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 MARCH 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, March 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 February 25, 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

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 (Only persons who have received notice from the City as an interested party or the interested party's agent with written permission may speak for up to a total of 3 minutes. *Speakers must sign up on green form.*)

A. SCHEDULED SHOW CAUSE HEARINGS

1. In consideration of Orders to Make Safe or Demolish; 3815 Marion (PEND-761)

2. In consideration of Orders to Make Safe or Demolish; 4704 Hughes Road (PEND-762)

3. In consideration of Orders to Make Safe or Demolish; 434 S. Francis (PEND-763)

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

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

a. Setting a Public Hearing in consideration of Brownfield Plan #72; Red Cedar Development at 203 S. Clippert, (PEND-790, 792)

b. Lansing Economic Development Corporation REO Town Project, Pablo's Mexican Restaurant, 1102 S. Washington Avenue and W. Elm Street (PEND-731)

c. Brownfield Plan #62 Amendment #1; George F. Eyde Family LLC, Oliver Towers Redevelopment Project, 310 N. Seymour Ave. (PEND-729)

d. Setting a new Public Hearing in consideration of Z-8-2018; 5400 S. Cedar Street, Rezoning from "F" Commercial & "J" Parking Districts to "G-2" Wholesale District (PEND-743, 744)

2. BY THE COMMITTEE ON GENERAL SERVICES

a. Confirmation of 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)

b. Claim Disposition; Claim #1610, Amin Fallahi for $767.00 in trash fees at 539 Avon St. (PEND-712)

c. Claim Disposition; Claim #1635, Steven W. Hanks for $1824 in trash fees at 4614 Ballard Rd. (PEND-723)

d. Claim Disposition; Claim #1634, Vonda Gilliam for $668 in trash fees at 909 Ferley Street (PEND-756)

e. Claim Disposition; Claim #1657, Craig Skinner for $4,500 in trash fees at 1001 W. Hillsdale (PEND-770)

3. BY THE COMMITTEE ON PUBLIC SERVICES

a. Setting a Public Hearing in consideration of Special Assessment; Glenburne Commons, Trash & Grass Abatement, Roll #GB-2018 (PEND-726)

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

a. Budget Transfer; $5,000 towards Climate Action Plan Program Contract (PEND-798)

2. BY THE COMMITTEE ON WAYS AND MEANS

a. Grant Acceptance; HRCS Collaborative Application for Continuum of Care for Lansing under the Emergency Solutions Grant Notice of Funding Availability (PEND-771)

b. Grant Acceptance; Ingham County Parks & Trails Millage Funding (PEND-782)

3. BY THE COMMITTEE OF THE WHOLE

a. 2009 TIFA Bond Refinancing (PEND-793)

b. 2009 Build America Bond (PEND-785)

c. Fiscal Year 2018 Budget Carry Forwards (PEND-752)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

a. Payment in Lieu of Taxes (PILOT); 517 North Walnut, Walnut Apartments (PEND-786, 787)

b. Payment in Lieu of Taxes (PILOT); Ferris Manor, 516 West Saginaw Apartments (PEND-788, 789)

F. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON PUBLIC SERVICES

a. An Ordinance to Amend Chapter 872, Section 872-01 to 872-07; to create licensing and regulation for dockless electric scooter companies to park on and utilize the public rights-of-way (PEND-686)

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. Fireworks Display by Lansing Lugnuts & Melrose Pyrotechnics, Inc. at Thomas M. Cooley Law School Stadium, 505 E. Michigan Avenue on various dates (PEND-810)

2. Letter(s) from the Mayor re:

   a. Z-1-2019; West 5,295.5 square feet of 901 Cleveland Street, Rezoning from "B" Residential District to "F" Commercial District (PEND-805,806)

   b. Z-2-2019; 714 N. Pine Street, Rezoning from "C" Residential District to "D-1" Professional Office District (PEND-803,804)

   c. Act-2-2019; Eastside Connector, Parcel No. 33-01-01-15-126-284, 33-01-01-15-226-012, and 33-01-01-15-226-003 License Agreement (PEND-802)

   d. Act-3-2019; Bear Lake Pathway, Parcel No. 33-01-01-35-180-002, 33-01-01-35-180-021, 33-01-01-35-179-101, 33-01-01-35-226-002, 33-01-01-35-201-004, 33-01-01-26-427-002, and 33-01-01-26-426-012 License Agreement (PEND-801)

   e. Act-6-2019; Wise Road Parcel No. 33-01-05-06-202-021, Acquire for Davis Park (PEND-794)

   f. Act-7-2019; Willard Avenue Parcel No. 33-01-01-27-426-001, Acquire for Scott Woods (PEND-795)

   g. Act-8-2019; Hunters Ridge Parcel Number #23-50-40-25-451-022, Acquire for Hunters Ridge Park (PEND-796)

   h. Red Cedar Development, Seventh Amendment to the Amended and Restated Real Estate Purchase And Development Agreement (PEND-799, 800)

