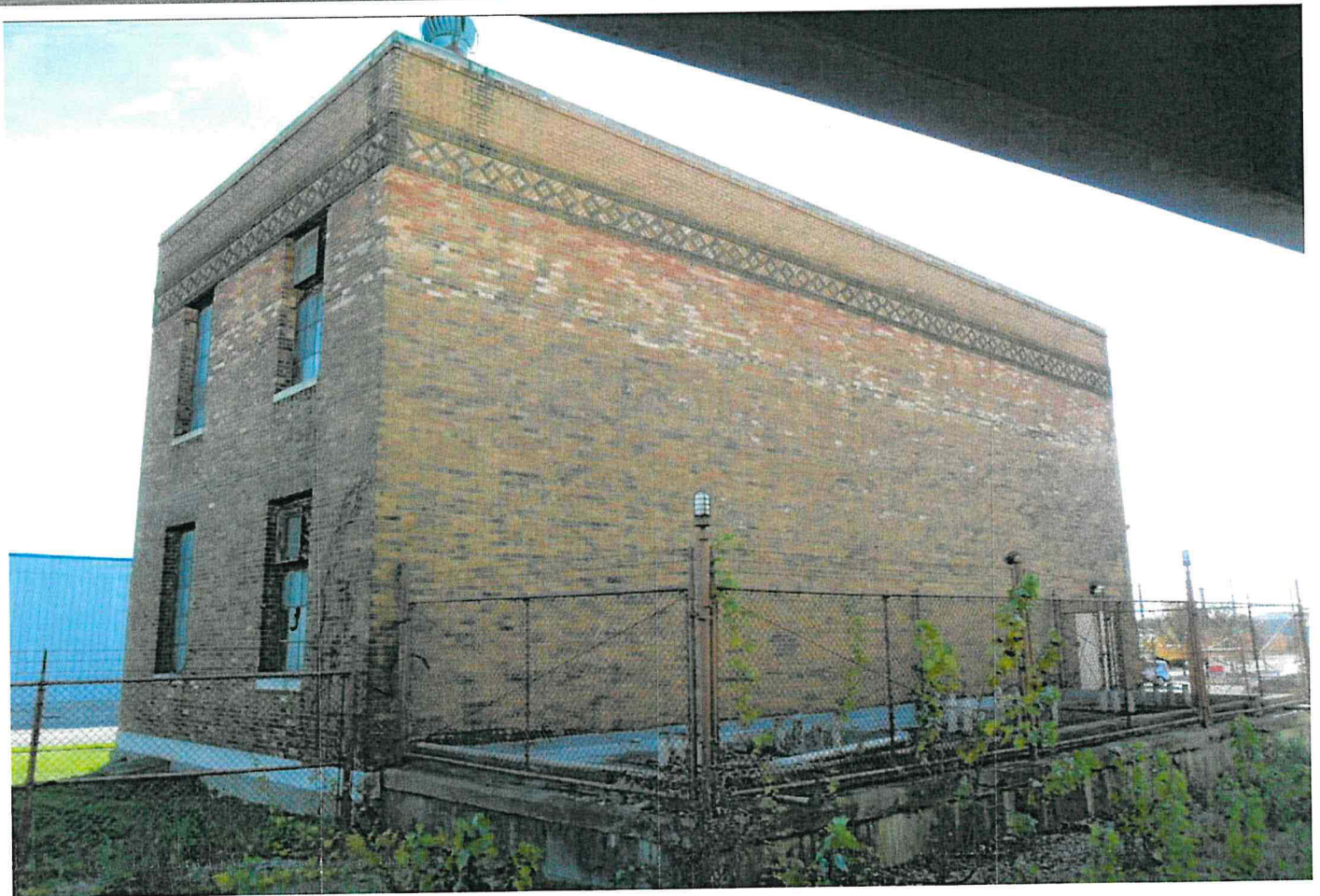
I have no comments or concerns.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.

BWL Environmental Wellhead Protection: Angie Goodman, Water Quality

- This project lies within the Board of Water & Light Wellhead Protection Area. Care must be exercised during construction to minimize the exposure of contaminated soils to weather and subsequent loss to the groundwater. Construction machinery should be parked on paved areas
- when not in use, and leakage of petroleum products and other potential contaminants must be immediately cleaned up and properly disposed of. Newly exposed soil could offer a route for contaminants into local groundwater.

Note: Any site plan approval does not constitute an agreement for service. All customers must meet BWL requirements and enter a service agreement prior to receiving service.





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

WHEREAS, the Tri-County Metro Narcotics Squad has submitted application to the Michigan State Police (MSP) , Grants and Community Services Division for funding to be utilized for personnel costs; and

WHEREAS, the Tri-County Metro Narcotics Squad was informed that it has been selected to receive funding in the amount of \$132,000; and

WHEREAS, local match funds are not required; and

WHEREAS, the Tri-County Metro Narcotics Squad will be a sub recipient of MSP for this Byrne Justice Assistance Grant (JAG); and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the State of Michigan Byrne JAG in the amount of \$132,000.00 for the program period (October 1, 2018 through September 30, 2019); and

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

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

Act-10-2018, McLaren Development Sewer Easements

WHEREAS, McLaren Hospital, in developing its new hospital site, proposes easements for sewer improvements for the new facility; and

WHEREAS, the Planning Board, at its meeting on December 4, 2018 reviewed the location, character, and extent of the proposal in accordance with its Act 33 Review procedures and found that the proposed easements are necessary and appropriate to accommodate and facilitate the proposed McLaren development; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of Act-10-2018, acquisition of storm and sanitary easements for the new hospital, including:

- Sanitary Sewer Easement – A (see attached diagram) – a small rectangular piece on the SW corner of the McLaren parcel,
- Sanitary Sewer Easement – B (see attached diagram) – a strip running E-W along the southern edge of the McLaren parcel,
- Detention Pond Easement – Stormwater from City roads, the McLaren and MSU Foundation properties, and MSU-owned farmland across Collins Road will drain into this detention pond. For this easement, which will be located on MSU Foundation's parcel, plans are for the City, McLaren, MSU, and the Foundation to operate this facility according to a joint agreement,
- Storm Sewer Easement – a crooked "L" shaped easement in the NE corner of the site (between Collins Road and the proposed detention pond) on the McLaren parcel bordering the MSU Foundation property on the south and west; 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-10-2018, and accepts storm and sanitary sewer easements legally described as:

- Sanitary Sewer Easement – A – a small rectangular piece on the SW corner of the McLaren parcel, legally described as:

A 30-foot wide sanitary sewer easement located in the Southeast 1/4 of Section 26, Town 04 North – Range 02 West, City of Lansing, Ingham County, Michigan, is described as: Commencing at the East 1/4 Corner of said Section 26, also known as the West 1/4 Corner of said Section 25, said point being the point of beginning for a parcel of land conveyed to the Michigan State University Foundation and described in a Deed recorded in Liber 1774, Page 912, Ingham

County records; thence North 89 degrees 51 minutes 03 seconds West, along the East-West 1/4 line of Section 26 and the Northerly line of the Michigan State University Foundation parcel, 270.08 feet; thence South 00 degrees 16 minutes 22 seconds West, parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of Michigan State University Foundation parcel, 87.02 feet to a point of curvature; thence continuing parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel southeasterly 955.86 feet along a 3666.72-foot curve to the left whose central angle is 14 degrees 56 minutes 10 seconds and whose chord bears South 07 degrees 11 minutes 44 seconds East, 953.15 feet; thence South 14 degrees 39 minutes 49 seconds East, parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel, 97.61 feet to the Point of Beginning of this 30-foot wide sanitary sewer easement; thence South 89 degrees 58 minutes 49 seconds East, 124.50; thence South 00 degrees 01 minutes 11 seconds West, 30.00 feet; thence North 89 degrees 58 minutes 49 seconds West, 116.64 feet; thence North 14 degrees 39 minutes 49 seconds West, parallel with the Easterly Right-of-Way line of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel, 31.01 feet returning to the Point of Beginning of this easement. Covering 0.08 acres (3617 square feet) of land.

- Sanitary Sewer Easement – B – a strip running E-W along the southern edge of the McLaren parcel, legally described as:

A 30-foot wide sanitary sewer easement located in the Southwest 1/4 of Section 25 and the Southeast 1/4 of Section 26, Town 04 North – Range 02 West, City of Lansing, Ingham County, Michigan, is described as: Commencing at the East 1/4 Corner of said Section 26, also known as the West 1/4 Corner of said Section 25, said point being the point of beginning for a parcel of land conveyed to the Michigan State University Foundation and described in a Deed recorded in Liber 1774, Page 912, Ingham County records; thence North 89 degrees 51 minutes 03 seconds West, along the East-West 1/4 line of Section 26 and the Northerly line of the Michigan State University Foundation parcel, 270.08 feet; thence South 00 degrees 16 minutes 22 seconds West, parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of Michigan State University Foundation parcel, 87.02 feet to a point of curvature; thence continuing parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel southeasterly 955.86 feet along a 3666.72-foot curve to the left whose central angle is 14 degrees 56 minutes 10 seconds and whose chord bears South 07 degrees 11 minutes 44 seconds East, 953.15 feet; thence South 14 degrees 39 minutes 49 seconds East, parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel, 227.22 feet to the Point of Beginning of this 30-foot wide sanitary sewer easement; thence South 69 degrees 53 minutes 39 seconds East, 78.17 feet; thence North 88 degrees 17 minutes 20 seconds East, 291.43 feet; thence South 63 degrees 40 minutes 48 seconds East, 262.72 feet; thence

South 57 degrees 07 minutes 48 seconds East, 226.46 feet; thence South 55 degrees 41 minutes 53 seconds East, 31.93 feet to the Westerly boundary of lands conveyed to University Corporate Research Park-I, Inc. and described in a Deed recorded in Liber 2428, Page 244, Ingham County records; thence along the Westerly Boundary of the University Corporate Research Park-I, Inc. parcel Southwesterly 30.02 feet along a 367.00-foot radius curve to the left whose central angle is 04 degrees 41 minutes 13 seconds and whose chord bears South 32 degrees 34 minutes 30 seconds West, 30.01 feet; thence North 55 degrees 41 minutes 53 seconds West, 32.46 feet; thence North 57 degrees 07 minutes 48 seconds West, 224.37 feet; thence North 63 degrees 40 minutes 48 seconds West, 253.51 feet, thence South 88 degrees 17 minutes 20 seconds West, 289.72 feet; thence North 69 degrees 53 minutes 39 seconds West, 63.12 feet; thence North 14 degrees 39 minutes 49 seconds West, parallel with the Easterly Right-of-Way of U.S. 127 and the Westerly line of the Michigan State University Foundation parcel, 36.52 feet returning to the Point of Beginning of this easement. Covering 0.60 acres (26,302 square feet) of land.

- Detention Pond Easement – Stormwater from City roads, the McLaren and MSU Foundation properties, and MSU-owned farmland across Collins Road will drain into this detention pond, legally described as:

A parcel of land being part of the Southwest 1/4 of Section 25 and the Southeast 1/4 of Section 26, Town 04 North - Range 02 West, City of Lansing, Ingham County, Michigan, the surveyed boundary of this parcel is described as; Commencing at the West 1/4 of Section 25, also known as the East 1/4 of Section 26, of Town 04 North - Range 02 West, said point being the same point of beginning for a parcel of land conveyed to the Michigan State University Foundation and described in a Deed recorded in Liber 1774, Page 912, Ingham County records; thence North 89 degrees 51 minutes 03 seconds West, along the East-West 1/4 line of Section 26 and the northerly line of the Michigan State University Foundation parcel, 270.08 feet; thence South 00 degrees 16 minutes 22 seconds West, parallel with the easterly right-of-way of U.S. 127 and the westerly line of the Michigan State University Foundation parcel, 87.02 feet to a point of curvature; thence continuing parallel with the easterly right-of-way of U.S. 127 and the westerly line of the Michigan State University Foundation parcel southeasterly 164.03 feet along a 3666.72-foot radius curve to the left whose central angle is 02 degrees 33 minutes 47 seconds and whose chord bears South 01 degrees 00 minutes 33 seconds East, 164.01 feet to the POINT OF BEGINNING of this easement; thence South 89 degrees 51 minutes 03 seconds East, parallel with the East-West 1/4 line of Section 26, 228.02 feet; thence North 45 degrees 08 minutes 57 seconds East, 36.77 feet; thence North 00 degrees 08 minutes 57 seconds East, perpendicular to the East-West 1/4 line of Section 26, 150.00 feet; thence South 89 degrees 51 minutes 03 seconds East, parallel with the East-West 1/4 line of Section 26, 13.00 feet to the East line of Section 26, also known as the West line of Section 25; thence South 89 degrees 47 minutes 19 seconds East, parallel with the East-West 1/4 line of Section 25, 114.33 feet;

thence South 00 degrees 12 minutes 41 seconds West, perpendicular to the East-West 1/4 line of Section 25, 204.50 feet; thence southwesterly 120.78 feet along a 170.00-foot radius curve to the right whose central angle is 40 degrees 42 minutes 19 seconds and whose chord bears South 20 degrees 33 minutes 51 seconds West, 118.25 feet; thence southwesterly 158.08 feet along a 222.50-foot radius curve to the left whose central angle is 40 degrees 42 minutes 19 seconds and whose chord bears South 20 degrees 33 minutes 51 seconds West, 154.77 feet; thence South 00 degrees 12 minutes 41 seconds West, perpendicular to the East-West 1/4 line of Section 25, 276.65 feet; thence North 89 degrees 47 minutes 19 seconds West, parallel with the East-West 1/4 line of Section 25, 218.13 feet; thence northwesterly, parallel with the easterly right-of-way of U.S. 127 and the westerly line of the Michigan State University Foundation parcel, 565.52 feet along a 3666.72-foot radius curve to the right whose central angle is 08 degrees 50 minutes 12 seconds and whose chord bears North 06 degrees 42 minutes 32 seconds West, 564.96 feet returning to the point of beginning of this easement. Covering 4.19 acres of land.

- Storm Sewer Easement – a crooked “L” shaped easement in the NE corner of the site (between Collins Road and the proposed detention pond) on the McLaren parcel bordering the MSU Foundation property on the south and west, legally described as:

A 12-foot wide storm sewer easement located in the Southwest 1/4 of Section 25, Town 04 North – Range 02 West, City of Lansing, Ingham County, Michigan, is described as: Commencing at the West 1/4 of Section 25, said point being the same point of beginning for a parcel of land conveyed to the Michigan State University Foundation and described in a Deed recorded in Liber 1774, Page 912, Ingham County records; thence South 89 degrees 47 minutes 19 seconds East, along the East-West 1/4 line of Section 25 and the north line of the Michigan State University Foundation parcel, 1139.15 feet; thence southeasterly along the construction centerline of Forest Road and north line of the Michigan State University Foundation parcel 303.43 feet along a 386.34-foot radius curve to the right whose central angle is 44 degrees 59 minutes 59 seconds and whose chord bears South 67 degrees 17 minutes 19 seconds East, 295.69 feet; thence South 44 degrees 47 minutes 19 seconds East, continuing along the construction centerline of Forest Road and north line of the Michigan State University Foundation parcel, 237.85 feet to the construction centerline of Collins Road and east line of the Michigan State University Foundation parcel; thence along the construction centerline of Collins Road and east line of the Michigan State University Foundation parcel southwesterly 472.25 feet along a 916.73-foot radius curve to the left whose central angle is 29 degrees 30 minutes 58 seconds and whose chord bears South 30 degrees 12 minutes 13 seconds West, 467.05 feet to the Point of Beginning for this 12-foot wide storm sewer easement; thence continuing southwesterly along the construction centerline of Collins Road and east line of the Michigan State University Foundation parcel 12.42 feet along a 916.73-foot radius curve to the left whose central angle is 00 degrees 46 minutes

34 seconds and whose chord bears South 15 degrees 03 minutes 27 seconds West, 12.42 feet; thence North 89 degrees 48 minutes 39 seconds West, 353.03 feet; thence North 89 degrees 15 minutes 06 seconds, 349.36 feet; thence North 00 degrees 11 minutes 35 seconds East, 318.22 feet; thence North 51 degrees 53 minutes 15 seconds West, 54.61 feet; thence North 89 degrees 58 minutes 49 seconds West, 457.88 feet; thence North 72 degrees 51 minutes 25 seconds West, 36.43 feet; thence Northeasterly 12.00 feet along a 170.00-foot radius curve to the left whose central angle is 04 degrees 02 minutes 43 seconds and whose chord bears North 16 degrees 50 minutes 00 seconds East, 12.00 feet; thence South 72 degrees 51 minutes 25 seconds East, 34.69 feet; thence South 89 degrees 58 minutes 49 seconds East, 460.21 feet; thence South 51 degrees 53 minutes 15 seconds East, 57.69 feet; thence North 60 degrees 48 minutes 11 seconds East, 23.58 feet; thence South 00 degrees 12 minutes 41 seconds West, 13.78 feet; thence South 60 degrees 48 minutes 11 seconds West, 17.30 feet; thence South 00 degrees 11 minutes 35 seconds West, 264.46 feet; thence South 89 degrees 52 minutes 10 seconds East, 14.99 feet; thence South 00 degrees 12 minutes 41 seconds West, 12.00 feet; thence North 89 degrees 52 minutes 10 seconds West, 14.98 feet; thence South 00 degrees 11 minutes 35 seconds West, 29.30 feet; thence South 89 degrees 15 seconds 06 seconds East, 337.41 feet; thence South 89 degrees 48 minutes 39 seconds East, 356.16 feet returning to the Point of Beginning of this easement. Covering 0.43 acres of land

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 transaction(s), subject to their prior approval as to content and form by the City Attorney.

STAFF REPORT

APPLICANT: McLaren Health Care Corporation
One McLaren Parkway
Grand Blanc, MI 48439

OWNER: MSU Foundation and/or Affiliates

REQUESTED ACTION: Approval sanitary and storm sewer easements.

EXISTING LAND USE & ZONING: Vacant development site, zoned "D-1" Professional Office

SURROUNDING LAND USE: North: MSU's Henry Center for Executive Development
South, East, and West: Michigan Biotechnology Institute,
University Corporate Research Park

SURROUNDING ZONING: "D-1" Professional Office

COMPREHENSIVE PLAN DESIGNATION: Research and Development (R&D), intended to allow for technology-based business, including testing and limited assembly and production, in a high quality environment.

BACKGROUND

McLaren is continuing to develop its new hospital site. It proposed the vacation of Alliance Drive and Technology Blvd. to make way for the proposed development (Act-5-2018). It is now proposing easements for sewer improvements for the new facility.

- Sanitary Sewer Easement – A (see attached diagram) – a small rectangular piece on the SW corner of the McLaren parcel.
- Sanitary Sewer Easement – B (see attached diagram) – a strip running E-W along the southern edge of the McLaren parcel.
- Detention Pond Easement – Stormwater from City roads, the McLaren and MSU Foundation properties, and MSU-owned farmland across Collins Road will drain into this detention pond. Plans are for the City, McLaren, MSU, and the Foundation to operate it according to a joint agreement.
- Storm Sewer Easement – a crooked "L" shaped easement in the NE corner of the site (between Collins Road and the proposed detention pond) on the McLaren parcel bordering the MSU Foundation property on the south and west.

AGENCY RESPONSES - Public Service Infrastructure and Engineering division has been working with the applicant on this project

ACT 33 REVIEW

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

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 easements are for City sewers to be placed on what is now MSU Foundation property.
- **Character:** The character of the area will be unchanged as a result of these easements.
- **Extent:** The proposed easements are necessary and appropriate to accommodate and facilitate the proposed McLaren development.

STAFF RECOMMENDATION

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

EXHIBIT A

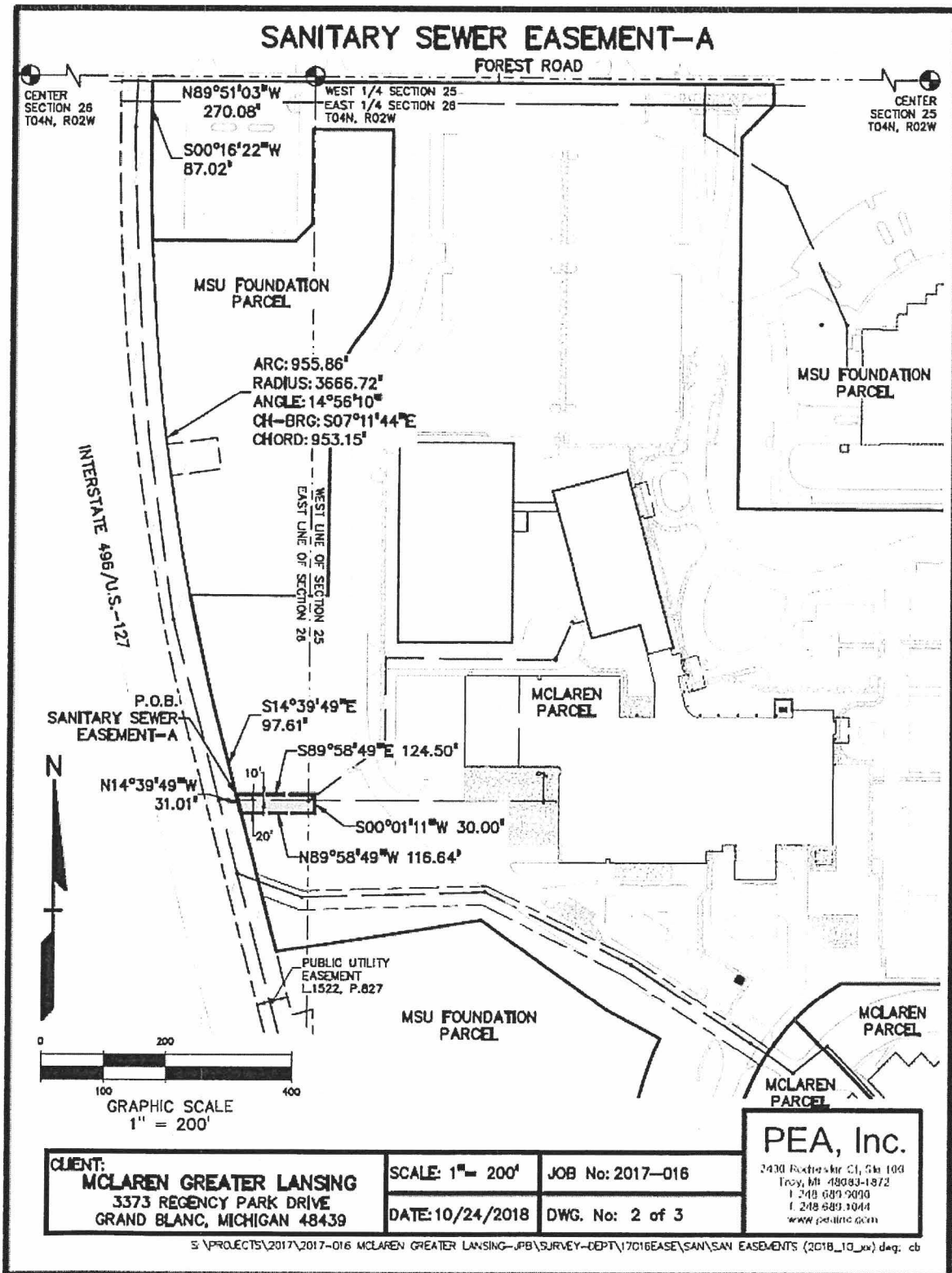
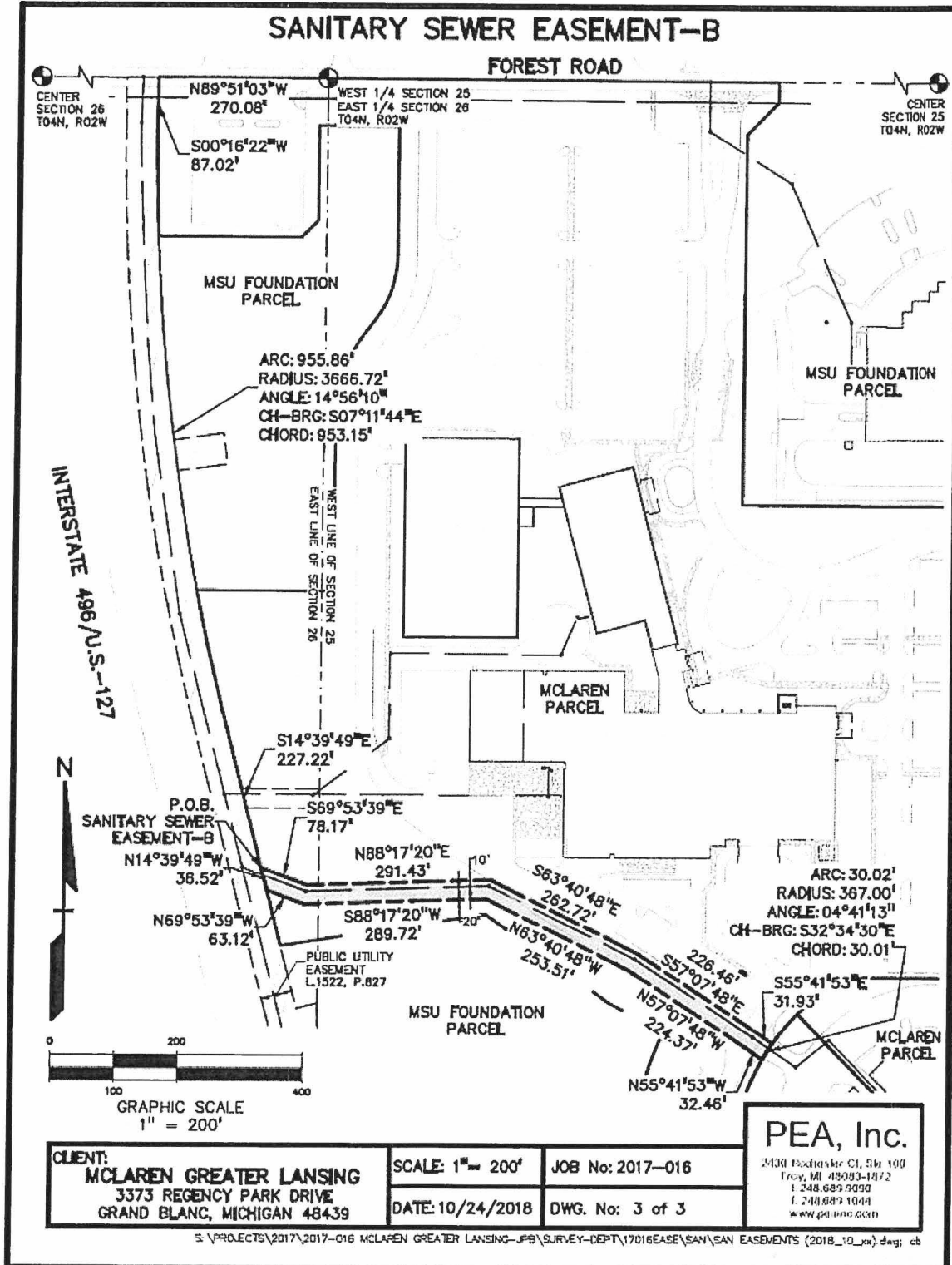
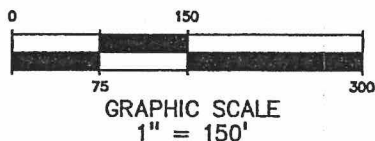
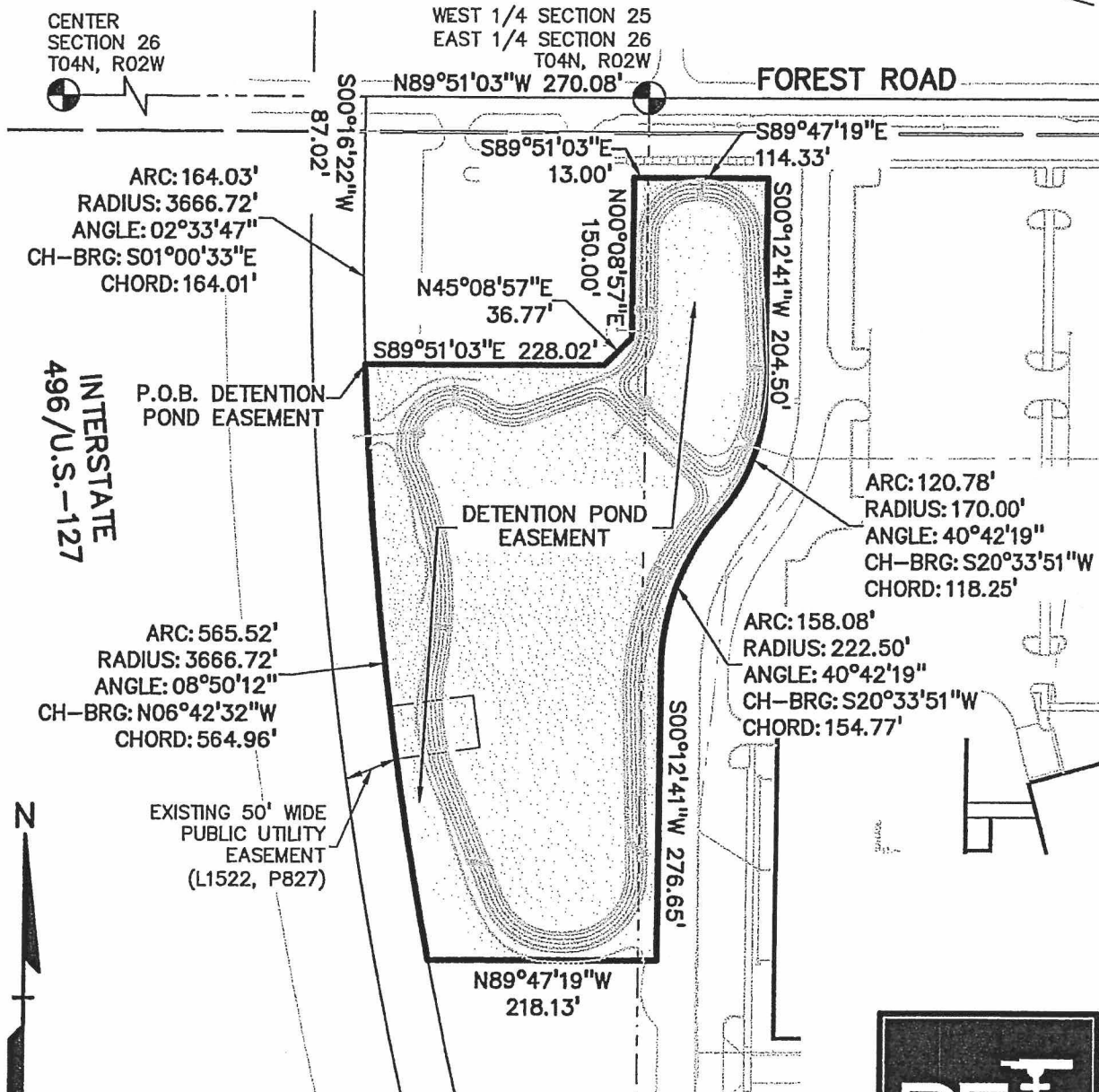


EXHIBIT A
(CONTINUED)