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Claim Appeal; Claim #1656, Nickolas J. Premo for $3,065 in trash violations at 1126 Farrand Street (PEND-808)

2. Affidavit of Disclosure; Brent Sorg, Lansing Police Department

3. Communication from Max Donovan and the citizen members of Rank MI Vote regarding proposed legislation on Rank Choice Voting

4. Claim Appeal; Harold Leeman for $1,703 in legal expenses (PEND-809)

5. Affidavit of Disclosure; Dominic Cochran, Lansing Public Media

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

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.

Andy Schor, Mayor

ECONOMIC PLANNING & DEVELOPMENT
CODE ENFORCEMENT SECTION

316 N. Capitol Avenue, Suite C-2 • Lansing, MI 48933-1238
(517) 483-4361• FAX: (517) 377-0100

2/26/2019

Certified Number: 7018 1830 0001 2995 7481

Judy Kitchen & Ruth Kitchen
3815 Marion Avenue
Lansing, MI 48912

Dear Ms. Kitchen

RE: DANGEROUS BUILDING AT 3815 Marion Avenue SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at **3815 Marion Avenue.**, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME:	**March 11, 2019 @ 7:00 p.m.**
HEARING PLACE:	**Council Chambers 10th Floor City Hall**
	124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforestated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment

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
LEGAL DESCRIPTION:	N 1/2 OF E 1/2 LOT 45 EXC W 11 FT SUPERVISORS PLAT OF HILLCREST FARMS

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:	

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:	

Andy Schor, Mayor

ECONOMIC PLANNING & DEVELOPMENT
CODE ENFORCEMENT SECTION

316 N. Capitol Avenue, Suite C-2 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0100

2/26/2019

Certified Number: 7018 1830 0001 2995 7498

BSLNC
P.O. BOX 5396
AUSTIN, TX 78763

Dear BSLNC

RE: DANGEROUS BUILDING AT 4704 Hughes Road SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at **4704 Hughes Road.**, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME:	**March 11, 2019 @ 7:00 p.m.**
HEARING PLACE:	**Council Chambers 10th Floor City Hall**
	124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforestated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment

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
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  - **Return case to table** – Stays at PS Committee level for future review.

Andy Schor, Mayor

ECONOMIC PLANNING & DEVELOPMENT
CODE ENFORCEMENT SECTION

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(517) 483-4361• FAX: (517) 377-0100

2/26/2019

Certified Number: 7018 1830 0001 2995 7504

Roy C. Donald
434 S. Francis Avenue
Lansing, MI 48912

Dear Mr. Donald

RE: DANGEROUS BUILDING AT 434 S. Francis Avenue SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at **434 S. Francis Avenue.**, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME:	**March 11, 2019 @ 7:00 p.m.**
HEARING PLACE:	**Council Chambers 10th Floor City Hall**
	124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforestated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment

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 –
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- **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:	**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

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:	

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DRAFT

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #72
RED CEDAR DEVELOPMENT 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 203 S. Clippert Street located in the City of Lansing; and

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

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48910, 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 March 25, 2019 at 7:00 p.m. on Brownfield Plan #72 – Red Cedar Development Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