DETENTION POND EASEMENT SKETCH AND DESCRIPTION



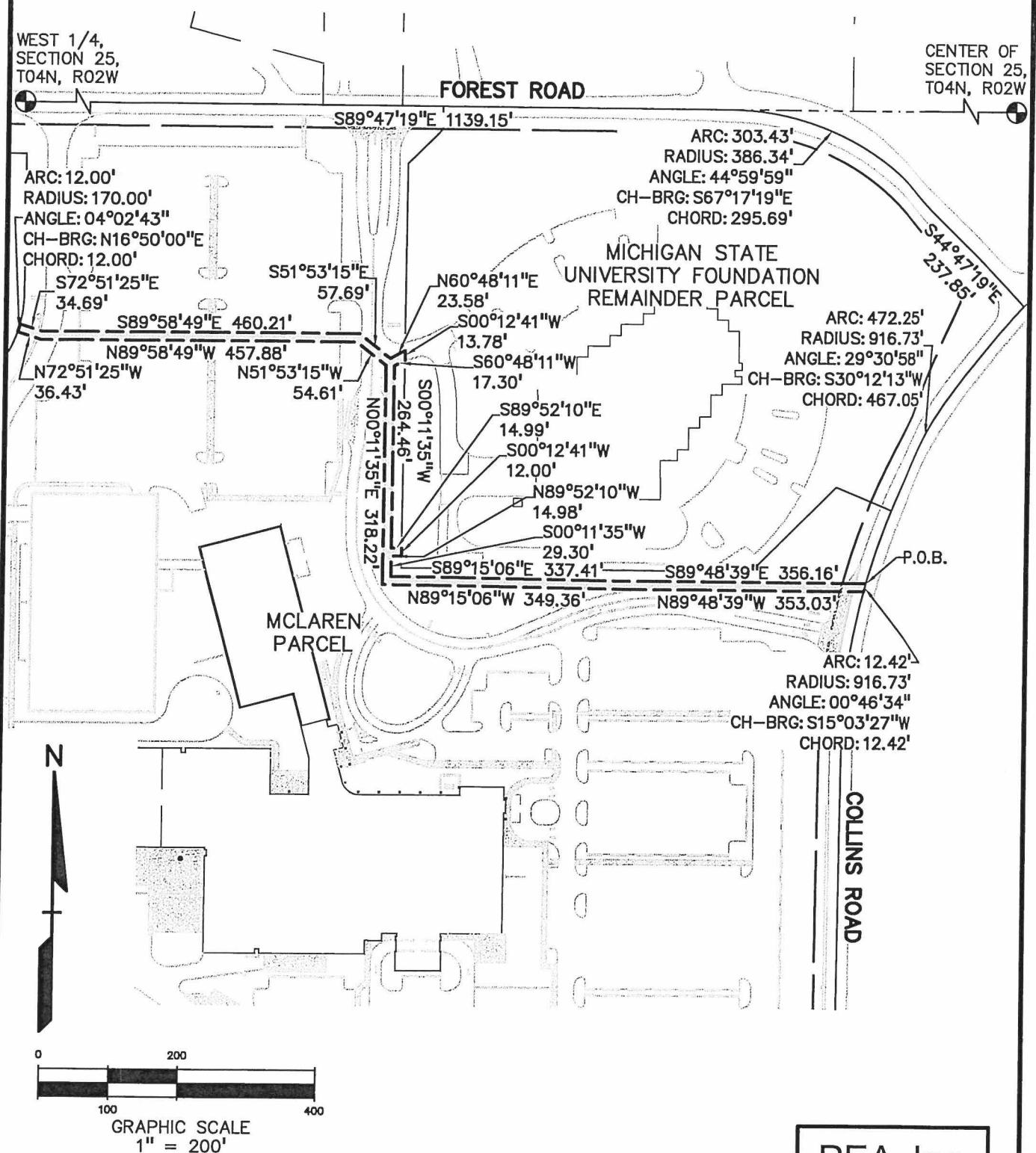
CLIENT:
MCLAREN GREATER LANSING
3373 REGENCY PARK DRIVE
GRAND BLANC, MICHIGAN 48439

SCALE: 1" = 150' **JOB No:** 2017-016
DATE: 08/01/2018 **DWG. No:** 1 of 2



PEA, Inc.
2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

STORM SEWER EASEMENT



CLIENT:
MCLAREN GREATER LANSING
3373 REGENCY PARK DRIVE
GRAND BLANC, MICHIGAN 48439

SCALE: 1" = 200'

JOB No: 2017-016

DATE: 09/11/2018

DWG. No: 1 of 1

PEA, Inc.

2430 Rochester Ct, Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

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

WHEREAS, Lansing Police Department has submitted application to the Michigan Office of Highway Safety Planning (OHSP) for funding to be utilized for a Lansing Police Underage Drinking Enforcement program; and

WHEREAS, the Lansing Police Department was informed on January 10, 2019, that it has been selected to receive funding in the amount of \$24,999.00; and

WHEREAS, local match funds are not required; and

WHEREAS, from 2012 – 2016 in Lansing, there were 39 fatal and injury crashes involving drivers ages 16 – 20 who had been drinking; and

WHEREAS, the Lansing Police Underage Drinking Enforcement program will include such activities as party patrols, alcohol compliance checks, and enforcement at special events where minors may be consuming alcohol;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Office of High Safety Planning grant in the amount of \$24,999 for the program period (January 10, 2019 through September 30, 2019); and

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

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

WHEREAS, Lansing Police Department has submitted application to the Michigan State Police (MSP) , Grants and Community Services Division for funding to be utilized for Lansing Police Technology Enhancements; and

WHEREAS, the Lansing Police Department was informed on January 3, 2019, that it has been selected to receive funding in the amount of \$55,855.00; and

WHEREAS, local match funds are not required; and

WHEREAS, the Lansing Police Department (LPD) will be a sub recipient of MSP for this Byrne Justice Assistance Grant (JAG); and

WHEREAS, the designated Lansing Police Technology Enhancements will include Tru-Narc analyzers and a mobile fingerprint scanner, which will greatly increase LPD's ability to identify both illegal substances and detained individuals increasing officer safety and Department efficiency;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the State of Michigan Byrne JAG in the amount of \$55,855.00 for the program period (October 1, 2018 through September 30, 2019); and

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

BY THE COMMITTEE OF WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following remaining balances as of June 30, 2018 be reappropriated in Fiscal Year
FY2018/2019 as indicated:

<u>Appropriation</u>	<u>Description</u>	<u>Unencumbered</u>
<u>GENERAL FUND</u>		
General Fund	Use Of Fund Balance	\$ 291,659
Council Operating	Council Operating	\$ 8,109
Human Services Agencies	Human Services Discretionary	14,751 ⁽¹⁾
Human Services Agencies	Community Problem Solving	9,915 ⁽¹⁾
Human Services Agencies	Community Mental Health Board	29,000 ⁽¹⁾
Human Services Agencies	Youth RFP 14-19	1,283 ⁽¹⁾
Human Services Agencies	Kids Cafe After School Nutrition	15,000 ⁽¹⁾
Human Services Agencies	Kids Connect	111,009 ⁽¹⁾
Human Services Agencies	Feed The Babies Keep Them Dry	10,000 ⁽¹⁾
Human Services Agencies	Womens Support Initiative	20,000 ⁽¹⁾
Human Services Agencies	Chronic Homeless Outreach	13,161 ⁽¹⁾
Human Services Agencies	One Church One Family Housing	10,000 ⁽¹⁾
Human Services Agencies	Project Homeless Connect	12,274 ⁽¹⁾
Human Services Agencies	Mobile Food Pantry	2,605 ⁽¹⁾
Human Services Agencies	Subsidized Eviction Prevention	34,553 ⁽¹⁾
General Fund Total		<u>\$ 291,659</u>

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

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

WHEREAS, the Mayor made the following reappointment as stated below:

Local Development Finance Authority:
Benjamin Bakken as a City of Lansing Member for a term to expire June 30, 2021; and

WHEREAS, the Mayor's office has verified that the nominees 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 reappointment as stated below:

Local Development Finance Authority:
Benjamin Bakken as a City of Lansing Member 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 Enrique Jose Mendoza, 3809 Kendalwood Drive, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2020; and

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

WHEREAS, the Committee _____ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Enrique Jose Mendoza, 3809 Kendalwood Drive, Lansing, MI 48911 as an At-Large Member of the Board of Review for a term to expire June 30, 2020.

RESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-1-2019, 212 E. Howe Ave., Easement

WHEREAS, Nathan Shell, owner of 212 E. Howe Avenue, requests a 15' wide easement across a 66' City Sewer ROW for the purpose of providing driveway access to 212 E. Howe Ave., which is currently land-locked; and

WHEREAS, East Howe Ave. is a discontinuous street - the east end of the west leg of Howe Avenue ends with a sewer ROW, and 212 E. Howe Ave. lies just east of the sewer ROW; and

WHEREAS, on January 22, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that

- the easement is necessary and appropriate to provide access for 212 E. Howe Ave.,
- the Public Service Department has no objection,
- any paving or structures on the easement would be subject to Public Service Dept. approval; and

WHEREAS, the Planning Board voted unanimously (7-0) to recommend approval of the proposed easement; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-1-2019, and grants of the proposed easement to Nathan Shell, said easement being legally described as:

That part of the Northeast one-quarter of Section 4, T4N, R2W, Lansing Township, Ingham County, Michigan, described as follows:

Commencing at the Northeast corner of Lot 126, Supervisor's Plat of Walker Heights No. 1, as recorded in Plat Book 13, Page 4, Ingham County Records;

Thence Northwesterly along the West line of said Plat, 18.14 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of 00°10'49", and a chord bearing North 20°08'02" West, 18.14' feet, to the Point of Beginning;

Thence continuing Northwesterly along the West line of said Plat, 15.96 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of 00°09'31", and a chord bearing North 19°57'52" West, 15.96 feet;

Thence South 89°58'49" East, 38.21 feet, parallel with the centerline of Howe Street;

Thence North 77°49'58" East, 30.37 feet, to the East line of the Former Michigan Urban Railroad, said line also being the Westerly line of a parcel recorded in Document No. 20166035465, Ingham County Records;

Thence Southeasterly along said East line, 15.15 feet along a curve to the left, said curve having a radius of 5697.00 feet, a delta angle of 00°09'08", and a chord bearing South 20°07'59" East, 15.15 feet;

Thence South 77°49'58" West, 34.07 feet;

Thence North 89°58'49" West, 34.36 feet, parallel with the centerline of Howe Street to the Point of Beginning.

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

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

APPLICANT AND PROPOSAL:	Cindy Rase, on behalf of Nathan Shell, owner of 212 E. Howe Avenue, requests a 15' wide easement across a 66' City Sewer ROW for the purpose of providing driveway access to 212 E. Howe Ave., which is currently land-locked.
LOCATION:	East Howe Ave. is a discontinuous street. The east end of the west leg of Howe Avenue ends with a sewer ROW. 212 E. Howe Ave. lies just east of the sewer ROW.
EXISTING and SURROUNDING LAND USE & ZONING:	"A" Single-Family Residential District.
PROPERTY SIZE AND SHAPE:	The property consists a 15' wide roughly rectangular easement across a 66' wide City sewer ROW.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Parks and Recreation:	No comment.
Public Service Department:	No issues with this as long as no structures/paving/etc. are installed without City approval. The applicant has worked with the Engineering office on the alignment and description of the proposed easement.

BACKGROUND AND ANALYSIS

The applicant wishes to sell the property, which is land-locked. A formal easement agreement would provide assured access for the future owner(s).

STAFF RECOMMENDATION

Staff recommends approval of the following finding and recommendation

Finding:	The applicant requires access. The Public Service Department has no objection, and any paving or structures on the easement would be subject to Public Service Dept. approval.
Recommendation:	Approval as proposed.

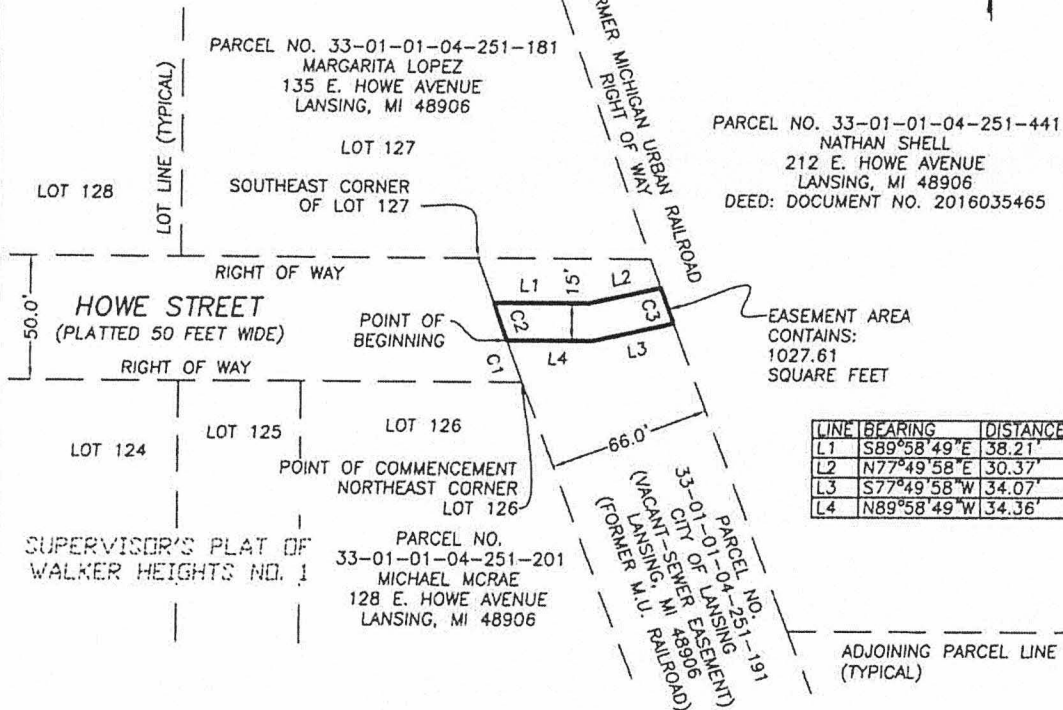
PREPARED FOR:
CITY OF LANSING
NATHAN SHELL

EASEMENT DIAGRAM

A PART OF THE NORTHEAST
ONE-QUARTER, SECTION 4, T.4N,
R.2W, LANSING TOWNSHIP, CITY OF
LANSING, INGHAM COUNTY, MICHIGAN.

0' 30' 60'
SCALE: 1"=60'

SUPERVISOR'S PLAT OF
WALKER HEIGHTS NO. 1



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	18.14'	5763.00'	0°10'49"	N20°08'02"W	18.14'
C2	15.96'	5763.00'	0°09'31"	N19°57'52"W	15.96'
C3	15.15'	5697.00'	0°09'08"	S20°07'59"E	15.15'

NOTES

1) THIS DOCUMENT IS CREATED FOR AN EASEMENT DESCRIPTION ONLY
AND MUST NOT BE USED TO CONVEY TITLE OR DETERMINE TITLE LINES.

THIS DRAWING IS NOT A CERTIFIED SURVEY BUT IS COMPILED FROM
EXISTING FIELD SURVEY DATA. THE DRAWING DOES NOT COMPLY WITH
MCL 54.211-54.213.

2) BEARINGS ARE BASED ON THE SOUTH LINE OF HOWE AVENUE
OBSERVED AS BEARING SOUTH 89°58'49" EAST PER FWE SURVEY JOB NO.
988850.

3) ALL DISTANCES ARE IN INTERNATIONAL FEET AND DECIMALS THEREOF.

4) SEE SHEET 2 FOR THE EASEMENT DESCRIPTION.



Gilbert M Barish

GEODETIC DESIGNS INCORPORATED
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 908-0008
FAX: (517) 908-0009
www.geodeticdesigns.com



REVISION DATE: 03-DEC-2018
FIELD: GB DRAWN BY: GB
DATE: 29-NOV-2018
FILE: S241-2018
SHEET 1 OF 2

PREPARED FOR:
CITY OF LANSING
NATHAN SHELL

EASEMENT DIAGRAM
A PART OF THE NORTHEAST
ONE-QUARTER, SECTION 4, T.4N,
R.2W, LANSING TOWNSHIP, CITY OF
LANSING, INGHAM COUNTY, MICHIGAN.

INGRESS/EGRESS DESCRIPTION

That part of the Northeast one-quarter of Section 4, T4N, R2W, Lansing Township, Ingham County, Michigan, described as follows:

Commencing at the Northeast corner of Lot 126, Supervisor's Plat of Walker Heights No. 1, as recorded in Plat Book 13, Page 4, Ingham County Records;

Thence Northwesterly along the West line of said Plat, 18.14 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of $00^{\circ}10'49''$, and a chord bearing North $20^{\circ}08'02''$ West, 18.14' feet, to the Point of Beginning;

Thence continuing Northwesterly along the West line of said Plat, 15.96 feet on a curve to the right, said curve having a radius of 5763.00 feet, a delta angle of $00^{\circ}09'31''$, and a chord bearing North $19^{\circ}57'52''$ West, 15.96 feet;

Thence South $89^{\circ}58'49''$ East, 38.21 feet, parallel with the centerline of Howe Street;

Thence North $77^{\circ}49'58''$ East, 30.37 feet, to the East line of the Former Michigan Urban Railroad, said line also being the Westerly line of a parcel recorded in Document No. 20166035465, Ingham County Records;

Thence Southeasterly along said East line, 15.15 feet along a curve to the left, said curve having a radius of 5697.00 feet, a delta angle of $00^{\circ}09'08''$, and a chord bearing South $20^{\circ}07'59''$ East, 15.15 feet;

Thence South $77^{\circ}49'58''$ West, 34.07 feet;

Thence North $89^{\circ}58'49''$ West, 34.36 feet, parallel with the centerline of Howe Street to the Point of Beginning.



Gilbert M Barish

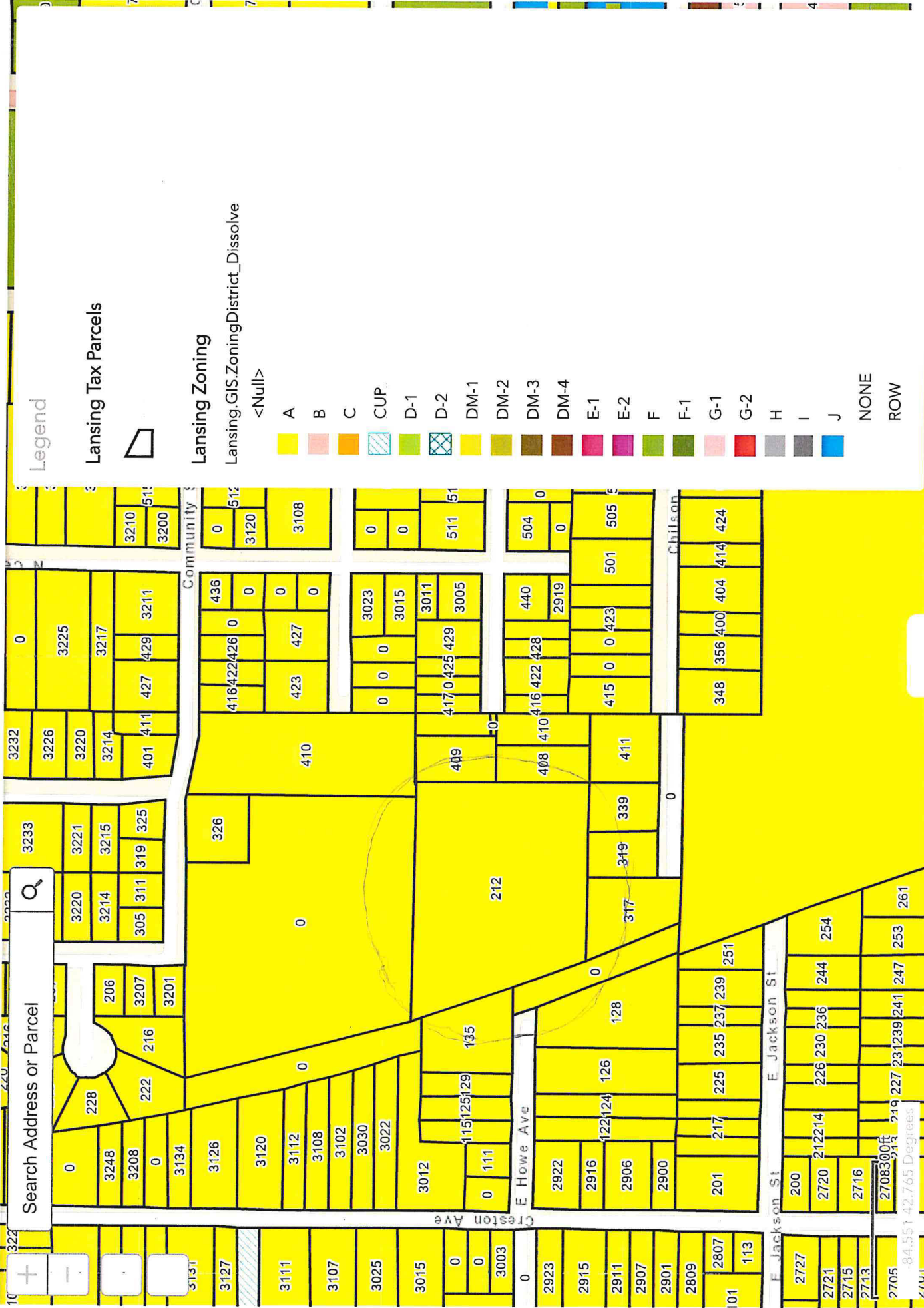
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REVISION DATE: 03-DEC-2018
FIELD: GB DRAWN BY: GB
DATE: 29-NOV-2018
FILE: S241-2018
SHEET 2 OF 2



Lansing Parcel Viewer



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

WHEREAS, the Code Compliance Manager has determined that the building located at 3815 Marion, Parcel # 33-01-01-32-203-191 legally described as: N ½ OF E ½ LOT 45 EXC W 11 FT SUPERVISORS PLAT OF HILLCREST FARMS «Description» 3815 MARIONS is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on; and

WHEREAS, a hearing was held by the Hearing Officers on 12/06/2018, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by FEBRUARY 6, 2019; and

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

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

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

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

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

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

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

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

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

3815 MARION

- Original Red Tag Date

- 01/01/2018

- Submitted Into Make Safe Or Demolish Process

- 6/29/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- Judy Kitchen
 - Ruth Kitchen

3815 MARION

Property Value Information

- SEV

- \$31,200.00 (*as of 2/06/2019*)

- Structure

- \$55,347 (*as of 2/06/19*)

- Land

- \$7,141.00 (*as of 2/06/19*)

- Estimate of Repairs

- \$88,000.00

3815 MARION

Housing Code Correction Letters

- Code Compliance Inspection Date

- 01/01/2018

- Code Compliance Letter Written

- 01/03/2018

- Code Compliance Due Date

- 01/31/2018

3815 MARION.

Demolition Board Actions

● Demolition Board Show Cause Hearings

- 10/25/2018

- 12/06/2018

● Order by Demolition Board

- Tabled case for 60 days owner to pull permits and make progress.

- Due to no progress and permit activity demolition board ruled 60 days make safe or demolish

3815 MARION.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

3815 MARION.

General Comments

- None of the required permits have been pulled as of 02/06/19.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	3815 MARION
PARCEL NUMBER:	33-01-01-32-203-191

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D008

LISTED TAXPAYER:	KITCHEN, JUDY & KITCHEN, RUTH
INTERESTED PARTIES:	KITCHEN, JUDY & KITCHEN, RUTH
SEV INFORMATION:	\$31,200.00
LAND VALUE:	\$7,141.00
BUILDING VALUE:	\$55,347.00
LOT SIZE:	153 X 55

HOUSING CODE VIOLATION LTR:	1/1/2018
ORIGINAL RED TAG DATE:	1/1/2018
ZONING:	DM-3
ESTIMATE OF REPAIRS:	\$88,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	N 1/2 OF E 1/2 LOT 45 EXC W 11 FT SUPERVISORS PLAT OF HILLCREST FARMS
---------------------------	---

ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	12/6/2018
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE/NO PROGRESS
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	EXPIRED 9/01/2018 NO INSPECTIONS
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

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 4704 Hughes, Parcel # 33-01-01-32-352-451 and Legal Description: LOT 99 & 100 S ½ LOT 98 PLEASANT GROVE SUB 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 2/02/2016 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 10/25/2018, 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, <<FutureHearingDate>> 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 4704 HUGHES 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.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	4704 HUGHES
PARCEL NUMBER:	33-01-01-32-352-451

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D012

LISTED TAXPAYER:	BSLNC
INTERESTED PARTIES:	BSLNC
SEV INFORMATION:	\$36,100.00
LAND VALUE:	\$15,443.00
BUILDING VALUE:	\$56,596.00
LOT SIZE:	100 x 202

HOUSING CODE VIOLATION LTR:	3/27/2018
ORIGINAL RED TAG DATE:	3/27/2018
ZONING:	"A" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$80,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOTS 99 & 100 S 1/2 LOT 98 PLEASANT GROVE SUB
---------------------------	---

ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	10/25/2018
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

4704 HUGHES ROAD

- Original Red Tag Date

- 3/27/2018

- Submitted Into Make Safe Or Demolish Process

- 9/20/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- BLNC

4704 HUGHES

Property Value Information

- SEV

- \$36,100.00 (*as of 2/01/2019*)

- Structure

- \$56,596 (*as of 2/01/19*)

- Land

- \$15,443 (*as of 2/01/19*)

- Estimate of Repairs

- \$80,000.00

4704 HUGHES.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 03/27/2018

- Code Compliance Letter Written

- 03/27/2018

- Code Compliance Due Date

- 04/27/2018

4704 HUGHES.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 10/25/2018

- Order by Demolition Board

- MS or D by 12/25/2018

- Request Sent To City Council for Show Cause Hearing

- 02/04/2018

4704 HUGHES.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

4704 HUGHES.

General Comments

- None of the required permits have been pulled as of 02/01/19.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

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

WHEREAS, the Code Compliance Manager has determined that the building located at 434 S FRANCIS , Parcel # 33-01-01-14-376-011 legally described as: LOT 168 SNYDERS SUB is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on ; and

WHEREAS, a hearing was held by the Hearing Officers on 10/25/2018 , at which the Hearing Officers determined that said GARAGE ONLY was an unsafe and dangerous building and ordered the building demolished or made safe by 12/25/2018 ; and

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

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

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

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

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

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

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

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

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

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	434 S FRANCIS
PARCEL NUMBER:	33-01-01-14-376-011

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D014

LISTED TAXPAYER:	ROY C DONALD
INTERESTED PARTIES:	
SEV INFORMATION:	\$10,350.00 GARAGE ONLY
LAND VALUE:	\$6,111.00
BUILDING VALUE:	\$10,350.00 GARAGE ONLY
LOT SIZE:	33X127

HOUSING CODE VIOLATION LTR:	11/1/2016
ORIGINAL RED TAG DATE:	11/1/2016
ZONING:	"C" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$22,176.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 167 SNYDERS SUB
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	10/25/2018
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE
HEARING OFFICER:	DAVID MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

434 S FRANCIS

- Original Red Tag Date

- 11/01/20186

- Submitted Into Make Safe Or Demolish Process

- 9/20/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- ROY C. DONALD

4704 HUGHES

Property Value Information

- SEV

- \$10,350.00 (*as of 2/01/2019 GARAGE ONLY*)

- Structure

- \$16,686 GARAGE ONLY IN DEMO (*as of 2/01/19*)

- Land

- \$6,111.00 (*as of 2/01/19*)

- Estimate of Repairs

- \$22,176.00

4704 HUGHES.

Housing Code Correction Letters

- BUILDING SAFETY Inspection Date

- 11/01/2016

- BUILDING SAFETY Letter Written

- 11/01/2016

- BUILDING SAFETY Due Date

- 11/01/2016

4704 HUGHES.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 10/25/2018

- Order by Demolition Board

- MS or D by 12/25/2018

- Request Sent To City Council for Show Cause Hearing

- 02/04/2018

4704 HUGHES.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

4704 HUGHES.

General Comments

- None of the required permits have been pulled as of 02/01/19.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

RESOLUTION #2019-XXX

**RESOLUTION TO APPROVE RECYCLING AGREEMENT
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, the City of Lansing issued a request for proposals for the hauling and processing of recyclable materials collected by the City of Lansing and City of East Lansing; and

WHEREAS, four proposals were submitted and reviewed; and

WHEREAS, the review committee selected the proposal submitted by Emterra Environmental as being in the best interest of the City; and

WHEREAS, the proposal involves the construction of a regional materials recovery facility to process recyclable materials; and

WHEREAS, the proposed facility would eliminate the costs and operational concerns associated with operating a transfer center and having materials hauled out of the region for processing; and

WHEREAS, the City would benefit from more stable processing costs due to the construction of this facility; and

WHEREAS, the City would receive commodity revenue if the average price exceeds a threshold and would benefit from lower processing cost if recycling tonnage increased and/or other communities processed their materials under the City's agreement once certain thresholds are met; and

WHEREAS, the construction of the facility would be at no cost to the City but would require a longer processing agreement; and

WHEREAS, the Administration and Emterra have negotiated a Recycling Services Agreement to utilize Emterra's proposed facility for the processing of recyclables, for an initial term of 10 years, with the option for renewable 5 year terms thereafter; and

WHEREAS, the Agreement calls for no contribution by the City for construction of the proposed facility, provides for revenue to the City if certain thresholds are met in the delivery and processing of recyclables, and would only call for payment from the City in the event certain thresholds are not met; and

WHEREAS, the Recycling Services Agreement is attached as Exhibit A has been reviewed by the Office of the City Attorney as to form, and by the Finance Department;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves entering into a 10-year Recycling Services Agreement with Emterra Environmental for the processing of recyclables at its proposed facility.

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.



RECYCLING SERVICES AGREEMENT

This Recycling Services Agreement ("this Agreement") is made and entered into this _____ day of _____, 2019 (the "Effective Date"), by and between The City of Lansing ("Generator") and Emterra Environmental USA Corp ("Processor"). The contract effective date will be the date it is signed by City of Lansing authorized signee's and delivered (return receipt) to Emterra after Council approves the agreement.

In consideration of the covenants and undertakings of the parties hereto and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, Generator and Processor hereby agree as follows:

I. DEFINITIONS

Acceptable Materials and or Recyclable Materials: those materials listed as Acceptable Materials in Schedule **B** — Materials Acceptance Protocol.

Processing Facility: the Processor's processing facility located at a mutually agreed upon location in the tri-county area that is to be determined.

Single Stream Residential Recyclable: recyclable fibers and containers which is not more than __8__% of unacceptable materials / contaminants,

Recyclables: the acceptable materials contained in the Single Stream Recyclable as per the Acceptable Materials in Schedule B, received from the Generator,

Unacceptable Materials: those materials in the inbound recyclable that are not in the Acceptable Material list as per item #1 of Schedule **B** — Materials Acceptance Protocol,

Contaminants: unacceptable Materials

Average Commodity Revenue "(ACR): the Facility's prior month's Net Achieved Revenue for all Recyclables (including Residue tons) divided by the total tons of inbound tonnage received over the same month as per the ACR Calculation Formula.