Part of Lots 6, 15, 17, and Outlot "A", also vacated portion of Church Street, part of vacated Cooper Street, part of vacated Olin Avenue and vacated portion of Reniger Court (platted as Fredrick Street), Supervisor's Plat No. 1 as recorded in Liber 12 of Plats, Page 27, Ingham County Records; also part of the plat of Riverside as recorded in Liber 3 of Plats, Page 25, Ingham County Records; also part of the "Plat of the Subdivision of all that part of the Southeast quarter of Section 14 and all of that part of Section 23 lying North of the Cedar River" according to the True Copy of the Original recorded June 13th, 1856; also part of the Southwest 1/4 of Section 13 and part of the Southeast 1/4 of Section 14, T4N, R2W, City of Lansing, Ingham County, Michigan, all being more particularly described as follows; Commencing at the West 1/4 corner of Section 13 also being the East 1/4 corner of Section 14, T4N, R2W; thence S00°33'40"W, 119.50 feet along the West line of Section 13 and the East line of Section 14 to the South line of Michigan Avenue and the North line of Lot 19 of Supervisor's Plat No. 1; thence S89°49'55"W, 1.85 feet along the South line of Michigan Avenue to the Northwest corner of Supervisor's Plat No. 1 and the Point of Beginning of following described parcel; thence S00°44'26"W (platted as South), 540.51 feet along the West line of Supervisor's Plat No. 1 to the Southwest corner of Lot 23; thence S89°58'26"E (platted as N89°15'E), 182.60 feet along the South line of Lot 23 and its Easterly extension; thence N00°22'22"W, 100.00 feet along the West line of the East 1/2 of vacated Olin Avenue; thence S89°58'26"E, 998.91 feet along the North line of the South 100 feet of the East ½ of vacated Olin Avenue, the North line of the South 100 feet of Lot 17, the North line of the South 100 feet of vacated Cooper Street, the North line of the South 100 feet of Lot 15, the North line of the South 100 feet of vacated portion of Reniger Court (platted as Fredrick Street) and the North line of the South 100 feet of Lot 6 to the East line of Lot 6; thence S00°15'20"E, 50.00 feet along the East line of Lot 6; thence N89°49'17"E, 330.21 feet to the East line of Supervisor's Plat No. 1; thence S00°16'54"E (platted as S01°09'E),

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690.78 feet to the Northerly floodway limit of the Red Cedar River; thence along said floodway limit, the following thirty (30) courses:

1) N46°10'15"W, 15.48 feet;
2) N56°47'13"W, 30.48 feet;
3) N55°43'09"W, 66.24 feet;
4) N65°03'09"W, 93.92 feet;
5) N64°01'30"W, 216.39 feet;
6) N70°25'57"W, 74.47 feet;
7) N61°25'31"W, 56.19 feet;
8) N60°47'42"W, 67.03 feet;
9) N57°32'05"W, 71.96 feet;
10) N65°20'26"W, 16.79 feet;
11) N57°44'47"W, 53.83 feet;
12) N73°17'40"W, 35.93 feet;
13) N86°48'53"W, 39.97 feet;
14) S86°37'02"W, 46.11 feet;
15) S84°50'08"W, 84.32 feet;
16) S82°06'51"W, 75.07 feet;
17) S86°19'27"W, 52.44 feet;
18) S88°21'50"W, 138.94 feet;
19) N77°32'06"W, 66.35 feet;
20) N78°22'00"W, 73.45 feet;
21) N83°02'49"W, 104.05 feet;
22) N80°18'41"W, 104.78 feet;
23) N81°25'50"W, 29.98 feet to the West line of Section 13;
24) continuing N81°25'50"W, 63.00 feet;
25) N84°40'04"W, 94.88 feet;
26) N84°12'26"W, 174.71 feet;
27) N86°42'58"W, 153.92 feet;
28) N87°08'16"W, 100.89 feet;
29) West, 119.66 feet;
30) S82°46'50"W, 89.82 feet;

thence N53°29'47"W, 224.96 feet; thence S89°26'11"W, 305.00 feet to a point which as 24.75 feet East of the West line of the East 1/2 of the Southeast 1/4 of Section 14, according to the plat of Urbandale as recorded in Liber 4 of Plats, Page 49, Ingham County Records; thence N00°30'13"E, 608.40 feet parallel with said West line to the South right-of-way line of Michigan Avenue; thence S89°51'10"E, 1279.97 feet along the South right-of-way line of Michigan Avenue to the Point of Beginning. Contains 35.57 acres, more or less.

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 #72 – Red Cedar Development Project and the scheduled public hearing.