Net Revenue: means gross revenue earned minus any direct costs of Processor related to transportation, marketing, and uncollectable accounts receivable of Recyclables

Achieved Net Revenue: means the paper commodity revenue as per the Market indices and the actual net revenue earned for other non-paper recyclable materials; both net of uncollectable accounts receivable

Revenue Share: means a percentage of the amount by which the ACR exceeds the ACR Threshold, to be paid by the Processor to the Generator.

ACR Threshold: means the Processing Fee for the year base on the inbound tonnage of the Single Stream Recyclable

Tip Fee (Processing Fee): the unit price per ton paid to the Processor by the Generator based on inbound ton and is detailed in Schedule A

Annual escalation Factor: the Processing Fee is adjusted annually based on the change over the previous twelve (12) month period in the Consumer Price Index — CPI (U) Midwest East North Central All Items Index shall be used to determine the Annual Escalation Factor

Residue: is generated from the processing of the inbound Recyclable Materials. It is comprised of missed Recyclable Materials and the Unacceptable Recyclables. The final destination of Residue is either at the landfill or the incinerator.

2. RESPONSIBILITIES OF GENERATOR

2.1 Generator shall deliver or cause to be delivered to the Facility all Single Stream Residential Recyclable it collects. However, Generator reserves the right to collect source-separated Acceptable Materials from Commercial Customers curbside or contract with Emterra to collect Commercial Customers, and be processed and marketed as part of this Agreement. Title to the Recyclable shall pass from Generator to Processor upon acceptance at the Facility.

2.2 The parties expect approximately ___ 625___ tons per month of Recyclables from the Generator.

2.3 The Generator is responsible for compliance with the Materials Acceptance Protocol. The Processor shall have the right to inspect all inbound loads from the Generator and to reject any delivery from the Generator which contains or appears to contain by volume or weight more than eight percent (___ 8___%) Unacceptable Material whichever is less, or which contains or appears to contain any amount of hazardous, toxic, radioactive or similarly dangerous Unacceptable Material (each such rejected load an "Unacceptable Load").

The entire cost arising from Generator's delivery of any Unacceptable Load (including without limitation transportation, re-loading, clean-up, alternate disposal and the like) shall be the sole responsibility of the Generator. Title to Unacceptable Material shall not pass from Generator to Processor.

City of Lansing is to pay a reasonable fee for all rejected loads to reimburse the Processor for the time and resources to handle and/or reload the rejected load back into the truck, which shall be a minimum of \$200.00 per load.

2.4 Generator will make reasonable efforts to eliminate the scavenging of recyclables prior to delivery to the Facility.

2.5 Generator will make best efforts to avoid delivery of hazardous materials and to notify the Processor and take reasonable measures upon discovery of a delivery of hazardous materials.

2.6 Generator will cause its loads to be delivered in conformance with the Facility operating hours and the delivery routines and standards described in the Hauler's Rules, attached hereto as Schedule C.

2.7 Generator is responsible to provide public education to the residents so as to eliminate / reduce the Unacceptable Materials in the Recyclable Materials. The maximum rate of Unacceptable Material is _____ 8__% of a load by volume or weight whichever is less. Should the load have Unacceptable Material over the maximum limit; the Processor has the right to reject the load.

2.8 There is a "grace" of 3 rejected loads per year, the processing fee for these "grace loads" would not be charged. After the 3 "grace loads", the processing fee would be assessed for rejected loads. These rejected loads would count toward the tonnage rate.

3. RESPONSIBILITIES OF PROCESSOR

3.1 Processor is to build / set up a Processing Facility to process the Single Stream Residential Recyclable **Processing Facility** at its costs. This Facility is owned and operated by the Processor.

3.2 Processor will receive, process, and market all Single Stream Residential Recyclables delivered to the facility by the Generator. Processor will provide Generator with a monthly report which shall indicate the date, time, and net weight for each load, a report of the total tons received for that calendar month, and a billing summary.

3.3 The Processor is committed to a maximum of 10% Residue generated from the Facility provided that the Generator meets the requirement of 2.7.

3.4 Hours of Operation at the Facility shall be as follows:

Monday through Friday 7:00 AM to 5:00 PM

Saturday be opened during the week after Holiday day

Holiday Closings:

New Year Day	
Thanksgiving Day	
Christmas Day	
Memorial Day	
Independence Day	
Labor Day	

3.5 The parties may arrange for deliveries outside of the operating hours specified in Paragraph 3.4 by mutual agreement.

3.6 The Facility is not a dedicated facility and the Processor is free to accept Recyclable Materials from other sources / jurisdictions.

3.7 The Processor is responsible for the design of the Facility and is responsible to process the Recyclable Materials for sale based on the Buyer's specification, the grades are detailed in Schedule A. The Processor is fully responsible for its site design and equipment design for this Work of this Agreement. Furthermore, the Processor is securing and choosing the equipment for its own use.

4. TERM

4.1 Initial Term. The initial term of this Agreement is a ten (10) year term and shall commence on the Effective Date and shall expire on _____, 2029 (the "Initial Term"), with both the Processing Fee and the ACR Threshold price be adjusted annually pursuant to Schedule A.

4.2 Extensions and Renewals. Subject to paragraph 4.1, this Agreement shall be Automatically renewed for five (5) year term, with the threshold price adjusted annually pursuant to Schedule A, unless either party, no less than ninety (90) days prior to the end of the then-existing term, provides notice to the other party of its intent not to extend for an additional term.

5. PAYMENT

5.1 All Processing invoices shall be due and payable on a strict net thirty (30) days from date of invoice basis. Interest shall accrue on all past due invoices at the rate of one and one-half percent (1.5%) per month.

5.2 All ACR and Revenue Share Report will be sent to the Generator by the 25th of the month. Revenue Share payment to the Generator will be made to the Generator 30 days after the monthly report. Interest shall accrue on all past due invoices at the rate of one and one-half percent (1.5%) per month

6. OWNERSHIP OF RECYCLABLE MATERIALS

The Processor acknowledges and agrees that the Generator retains 100% of the Net Revenue from sale of the recyclable commodity up to the ACR Threshold, subject to Revenue Share with the Processor.

7. REPORTING REQUIREMENTS FOR GENERATOR'S RECYCLABLES

The Processor shall provide the Generator with the following information on a monthly basis:

- details as to the location /source, dates and weights of each load of Recyclable Material transported to a Processing Facility;
- total Ton of Recyclable Material delivered to the Processing Facility for each source; and
- Tonnes of Recyclable Material processed and residual generated at the Processing Facility.
- On 25th of the month, an ACR report will be forwarded to the Generator

8. STANDARD TERMS & CONDITIONS

Terms and Conditions are attached as Schedule D and are incorporated hereby in their entirety.

9. INCONSISTENCY AND PARAMOUNTCY

In the event of any inconsistency, ambiguity or conflict among the provisions or documents constituting this Agreement, the provisions or documents shall take precedence and govern in the following order to the extent necessary to eliminate such inconsistency or ambiguity:

- (a) This Agreement;
- (b) Schedule A;
- (c) Schedule B;
- (d) Schedule D
- (e) Schedule C
- (f) Post-Submission meeting minutes
- (g) Processor's Submission
- (h) RFP document

10. NOTICES

All notices to be given under this Agreement shall be in writing and delivered personally or by first class mail to the following addresses or such other addresses as the parties may provide by written notice in accordance with this paragraph:

Processor: Enterra Environmental USA Corp
1606 E Webster Road, Flint, MI 48505
Attn: Angelo Caramagno, General Manager

With a copy to: Halton Recycling Ltd.
1122 Pioneer Road
Burlington, On. CA
L7M 1K4
Attn: Paulina Leung

Generator: City of Lansing Department of Public Service
124 W. Michigan Avenue
Lansing, MI 48933
Attn: Andy Kilpatrick P.E.

11. COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but which together will constitute one and the same instrument.

IN WITNESS HEREOF, the parties have executed this agreement as of the _____

Processor: Enterra Environmental USA Corp



By _____

Name and Title Emmie Leung, CEO

Generator: City of Lansing

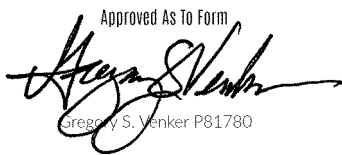
By _____

Name and Title Mayor Andy Schor

I hereby certify that funds are available

Acct No _____

Accounting Manager

Approved As To Form

Gregory S. Venker P81780

Schedule A Price Schedule

Single Stream Recyclable Processing Fee and Revenue Share Metric:

Table 1: Processing Fee Schedule based on annual tonnage received

		7,500+ tons	10,500+ tons	13,500+ tons	16,000 16,500+ tons	20,000+ tons
		Tier 1 pricing	Tier 2 Pricing	Tier 3 Pricing	Tier 4 Pricing	Tier 5 Pricing
A.1	Processing Fee (\$/ton)	\$134.31	\$121.70	\$112.75	\$106.07	\$100.00
A.2	Annual Escalation Factor	CPI (U) Midwest East North Central All Items Index shall be used to determine the Annual Escalation Factor. The Processing Fee and ACR Threshold for each year will be adjusted on the anniversary date of each year of the Agreement, starting on the first anniversary of the Agreement. The adjustment will be calculated using the percentage change between the preceding year and the current year. There shall be no negative adjustment.				

There is a put or pay of 7,500 tons per year by City of Lansing, East Lansing and Participating Municipalities* at Tier 1 Pricing during the contract term. This rate is adjusted annually based on the Annual Escalation Factor as outlined above. Source Separate Recyclable from the Generator is counted toward this tonnage commitment.

Multi-family single stream tonnage collected within the borders of Lansing and East Lansing will count toward the Processing Fee Schedule under Table 1 only. It is understood that any price benefit will only impact Lansing or East Lansing's price. Third party haulers will not have any pricing benefit, put or pay nor revenue share. Rejected loads from Multi-family will not count towards tonnage. Lansing and East Lansing will commit resources to grow multi-family and commercial recycling in an effort to increase tonnage and meet or exceed minimums.

Monthly Processing Fee payment to the Processor is the monthly inbound ton multiplied by the dollar per ton processor fee for the month.

Composition Audit: a composition audit will be conducted each month or an average of audits over a three (3) month period, to determine the aggregate per ton value for each recyclable stream and to calculate the ACR. The Generator and Processor are to work co-operatively to conduct the audit.

Average Commodity Revenue "(ACR)" Calculation:

Paper commodity revenue is by index and non-paper commodity revenue is by actual net revenue earned

- **Market Index**

- The following market indicators shall be used for the paper commodities:
 - **Paper**
 - **Official Board Markets (OBM) – Recovered Paper Domestic index**, the first publication of the month, Midwest (Chicago) pricing mid-point of the high and low price per ton, FOB Seller's dock
 - Applicable grades of paper fibers as per Institute of Scrap Recycling Industry (ISRI) specification:
 - OCC (11)
 - Sorted Residential Papers and News (56)
 - Mixed Paper (54)
 - **Ferrous Metals**
 - No price index, based on actual net price per ton received from buyers
 - **Aluminium**
 - No price index, actual net price per ton received from buyers
 - **Aseptic Container**
 - No price index, actual net price per ton received from buyers
 - **Glass Bottles**
 - No price index, actual net price per ton received from buyers
 - **Rigid Mixed Plastic #1-7 Containers**
 - No price index, actual net price per ton received from buyers
- The achieved ACR is the average revenue per ton achieved for the month as per the above grades

Table 2: Average Commodity Revenue (ACR) Threshold and Revenue Share

		7,500+ tons	10,500+ tons	13,500 + tons	16,500+ tons	20,000+ tons
A.3	ACR Threshold (\$/ton) for the first year	\$134.31	\$121.70	\$112.75	\$106.07	\$100.00

- A.4 Trigger price /point for Revenue Share is when the actual achieved is equal to the ACR Threshold.

A.1 Tip Fee	tons received	7,500+	10,500+	13,500 +	16,500+	20,000+
	Tip Fee per ton	\$134.31	\$121.70	\$112.75	\$106.07	\$100.00

A.2 Annual Escalation Factor to be applied to the Tip Fee

Annual Escalation Factor base on CPI change, without negative adjustment

A.3 Revenue Share

- Lansing will receive 100% of the Average Commodity Revenue (ACR) for tons delivered by the City of Lansing and participating municipalities under this Agreement until achieving ACR Threshold.
- The Revenue Share for the City of Lansing will be 55% for Net Revenue over Threshold ACR, 45% to the Processor.
- Processor's 3rd Party tons delivered, including OCC is excluded from Revenue Share; and Tip Fee.
- Revenue Share is determined monthly and reconciled and paid quarterly; and
- The ACR Threshold for second year will be adjusted using the Annual Escalation Factor outlined in Table 1 above.
- No ACR rebate will be paid should annual tons received fall below the 7,500 ton level of the minimum threshold

Examples of Revenue Share:

Example 1: When achieved ACR is less than the Processing Fee

1. Volume deliver to the Processor : 7,500Tons,
2. Achieved ACR is \$63.52 per ton for the month of July 2019
3. Processing Fee paid by Generator = \$134.31 per ton
4. $ACR = \$63.52 \text{ per ton} \times 100\% = \63.52 per ton credited to the Generator
5. Net cost to the Generator : $\$134.31 - \$63.52 = \$70.79$ per inbound ton

Example 2: When achieved ACR is more than the Processing Fee:

1. Volume deliver to the Processor: 16,500 tons,
2. Achieved ACR = \$210.00 per ton
3. Processing Fee paid by the Generator = \$106.07 per ton
4. ACR: First $\$106.07 \times 100\% = \106.07 / ton credited to the Generator to pay for the cost
5. Revenue Share to Generator :
 - any ACR that is over the processing fee (ACR Threshold) , 55% credited to the Generator : $(\$210 - \$106.07) \times 55\% = \$57.16$ per ton credited to the Generator
6. Net cost to the Generator: $= (\$106.07 \text{ processing fee} - \$106.07 \text{ of first ACR}) - \$57.16 \text{ revenue share to generator} = -\57.16 , eg the Generator will receive a credit of \$57.16 as revenue share.

7. Revenue Share to Processor :

- any ACR that is over the processing fee (ACR Threshold) , 45% credited to the Processor : (\$ 210-106.07) X 45% =\$103.93X 45%= \$46.77 per ton credited to the Processor

Schedule B
Materials Acceptance Protocol

1. Acceptable Material list for Lansing recycling program:

- **Glass**, transparent and translucent food and beverage bottles and containers. Paper labels are acceptable as are rings and lids on glass containers. **All** colors of glass are accepted — green, amber, or clear.
- **Tin/ Steel Cans**, tin plated, food and beverage containers, all sizes; paper labels are acceptable. Metal pots and pans, metal trays, metal bakeware, toasters, metal utensils are not acceptable
- **Aluminum** used beverage containers and foil, clean of food
- **All Plastic Bottles** — including but not limited to:
 - **HDPE Plastic Bottles (SPI Code #2)** — blow-molded (bottle-necked) natural and colored HDPE containers, including plastic milk jugs, water jugs, detergent bottles, and similar items; caps and labels are acceptable. Motor oil and anti-freeze containers are not acceptable. Tubs, pots, and trays are not acceptable.
 - **PET Plastic Bottles (SPI Code #1)** — blow-molded (bottle-necked) clear and green PET containers, such as soda bottles, dishwashing soap bottles, and some shampoo bottles. Tubs, pots, and trays are not acceptable.
 - **PET Clamshell** – PET plastic container for take-out, and produce. Clean of food
- **Household Plastic Containers #1, #2 and #4 through #7** excluding Styrofoam and #3. Buckets, crates, toys, trays, furniture, bins, barrels, etc., often referred to as "Injection grade : such as injection HDPE", are not acceptable
- **Multi-coated/Plastic Coated Paper Beverage Cartons** including milk and juice cartons also known as aseptic containers. Poly-coated freezer cartons are not acceptable
- **Newspaper** — old newspapers and advertisement inserts. Old newspaper that contains incidental moisture from rain on collection days is acceptable. Moisture over 12% is not acceptable. Wet and or soiled paper or yellowed newsprint is unacceptable.
- **Magazine** — old magazines containing glossy coated paper, including catalogues, glossy fillers or mailers. Moisture over 12% is not acceptable
- **Old Corrugated Cardboard (OCC) & Kraft Paper Bags** — old corrugated containers (cardboard) that are flattened that have liners of Kraft, jute, or test liner. Staples and tape with water-soluble glues do not have to be removed. Moisture over 12% is not acceptable. Pizza boxes free of food are acceptable. Wax-coated and or stained / soiled old corrugated containers are not acceptable.
- **Office Paper (White and Colored)**, household writing paper, post-its, all residential mail including envelopes (manila and regular), all types and sizes of dry, loose white and colored ledger and copier paper, note pad paper (no backing), loose leaf fillers, computer paper (continuous-form perforated white bond or green-bar paper). Shredded office paper must be placed in clear plastic bags and tied.
Gift Wrap is not acceptable

- **Boxboard** — all non-corrugated, commonly used in dry food and cereal boxes, shoe boxes, and other similar packaging. Boxboard that has been contaminated or has food is not acceptable. Plastic film or greasy paper liner in cereal boxes must be removed

- **Telephone books**

2. Unacceptable Materials: Unacceptable Materials are non program materials and any item that is not in the Acceptable Material list in item #1 above

For example:

- Plastic bags, grocery bags, and plastic film of any kind
- Styrofoam, any plastic containers with Plastic No 3,
- No bagged material except as detailed above.
- Mirrors, window or auto glass, light bulbs, ceramics,
- Oil or antifreeze containers, paint cans, aerosol cans
- Containers / bottles that has a hazardous symbol
- coat hangers, toys, buckets, pails,
- soiled, food contaminated paper
- chemically treated paper, waxed paper
- Hard cover books
- Tissue paper, napkins
- Food waste, garbage, yard waste
- Garden hoses
- Electronics, Christmas lights

Schedule C

**Safety Policies & Procedures
for Commercial Vehicle Drivers Backing into
the Facility Tip Floor
*October 2018***

- The drivers/loaders must report to and obey all traffic control devices and directions given by the MRF staff, scale attendant at all times.
- Driver must identify company name and collection location of the recycling.
- The driver shall approach Scale SLOWLY.
- Collection vehicles operators are required to weigh their vehicle at the weigh scale before proceeding to unload.
- Drivers shall travel at safe speeds at all times when entering or driving on the property. Excessive speed will not be tolerated. Adverse weather conditions will dictate safe speeds in the yard. Under no circumstances is the driver of a commercial motor vehicle to exceed 10 mi/hr in the yard.
- A full stop is a MUST before getting in the tipping floor. Wait for the Loader Operator's instruction before entering.

- Drivers/loaders shall properly wear (laced) safety foot wear with steel toed protection at all times when outside the cab of his/her truck. The safety foot wear shall meet the ASTM F241305 and display the green tag.
- Drivers/loaders shall properly wear a safety vest which meets the ANSI Class II at all times when outside the vehicle. The safety vest must be in good condition so as to retain its high visibility standard.
- Drivers/loaders shall properly wear safety glasses at all times when outside the cab of his/her truck.
- Commercial Motor Vehicle Driver's must be alert to mobile equipment and pedestrian traffic at all times when on the Emterra Recycling property. Drivers must make eye contact with pedestrians and mobile equipment operators before safely proceeding with their intended path of travel.
- The use of radio communication / cell phones and other distractive devices are strictly prohibited while operating a commercial vehicle on the premises. The driver must pay full attention to his/her surroundings at all times.
- No Visitors or Unauthorized personnel will be allowed inside the Tip Floor. All Visitors should REPORT to the Front Office before entering in the Tip Floor.

Procedure for Truck Unloading

- **Position your truck well back from the entrance of the bay door so that it is ready to back up. If the bay is vacant (no trucks inside bay) back your truck to the door but remain outside the building (approximately 5 feet from the entrance). Exit the cab of your truck, stand at the edge of the door and establish hand/eye communication with the loader operator that it is safe to back in. Sound your horn twice (two short blasts) before you make the final entry into the plant as a final warning. Never reverse your truck**

into the plant unloading area unless you have established communication with the loader operator.

Note: If the loader operator is not available, the driver or loader must exit the cab and make sure the bay is safe to back into, before reversing the truck. Always be aware of mobile equipment in the area. Once it is safe to back in, the driver can proceed at a very low rate of speed. Use of the air horn (two short blasts) is required as a final warning prior to entry. At this point, the spotter must get back into the cab of the truck. Driver to back in slowly and with extreme caution.

- The vehicle shall not exceed 5mi/hr, while reversing into the tipping floor area.
- Once inside the Bay, properly secure your vehicle. Only the driver may exit the cab of the truck. Be aware of your surroundings at all times
- NOTE: The driver must never be outside a one metre radius from his/her truck at any time when on the tipping floor. Do not wander out of this area. If there is a need for the driver to move outside the one metre radius, eye contact must first be made with mobile equipment operator(s) and hand signals must be used to communicate the intention. The driver is to return immediately back to the one metre radius.
- **Never place yourself under the hydraulic tailgate unless the safety bar on the truck has been engaged. Once this safety bar is engaged you must only stand in the space between the bar and the back of the truck (not the back of the tailgate).**
- The driver shall ensure that all loose materials are removed from the collection vehicle prior to leaving the tipping floor area.
- The driver shall never enter or exit the tipping floor area with the vehicle box in the upward position.

- Upon completion of the unloading procedure, drive safely out of the Bay door stopping and honking your horn just before edging the nose of the truck out. Ensure there are no pedestrians or mobile equipment in your path of travel, before proceeding.
- Loader Operator will conduct a VISUAL inspection of the unloaded materials as well as when the material is being pushed. Loader Operator will contact Lead Hand or Supervisor in charge for assistance in case of material object or ANY unusual products.
- Drive to the scale house to weigh out under a safe controlled speed.
- Driver shall not allow litter to be discharged from the body or cab of vehicle.
- Driver shall not loiter in the yard.
- Loader operator will report drivers and helpers who do not comply with this procedure. Drivers/loaders who fail to comply with these policies and guidelines will not be permitted to access the facility.
- Processor has the right to amend the Rules.

Schedule D
Terms and Conditions

1. Deposit Bill Legislation. If legislation is enacted on a State or national level that requires a redeemable deposit on any of the items listed as Recyclables for which a redeemable deposit is not required on the effective date of the Agreement, the parties agree that their economic positions have been substantially impacted. Therefore, the Processor and Generator will renegotiate the price of the Agreement in good faith to rectify the economic impact. If the parties cannot reach a mutually satisfactory agreement, either party may terminate the Agreement with sixty (60) days' notice without further obligation.

2. Governing Law. This Agreement and any issues arising hereunder or relating hereto shall be governed by and construed in accordance with the laws of the State of Michigan.

3. Venue. The Parties agree that all actions or proceedings arising in connection with this agreement shall be tried and litigated only in state and federal courts in Michigan.

4. Disclaimer of Joint Venture, Partnership, and Agency. This Agreement shall not be interpreted or construed to create an association, joint venture, or partnership between the parties or to impose any partnership obligation or liability upon either party. Neither party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent or representative of, or to otherwise bind, the other party. Generator and its employees and agents shall not be entitled to any Processor fringe benefits and hereby expressly waive any claim or right now or hereafter accruing against Processor arising out of the operation of any applicable workers' compensation law.

5. Force Majeure.

a. "Force Majeure" means any act, event or condition materially and adversely affecting the ability of a party to perform or comply with any material obligation, duty or agreement required under this Agreement, if such act, event, or condition is beyond the reasonable control of the nonperforming party or its agents relying thereon; results from the occurrence of any event the nonoccurrence of which was a basic assumption at the time this contract was made; is not the result of the willful or negligent action, inaction or fault of the party relying thereon; and the nonperforming party has been unable to avoid or overcome the act, event or condition by the exercise of due diligence, including, without limitation: (i) an act of God, epidemic, landslide, lightning, earthquake, fire, explosion, storm, flood or similar occurrence; (ii) an act of public enemy, war, blockage, insurrection, riot, general unrest or restraint of government and people, civil disturbance or disobedience, sabotage, act of terrorism or similar occurrence; (iii) a strike, work slowdown, or similar industrial or labor action; (iv) an order or judgment (including without limitation a temporary restraining order, temporary injunction, preliminary injunction, permanent injunction, or cease and desist order) or other act of any federal, state, county or local court, administrative agency or governmental office or body which prevents a party's obligations as contemplated by this Agreement, with the exception of legislation described in paragraph 1; (v) adoption or change (including a change in interpretation, enforcement or permit requirement) of any federal, state or local law after the Effective Date of this Agreement, preventing performance of or compliance with the obligations hereunder; or (vi) any other event or occurrence not within the reasonable control of a party, including a material adverse disruption in the commodities market.

b. Neither party shall be liable to the other for damages if such party's performance is delayed or prevented due to an event of Force Majeure. In such event, the affected party shall promptly notify the other of the event of Force Majeure and its likely duration. During the continuation of the Force Majeure Event, the nonperforming party shall (i) exercise commercially reasonable efforts to mitigate or limit damages to the performing party; (ii) exercise commercially reasonable due diligence to overcome the Force Majeure event; (iii) to the extent it is able, continue to perform its obligations under this Agreement; and (iv) cause the suspension of performance to be of no greater scope and no longer duration than the Force Majeure event requires.

7. Representations and Warranties of Authority. Each party represents and warrants to the other that:

a. it is duly qualified to do business and is in good standing in every jurisdiction in which this Agreement requires its performance;

b. it has full power and authority to execute, deliver and perform its obligations under this Agreement;

c. the execution, delivery and performance of this Agreement have been duly and validly authorized by all necessary action by such party; and

d. the execution and delivery of this Agreement by such party and the performance of the terms, covenants and conditions contained herein will not violate the articles of incorporation or by-laws of such party, or any order of a court or arbitrator, and will not conflict with and will not constitute a material breach of, or default under, the provisions of any material contract by which either party is bound.

These warranties shall survive the expiration or termination of this Agreement.

8. Termination.

This Agreement may be terminated pursuant to following:

a. at any time by both parties upon mutual written agreement; or

b. immediately upon notice by either party in the event that any of the representations and warranties made by the other party in this Agreement are shown to be untrue; or

c. by either party in the event of a failure by the other party to perform a material obligation as follows (a "Default"): if the Default has not been cured by the defaulting party within ninety (90) days from receipt of notice from the non-defaulting party, the non-defaulting party may (i) terminate this Agreement immediately upon notice, unless the defaulting party is diligently pursuing a cure, or (ii) agree in writing that the defaulting party is diligently pursuing a cure in a commercially reasonable manner, then the cure period will be extended for a further ninety (90) days.

9. Entire Agreement. It is understood and agreed that all understandings and agreements heretofore had between the parties hereto are merged in this Agreement, which alone fully and completely expresses their agreement and contains all of the terms agreed upon between the parties with respect to the subject matter of this Agreement, and that this Agreement is entered into after full investigation, neither party relying upon any statement or representation, not embodied in this Agreement, made by the other. All schedules referenced in the Agreement and the contents thereof are incorporated herein by reference.

10. Amendment. This Agreement may not be amended, modified or supplemented, except in writing and signed by the parties.

- 11. Non-Waiver.** No waiver by any party to this Agreement of any failure or refusal by the other party to comply with its obligations shall be deemed a waiver of any other or subsequent failure or refusal to so comply. No waiver by either Party of any right or remedy hereunder shall be valid unless the same shall be in writing and signed by the Party giving such waiver. No waiver by either Party with respect to any default, misrepresentation, or breach of warranty or covenant hereunder shall be deemed to extend to any prior or subsequent default, misrepresentation, or breach of warranty or covenant hereunder or affect in any way any rights arising by virtue of any prior or subsequent such occurrence.
- 12. Severability; Modification Required By Law.** If any term or provision of this Agreement shall be found by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, the same shall not affect the other terms or provisions thereof or hereof or the whole of this Agreement, but such term or provision shall be deemed modified to the extent necessary in the court's opinion to render such term or provision enforceable, and the rights and obligations of the parties shall be construed and enforced accordingly, preserving to the fullest permissible extent the intent and agreement of the parties herein set forth.
- 13. Headings, Pronouns.** The headings of sections and subsections of this Agreement are inserted for convenience only and shall not in any way affect the meaning or construction of any provision of this Agreement. The pronouns "he", "she" or "it" are also used for convenience, and in the event that an improper pronoun has been used, it shall be deemed changed so as to render the sentence in which it is contained effective in accordance with its terms.
- 14. Successors and Assigns.** This Agreement and all of the provisions thereof and hereof shall be binding upon and inure to the benefit of the parties and their respective successors and permitted assigns.
- 15. Assignment.** Neither this Agreement nor any of the rights, interests, obligations, and remedies hereunder shall be assigned by either party, including by operation of law, without the prior written consent of the other, such consent to not be unreasonably withheld, conditioned or delayed. Notwithstanding this paragraph, assignments may be made (1) to the parents, subsidiaries and affiliates of the assigning party; (2) at the assigning party's expense, to a person, firm, or corporation acquiring all or substantially all of the business and assets of the assigning party provided that the assignee assumes the obligations of the assigning party arising hereunder from and after the date of acquisition; or (3) as security to entities providing financing for the assigning party or for any of its affiliates for construction, reconstruction, modification, replacement or operation of any of the facilities of the assigning party or its parents, subsidiaries or affiliates.
- 16. Construction.** This Agreement and its exhibits and schedules are the result of negotiations between the parties and have been reviewed by all parties. Accordingly, this Agreement will be deemed to be the product of the parties thereto and no ambiguity will be construed in favor of or against any party.
- 17. No Third Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to confer upon any third party any rights, remedies, obligations, or liabilities under or by reason of this Agreement, except as expressly provided in this Agreement.
- 18. No Brokers.** Generator agrees that it has entered into this Agreement without the benefit or assistance of any brokers.
- 19. Further Acts.** Each party agrees to perform any further acts and to execute, acknowledge, and deliver any documents which may be reasonably necessary to carry out the provisions of this Agreement.
- 20. Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but which together will constitute one and the same instrument.

21. **Dispute Resolution.** The parties agree to make reasonable efforts to resolve disputes through negotiation or other alternative dispute resolution processes prior to commencing litigation.
22. **Waiver of Subrogation.** Each party shall look first to any insurance in its favor before making any claim against the other party for recovery for loss or damage resulting from fire or other casualty, and to the extent that such insurance is in force and collectible and to the extent permitted by law, each party each hereby releases and waives all right of recovery against the other or any one claiming through or under each of them by way of subrogation or otherwise. The foregoing release and waiver shall be in force only if both releasors insurance policies contain a clause providing that such a release or waiver shall not invalidate the insurance.

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

WHEREAS, on March 24, 2008, the Lansing City Council adopted Resolution #2008-111 to approve an application filed by Spartan Internet Properties, LLC requesting an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) for a period of 12 years on property legally described as LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11 MANUFACTURERS ADD NO 2, commonly known as 1030 South Holmes Street, Lansing, Michigan (Property) pursuant to Public Act 146 of 2000, as amended (the OPRA Act); and

WHEREAS, on May 12, 2008, the State Tax Commission approved the OPRA Certificate #3-08-0005 for Spartan Internet Properties, LLC for the Property, beginning December 31, 2008, and ending December 30, 2020; and

WHEREAS, Section 12 of the OPRA Act states that the legislative body of the qualified local governmental unit may, by resolution, revoke the OPRA Certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body; and

WHEREAS, Spartan Internet Properties, LLC has failed to proceed in good faith with the rehabilitation of the facility within the construction period allowed; and

WHEREAS, the Lansing Economic Development Corporation and the City of Lansing Administration both recommend and request that OPRA Certificate #3-08-0005 be revoked.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby revokes OPRA Certificate #3-08-0005 previously granted to Spartan Internet Properties, LLC for property located at 1030 South Holmes Street, Lansing, Michigan.

BE IT FINALLY RESOLVED that the City Clerk shall immediately cause a certified copy of this resolution to be filed with the Michigan State Tax Commission.

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

WHEREAS, the Mayor made the appointment of Thomas J. Bucholz, 914 Oneida Woods Trail, Grand Ledge, MI 48837 as a Business Owner Member of the Downtown Lansing, Inc. Board for a term to expire June 30, 2022; 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 Thomas J. Bucholz, 914 Oneida Woods Trail, Grand Ledge, MI 48837 as a Business Owner Member of the Downtown Lansing, Inc. Board for a term to expire June 30, 2022.

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

WHEREAS, the Mayor made the appointment of Stephen K. Purchase, 1717 Moores River Drive, Lansing, MI 48910 as an At-Large Member of the Board of Fire Commissions 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 Stephen K. Purchase, 1717 Moores River Drive, Lansing, MI 48910 as an At-Large Member of the Board of Fire Commissions 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 follow reappointment as stated below:

Income Tax Board of Review

Kenneth L. Salzman as an At-Large Member for a term to expire June 30, 2022; and

WHEREAS, the Mayor's office has verified that the nominees 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 reappointment as stated below:

Income Tax Board of Review

Kenneth L. Salzman as an At-Large Member for a term to expire June 30, 2022.

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

WHEREAS, the Mayor made the appointment of Gary E. Manns, 1832 Vassar Drive, Lansing, MI 48912 as an At-Large Member of the Planning Board for a term to expire June 30, 2020; and

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

WHEREAS, the Committee _____ took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Gary E. Manns, 1832 Vassar Drive, Lansing, MI 48912 as an At-Large Member of the Planning Board for a term to expire June 30, 2020.



RECEIVED

2019 JAN 24 AM 11:58

CITY OF LANSING AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 6-18-18

I DARREN DYKES make the following disclosure under oath:
(Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS☐ Yes ☐ No

1. ☒ I am an ☐ elected or ☐ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of OFFICER in the Department LANSING POLICE

☐ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department

☐ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the Department.

2. ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)

☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]

☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]

☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:

☒ Full-time ☐ Part-time (less than 25 hours/wk.) ☐ Unpaid

4

PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I WILL BE PLAYING MUSIC FOR PRIVATE/PUBLIC EVENTS PER CONTRACT. SHALL INCLUDE BUT NOT LIMITED TO WEDDINGS, CORPORATE EVENTS, CLUBS, FORMAL/NOY FORMAL DANCES, ETC.

AT NO TIME WILL I BE SERVING ALCOHOLIC BEVERAGES @ THE EVENT, I WILL HAVE A SOLE PURPOSE OF ENTERTAINMENT FOR GUESTS THROUGH PLAYING MUSIC.

A GOOD FRIEND OF MINE WORKS FOR CALHOUN COUNTY SHERIFF'S DEPARTMENT AS A DEPUTY AND ALSO DJ'S, I HAVE SPOKE WITH HIM AND HE HAS TOLD ME HE HAS NOT HAD ISSUES WHILE AT EVENTS.

I DO NOT PLAN ON WORKING ANY EVENTS SPONSORED BY THE CITY OF LANSING.

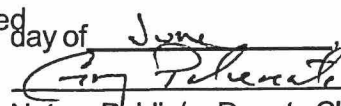
I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information, and belief.

The foregoing Affidavit of Disclosure was executed on this 18th day of June, 2018.



State of Michigan, County of Ingham

Subscribed and sworn to before me this 18th day of June, 2018


Notary Public/or Deputy Clerk

Clinton County, Michigan

My Commission Expires: 2/7/2024

GREGORY ALLEN POLVERENTO
NOTARY PUBLIC, STATE OF MI
COUNTY OF CLINTON
MY COMMISSION EXPIRES Feb 7, 2024
ACTING IN COUNTY OF Ingham

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own
PRIVATE / CONTRACT
100%;
- Are you self-employed? YES
- Who is your employer, if applicable? N/A
- What are the things you actually do in the business? PLAY MUSIC
FOR EVENTS.
- Who are your clients and who receives your goods or services? I WILL
CONTACT EVENTS PRIVATE / PUBLIC.
- How and where are your services performed? STATE OF MICHIGAN
THROUGH CONTRACT AGREEMENT.
- How often do you do outside work? DEPENDS WHAT EVENTS
ARE IN NEED OF A DJ.

Does your business or employer contract with the City? NO

- In performing your business or outside employment, do you use any City facilities or equipment?

NO If so, describe: N/A

- Is any of your business or employment conducted in the City? YES If so, describe:

POSSIBILITY IF @ BAR OR PRIVATE EVENT IS IN THE CITY IF: WEDDING, DANCE,

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? NO

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: NO

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

LANSING CITY CHARTER

(excerpt)

5-505 CONFLICT OF INTEREST

.1 At least ten (10) days prior to the first of any of the events set forth in (A), (B), (C), (D), and (E) below, a City officer or employee who may derive any income or benefit, directly or indirectly, from a contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- (A) The bidding of the contract;
- (B) The negotiation of the contract;
- (C) The solicitation of the contract;
- (D) The entry into the contract;
- (E) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing. In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

.2 An officer or employee who has any other conflict between a personal interest and the public interest as defined by State law, this Charter, or ordinance shall fully disclose to the City Attorney the nature of the conflict.

.3 Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.

To Council President Carol Wood.

I would like you to submit the sum of \$5000000 Thousand Dollars to the budget for Cooley Law school Stadium.

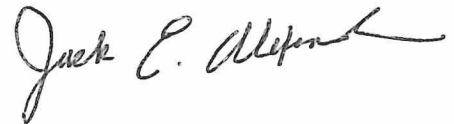
Things I would like to see done to the stadium.

1. Light Towers rewired and Led Lights.
2. New boards out in front of stadium.
3. New Roof.
4. New netting in the Outfeild and new poles.
5. New heating and Air condition systems.
6. New sound systems
7. Bricks out front of stadium, replace with heated sidewalks.

Get as much done for \$5000000 Thousand Dollars as you can!!!!

Please keep in mind \$5000000 Thausand Dollars a year for 5 years will pay for the 2.5 mill of work that needs to be done to the park.

1-17-19

A handwritten signature in cursive script, reading "Jack E. Alford". The signature is written in dark ink and is positioned to the right of the date "1-17-19".



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

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

NAME: Vonda J. Gilliam DATE: 9-12-18
 MAILING ADDRESS: 909 Farley St EMAIL: _____
 CITY: Lansing STATE: Mi ZIP CODE: 48911
 TELEPHONE: Home (517 7211020) Work (517-215-7191)

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: 909 Farley St PARCEL NO. 33-01-05-05276171
 DATE OF INCIDENT: 8-17-18 AMOUNT YOU WERE BILLED: 668.00
 TOTAL AMOUNT YOU ARE CONTESTING: \$668.00
 TYPE OF ASSESMENT: Trash - Debris (indoor furniture)

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.

Detailed on letter enclosed

4 pages

Vonda J. Gilliam

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

August 20, 2018

TO WHOM IT MAY CONCERN:

CODE COMPLIANCE DEPT -(909 FERLEY ST., LANSING MI 48911)

I RECEIVED A LETTER ON AUGUST 7TH, ABOUT A COUCH THAT WAS IN MY DRIVEWAY NOT ON THE CURB.

THE LETTER SAID THAT I CAN NOT PUT FURNITURE OUT IN THE FRONT YARD.

THE COUCH WAS NOT TRASH - I LEFT THE COUCH OUT SIDE AFTER WE MOVED IT FROM INSIDE MY HOME. THE COUCH GOT RAINED ON.

AFTER I RECEIVED THE LETTER, I MOVED THE COUCH TO THE BACK OF MY DRIVEWAY WHICH IS ABOUT FIFTY OR SIXETY FEET AWAY FROM THE CURB SO THAT THE COUCH COULD DRY. THE COLOR OF THE COUCH IS BROWN, SINCE IT WAS WET I, TOOK OFF THE PILLOWS SO THAT ENTIRE COUCH WOULD DRY. WHEN THE COUCH WAS DRY I WAS GOING TO PUT IT IN THE GARAGE.

I CAME HOME ON AUGUST 16TH, AND I FOUND THAT MY COUCH WAS GONE ALONG WITH SOME OTHER ITEMS (2 POP BOTTLES, 1/SMALL BAG OF TRASH, 1/BOX- CONTAINING PLASTIC BAGS FROM THE MULCH THAT I PUT DOWN IN THE FRONT YARD, THERE WERE ALSO SIX BINS BY THE GARAGE). THESE WERE NOT TRASH, THEY WERE OUTSIDE BECAUSE WE JUST CLEANED OUT SOME OF THE GARAGE AND THEY GOT WET ALSO.

THERE WAS ONE PINK BIN THAT I HAD TURNED OVER SO THAT IT COULD DRY. MY DRIVE WAY IS ABOUT 75 FEET FROM THE CURB, SO I DON'T UNDERSTAND HOW ANY ONE COULD COME AND PICK UP THESE ITEMS THAT I NEEDED.

I OWN MY HOME, I PAY MY PROPERTY TAXES, IT WOULD BE NICE TO KNOW HOW LONG AN OBJECT CAN STAY IN ONE'S BACK YARD BEFORE SOMEONE CALLS IT TRASH.

THERE IS ONE BIG BLUE BARREL THAT THEY LEFT- NOW TO ME THAT ONE IS TRASH.

I REALLY WANTED THAT COUCH, NOTHING WAS WRONG WITH IT BUT BEING OLD.

SO, I REALLY OBJECT TO THE ITEMS BEING REMOVED FROM OFF MY PROPERTY.

THANKS,

VONDA J GILLIAM





CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

GILLIAM VONDA

909 FERLEY ST

LANSING, MI 48911

DUE DATE:09/21/2018

INVOICE

08/28/2018

TOTAL AMOUNT DUE

\$ 668.00



	Invoice Number	Record No.	Address	Amount Due
	00118600	E18-06856	909 FERLEY ST	\$668.00
	08/22/2018			
	Trash - Admin Fee			
	Trash - Contractor Charge			

TOTAL DUE:

\$668.00

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. 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

GILLIAM VONDA
909 FERLEY ST
LANSING, MI 48911

Violation Date: 08/02/2018
Violation Location: 909 FERLEY ST
Parcel No: 33-01-05-05-276-171
Compliance Due Date: August 09, 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: Indoor type furniture in the outdoors

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

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

"Equal Opportunity Employer"

Taxpayer's Copy



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

December 18, 2018

Vonda Gilliam
909 Ferley Street
Lansing, MI 48911

Re: Claim – 909 Ferley St.

Dear Ms. Gilliam:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$668.00 for property located at 909 Ferley St., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

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

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

Sincerely,


Venus Kumar
Paralegal

Claim: 1634

DATE: 11/06/2018

PPN: 33-01-05-05-276-171
DATE SUBMITTED: 09/17/2018
ADDRESS OF VIOLATION: 909 Ferley Street
LISTED TAXPAYER OF RECORD: Gilliam, Vonda
OTHER TAXPAYER OF RECORD:
CLAIMANT: Gilliam, Vonda
CLAIMANT'S ADDRESS: 909 Ferley Street
Lansing, MI 48911

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 8/02/2018
NOTIFICATION DATE: 8/02/2018
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$668.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 18-T081 8/16/2018
AMOUNT OF CLAIM: \$668.00

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

HISTORY: Trash
Violation
8/02/2018

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for indoor type furniture in the outdoors on 8/02/2018 with a compliance due date of 8/09/2018. The Premise Officer rechecked the property on 8/10/2018 the violation was still present and it was submitted to the contractor for removal. The contractor arrived 14 days after the initial notice (8/16/2018) the initial violation was still present as well as more debris as the pictures indicate. The claimant is stating they put the couch outside and it became wet and they left it outside to dry, the couch was there for at least 16 days and should have been put in the garage (claimant stated after it dried this is where they were going to place it) which would have corrected the initial violation and ensure that it did not get rained on again. In the notification that is sent it states "If any other additional trash and or debris is found on the premises by the contractor it will also be removed without additional notice" pictures clearly show there were multiple violations in the driveway of this residence and they were also removed. This office recommends denial of this claim.

RECEIVED SEP 17 2018



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claims Review Committee Form

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

1634

NAME: Vonda J. Gilliam DATE: 9-12-18
MAILING ADDRESS: 909 Farley St EMAIL: _____
CITY: Lansing STATE: Mi ZIP CODE: 48911
TELEPHONE: Home (517 7211020) Work (517-215-7191)

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: 909 Farley St PARCEL NO. 33-01-05-05-276171
DATE OF INCIDENT: 8-17-18 AMOUNT YOU WERE BILLED: 668.00
TOTAL AMOUNT YOU ARE CONTESTING: \$668.00
TYPE OF ASSESMENT: Trash - Debris (includes furniture)

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.

Detailed on letter enclosed

4 pages

Vonda J. Gilliam

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

August 20, 2018

TO WHOM IT MAY CONCERN:

CODE COMPLIANCE DEPT -(909 FERLEY ST., LANSING MI 48911)

I RECEIVED A LETTER ON AUGUST 7TH, ABOUT A COUCH THAT WAS IN MY DRIVEWAY NOT ON THE CURB.

THE LETTER SAID THAT I CAN NOT PUT FURNITURE OUT IN THE FRONT YARD.

THE COUCH WAS NOT TRASH - I LEFT THE COUCH OUT SIDE AFTER WE MOVED IT FROM INSIDE MY HOME. THE COUCH GOT RAINED ON.

AFTER I RECEIVED THE LETTER, I MOVED THE COUCH TO THE BACK OF MY DRIVEWAY WHICH IS ABOUT FIFTY OR SIXTY FEET AWAY FROM THE CURB SO THAT THE COUCH COULD DRY. THE COLOR OF THE COUCH IS BROWN, SINCE IT WAS WET I, TOOK OFF THE PILLOWS SO THAT ENTIRE COUCH WOULD DRY. WHEN THE COUCH WAS DRY I WAS GOING TO PUT IT IN THE GARAGE.

I CAME HOME ON AUGUST 16TH, AND I FOUND THAT MY COUCH WAS GONE ALONG WITH SOME OTHER ITEMS (2 POP BOTTLES, 1/SMALL BAG OF TRASH, 1/BOX- CONTAINING PLASTIC BAGS FROM THE MULCH THAT I PUT DOWN IN THE FRONT YARD, THERE WERE ALSO SIX BINS BY THE GARAGE). THESE WERE NOT TRASH, THEY WERE OUTSIDE BECAUSE WE JUST CLEANED OUT SOME OF THE GARAGE AND THEY GOT WET ALSO.

THERE WAS ONE PINK BIN THAT I HAD TURNED OVER SO THAT IT COULD DRY. MY DRIVE WAY IS ABOUT 75 FEET FROM THE CURB, SO I DON'T UNDERSTAND HOW ANY ONE COULD COME AND PICK UP THESE ITEMS THAT I NEEDED.

I OWN MY HOME, I PAY MY PROPERTY TAXES, IT WOULD BE NICE TO KNOW HOW LONG AN OBJECT CAN STAY IN ONE'S BACK YARD BEFORE SOMEONE CALLS IT TRASH.

THERE IS ONE BIG BLUE BARREL THAT THEY LEFT- NOW TO ME THAT ONE IS TRASH.

I REALLY WANTED THAT COUCH, NOTHING WAS WRONG WITH IT BUT BEING OLD.

SO, I REALLY OBJECT TO THE ITEMS BEING REMOVED FROM OFF MY PROPERTY.

THANKS,

VONDA J GILLIAM

A handwritten signature in cursive script, appearing to read "Vonda J. Gilliam". The signature is written in dark ink on a white background.



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

GILLIAM VONDA

909 FERLEY ST

LANSING, MI 48911

DUE DATE: 09/21/2018

INVOICE

08/28/2018

TOTAL AMOUNT DUE

\$ 668.00



Invoice Number	Record No.	Address	Amount Due
00118600	E18-06856	909 FERLEY ST	\$668.00
08/22/2018			
Trash - Admin Fee			
Trash - Contractor Charge			

TOTAL DUE:

\$668.00

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. 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

GILLIAM VONDA
909 FERLEY ST
LANSING, MI 48911

Violation Date: 08/02/2018
Violation Location: 909 FERLEY ST
Parcel No: 33-01-05-05-276-171
Compliance Due Date: August 09, 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: Indoor type furniture in the outdoors

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

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

"Equal Opportunity Employer"

Taxpayer's Copy

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 # 2089
DATE 08/20/2018

PROPERTY ADDRESS
909 Ferley ST

PARCEL NUMBER
33-01-05-05-276-171

ACTIVITY	QTY	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	175.00	175.00
city:add hours any hours after 1	1	150.00	150.00
city:class 2 construction material after 3 8/16/18 6 yards Jacob Odom Removed love seat and other debris	3	26.00	78.00

BALANCE DUE

\$403.00

CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Invoice No.: 00118600

Date: 08/22/2018

Record: E18-06856

GILLIAM VONDA

909 FERLEY ST

LANSING, MI 48911

TOTAL AMOUNT DUE

\$668.00

Item Category	Item Description	Amount Due
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$403.00
Total Amount Due		\$668.00



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

GILLIAM VONDA
909 FERLEY ST
LANSING, MI 48911

Violation Date: 08/02/2018
Violation Location: 909 FERLEY ST
Parcel No: 33-01-05-05-276-171
Compliance Due Date: August 09, 2018

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

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

"Equal Opportunity Employer"

Taxpayer's Copy



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: GILLIAM VONDA, 909 FERLEY ST LANSING, MI 48911

Location of Work:

Enf Num: E18-06856

Address: 909 FERLEY ST

Lot No:

Description:

Parcel No: 33-01-05-05-276-171

Remove Trash and Debris

Work Authorized:

Violation: Indoor type furniture in the outdoors

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2 hours

Authorized Cubic Yards: 8

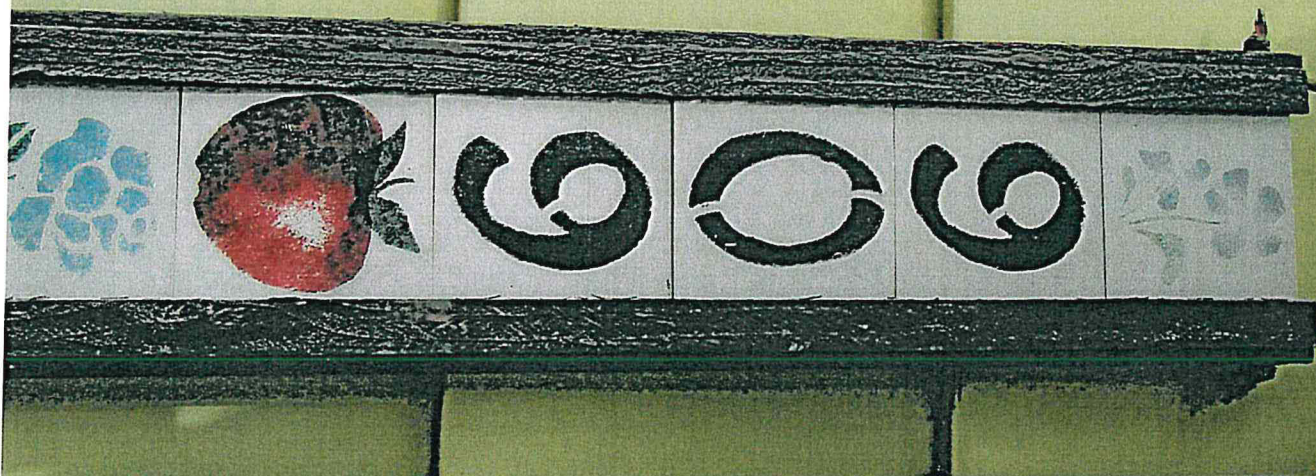
Warning Comment:

<NONE>

Submitted By: Jacob Odom (517) 483 4378

This action is authorized by the Manager of Code Compliance

08/16/2018 08:53





08/16/2018 08:53

08/16/2018 09:58





OFFICE OF THE CITY ATTORNEY



MEMORANDUM

To: CHRIS SWOPE, Clerks Office
From: VENUS KUMAR, Paralegal
Subject: SPECIAL ASSESSMENTS CLAIM; Craig Skinner
Date of Incident: April 3, 2018
Date: February 4, 2019

Attached is a Claim Form received by this office from Craig Skinner for \$4,500.00 due to Trash violations at 1001 W. Hillsdale.

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



RECEIVED DEC 06 2018

City of Lansing

OFFICE OF THE CITY ATTORNEY

1657

Claims Review Committee Form

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

NAME: Craig Skinner DATE: Dec. 6 - 2018
MAILING ADDRESS: 1001 Hillsdale EMAIL: _____
CITY: Lansing STATE: Mi ZIP CODE: 48915
TELEPHONE: Home (517) 319-7836 Work () None

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: <u>Sep 7, - 2018</u>	1001 - Hillsdale.
DATE OF INCIDENT: <u>Sep. 7 - 2018</u>	PARCEL NO. <u>4</u>
TOTAL AMOUNT YOU ARE CONTESTING: <u>payment Plan - In SST -</u>	AMOUNT YOU WERE BILLED: <u>\$ 4,500⁰⁰</u>
TYPE OF ASSESMENT: <u>Trash Violation.</u>	
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.	
<u>The property looks like in, that, it wasn't</u> <u>type - burden. Whom, it may concern</u> <u>I don't! Felt like, I was charged</u> <u>2. much MONEY for Trash - clean-up!</u> <u>Sir- I need - a - break - Fine - Fee</u>	

150031

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>

I, have, to pay.

DATE: 1/23/2019

PPN: 33-01-01-17-480-251
 DATE SUBMITTED: 12/06/2018
 ADDRESS OF VIOLATION: 1001 W. Hillsdale
 LISTED TAXPAYER OF RECORD: Skinner, Craig
 OTHER TAXPAYER OF RECORD: Brown, Derelys J. & Skinner Connie L.
 CLAIMANT: Skinner, Craig
 CLAIMANT'S ADDRESS: 1001 W. Hillsdale
 Lansing, MI 48915

TYPE OF ACTIONS CONTESTED: Trash Violation
 VIOLATION DATE: 4/03/2018
 NOTIFICATION DATE: 4/03/2018
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$4,500.00
 CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 18-T065 4/23/2018
 AMOUNT OF CLAIM: \$4,500.00

1657

ADDITIONAL ACTIONS CONTESTED:

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

HISTORY:

Trash
 Violation
 4/03/2018

CITATIONS IN PREVIOUS YEARS:

Board Up 11/20/2012	Trash Violation 2/20/2015	Failure to Register 2/20/2015	Exterior Violation 2/20/2015
Grass Violation 6/26/2015	DAMV 6/26/2015	Trash Removal 7/06/2015	Grass Violation 6/27/2016
Trash Violation 12/28/2016			

CLAIMANT'S CIRCUMSTANCES:

See Attached

CODE OFFICER'S NOTES: This property has been cited multiple time in previous years for premise violations and has been cleaned by the contractor prior to this cleanup in 2015. The claimant has received extensions on prior violations and has also was also granted an extension on the violations that the contractor removed. Claimant is aware of what constitutes a premise violation but continues with the behavior that results in notifications being sent. The claimant acknowledges receiving the notification as they requested an extension but failed to correct them or make any progress. Pictures indicate proper actions were taken by both the officer and the contractor therefore this office recommends denial of the claim. This office would like to note we are unable to offer payment plans if the violations are not paid in full any remaining balance is placed onto the next tax roll, per City of Lansing Treasury Department records the owners of this property have already paid \$946.00 towards this assessment as the remaining balance of \$3,554.00 for the trash removal was added to the Winter 2018 property tax bill.



XVB 4

RECEIVED DEC 06 2018

City of Lansing

OFFICE OF THE CITY ATTORNEY

1657

Claims Review Committee Form

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

NAME: Craig Skinner DATE: Dec. 6 - 2018
MAILING ADDRESS: 1001 Hillsdale EMAIL: _____
CITY: Lansing STATE: Mi ZIP CODE: 48915
TELEPHONE: Home (517) 319-7836 Work () None

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: Sep 7, - 2018 1001 - Hillsdale PARCEL NO. 4
DATE OF INCIDENT: Sep. 7 - 2018 AMOUNT YOU WERE BILLED: \$4,500⁰⁰
TOTAL AMOUNT YOU ARE CONTESTING: Payment Plan - In SST -
TYPE OF ASSESMENT: Trash 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.

The property looks like ~~in~~, that, it wasn't
type - burden. Whom, it, may concern
I Craig! Felt, like, I was charged
2- much MONEY for Trash - clean-up!
Sir- I need - a - break - fine - Fee

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

I, have, to pay.

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Invoice No.: 00112328

Date: 05/02/2018

Record: E18-01785

BROWN DERELYS J & SKINNER CRAIG A &

713 AMER DR

FT WASHINGTON, MD 20744-5948

TOTAL AMOUNT DUE

\$3,554.00

Item Category	Item Description	Amount Due
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$3,289.00
Total Amount Due		\$3,554.00

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 # 1787

DATE 04/29/2018

PROPERTY ADDRESS
1001 W Hillsdale

PARCEL NUMBER
33-01-01-17-480-251

ACTIVITY	QTY	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	175.00	175.00
city:add hours any hours after 1	12	150.00	1,800.00
city:add cy any after 3	42	22.00	924.00
city:class 2 construction material after 3	15	26.00	390.00

4/23/18
60 yards
Submitted by Jacob Odom

BALANCE DUE

\$3,289.00



ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

owner called rq 1 week ext. new date 4-18-18
JO 4-10-18

18-T065

5/18/2018-owner called std her brother lives there she will make payments on this assessment he told her this was cleaned up now he is in the hospital she std the van belonged to his friend/lmp



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
1001 W HILLSDALE ST
LANSING, MI 48915

Violation Date: 04/03/2018
Violation Location: 1001 W HILLSDALE ST
Parcel No: 33-01-01-17-480-251
Compliance Due Date: April 10, 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: Trash found in bags/boxes

Violation: Indoor type furniture in the outdoors

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

INSPECTOR COMMENTS: *behind 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

"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 04/18/2018

TAXPAYER: BROWN DERELYS J & SKINNER CRAIG A &, 713 AMER DR FT WASHINGTON, MD
20744-5948

Location of Work:

Enf Num: E18-01785

Address: 1001 W HILLSDALE ST

Lot No:

Description:

Parcel No: 33-01-01-17-480-251

Remove Trash and Debris

Work Authorized:

Violation: Trash found in bags/boxes

Violation: Indoor type furniture in the outdoors

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

INSPECTOR COMMENTS: *behind the house.*

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2

Authorized Cubic Yards: 10

Warning Comment:

vehicle needs to be cleaned out as well

Submitted By: Jacob Odom (517) 483 4378

This action is authorized by the Manager of Code Compliance

1001

04/23/2018 11:48

04/23/2018 11:48





04/23/2018 11:49

04/23/2018 11:50





04/23/2018 11:50



RECYCLING
CAPTAIN
www.1800recycle.com

04/23/2018 11:50

04/23/2018 11:50





04/23/2018 11:56



04/23/2018 11:56



04/23/2018 11:57

04/23/2018 11:57



04/23/2018 11:58



04/23/2018 11:58



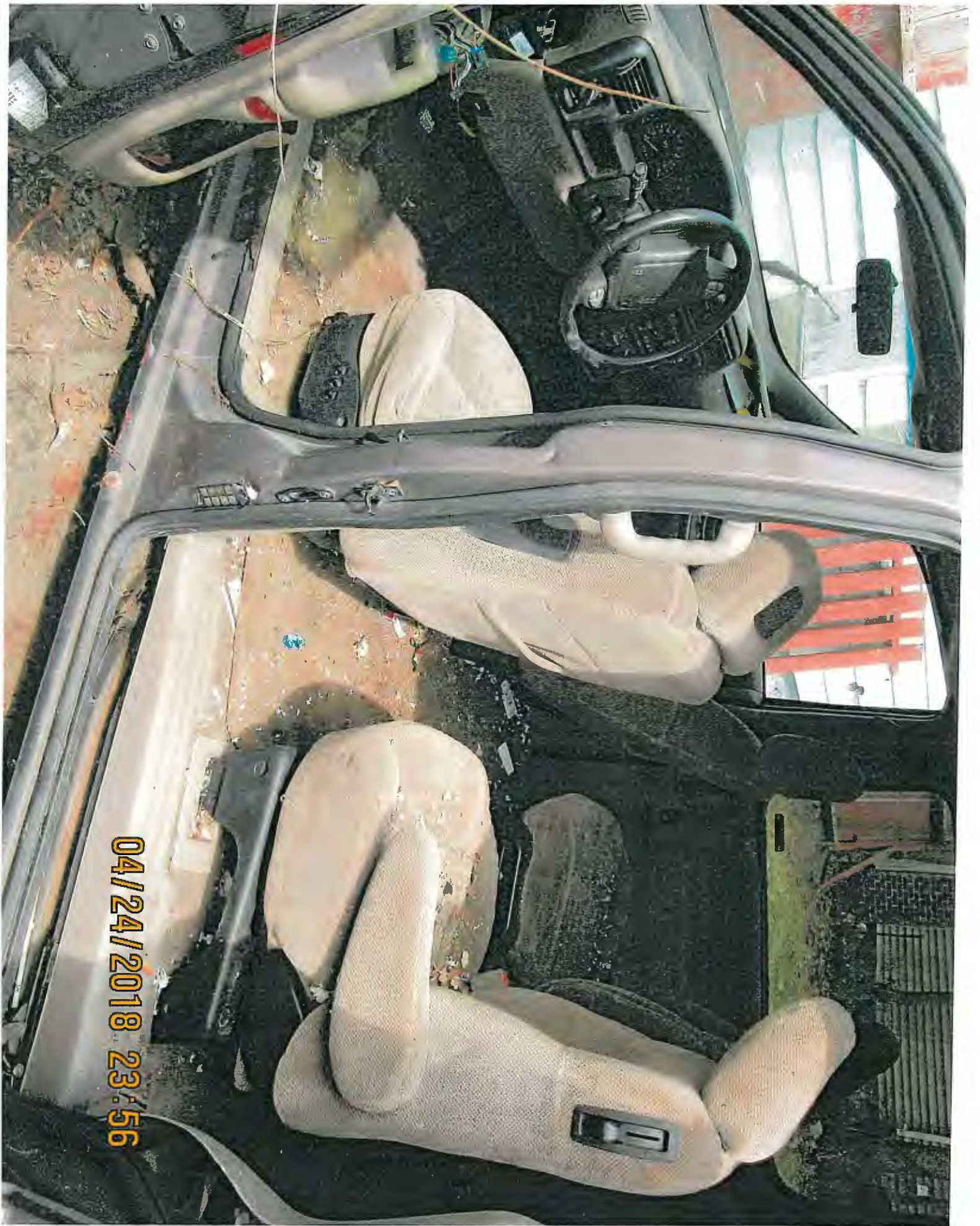
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04/24/2018 23:58



04/25/2018 23:59