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BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING PROJECT PLAN
(Pablo's Mexican Restaurant, LLC - REO Town Project)

WHEREAS, the Lansing Economic Development Corporation (LEDC) Board of Directors has identified REO Town Lansing as a major economic development project investment area; and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within and surrounding the project investment areas, the LEDC has initiated a Business Financing Assistance Program and believes this project has a significant impact on the REO Town District; and

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

WHEREAS, Pablo's Mexican Restaurant - REO Town Project has made application with the LEDC for a business loan for building renovations, operational licenses, and inventory necessary to open a restaurant at the property located at 1102 S. Washington Avenue and W. Elm Street, Lansing and legally described as:

Parcel #1: 1102 S WASHINGTON AVE, LANSING, MI 48910
Parcel Number: 33-01-01-21-178-040
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
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
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
E 43 FT OF W 49 FT OF N 1/2 LOT 3 BLOCK 195 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

WHEREAS, the Project will result in new private investment of approximately $461,667; and

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WHEREAS, Section 8 of Act No. 338 of the Michigan Public Acts of 1974, as amended (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 recommendations of the local governing body; and

WHEREAS, the LEDC has prepared a Project Plan for the Pablo's Mexican Restaurant - REO Town Project (Project Plan), submitted it to Council and placed it on file in the office of the City Clerk in accordance with the Act; and

WHEREAS, at such hearing held on the 25th day of February, 2019, the fullest opportunity was given for expression of opinion, for arguments on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, the City Council desires to express its approval of said Project Plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Pablo's Mexican Restaurant - REO Town Project Plan submitted by the LEDC after determining the following:

a. The Project Plan meets the requirements set forth in Section 8 of the Act.

b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the plan properly.

c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of $143,100.00 to complete building renovation, obtain operational licenses, and purchase inventory necessary to open a restaurant at the property.

d. The Project is reasonable and necessary to carry out the purpose of the Act.

BE IT FURTHER RESOLVED that the LEDC is hereby authorized to proceed with the Project and the financing thereof.

BE IT FINALLY RESOLVED that the City Clerk is hereby requested to provide three certified copies of this resolution to the LEDC.

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BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING AMENDED BROWNFIELD PLAN #62
OLIVER TOWERS BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 19, 2018 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on February 11, 2019 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,

2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,

3. the Project may result in new private investment of approximately $14,700,000,

4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible actives they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on December 7, 2018, unanimously recommended approval of the Plan, for this Project;

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

- The Plan constitutes a public purpose under the Act;

- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;

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- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;

- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the ‘Amended Brownfield Plan #62 – Oliver Towers Brownfield Redevelopment Project’.

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

WHEREAS, on February 25, 2019 the City Council approved Resolution 2019-060 to set the required public hearing for the rezoning of the property at 5400 S. Cedar Street for March 25, 2019; and

WHEREAS, the applicant U-Haul of Western Michigan/AMERICO Real Estate requested a delay of the hearing for 60 days after March 25, 2019.

THEREFORE, BE IT RESOLVED the City Council of the City of Lansing will set a new public hearing date of Monday, May 20, 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

BY THE COMMITTEE ON GENERAL SERVICES
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 by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on General Services met on February 25, 2019 and 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 ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Amin Fallahi, sought to eliminate a special assessment of $767.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 539 Avon Street (Tax ID #33-01-01-21-430-140); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on February 25, 2019 and denied the claim in the amount of $767.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of $767.00 for trash removal fees, and all associated penalties and interest on the property tax bill for 539 Avon Street (Tax ID #33-01-01-21-430-140).

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

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

WHEREAS, Steven W. Hanks sought to eliminate a special assessment of $1,824.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 4614 Ballard Rd. (Tax ID #33-01-01-31-404-131); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on February 25, 2019 and denied the claim in the amount of $1,824.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of $1,824.00 for trash removal fees, and all associated penalties and interest on the property tax bill for 4614 Ballard Rd. (Tax ID #33-01-01-31-404-131).

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

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

WHEREAS, Vonda Gilliam sought to eliminate a special assessment of $668.00 for furniture removal fees, and all associated penalties and interest, on the property tax bill for 909 Ferly Street (Tax ID #33-01-05-05-276-171); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on February 25, 2019 and denied the claim in the amount of $668.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of $668.00 for the furniture removal fees, and all associated penalties and interest on the property tax bill for 909 Ferly Street (Tax ID #33-01-05-05-276-171).

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

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

WHEREAS, Craig Skinner sought to eliminate a special assessment of $4,500.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 1001 Hillsdale (Tax ID #33-01-01-17-480-251); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on February 25, 2019 and denied the claim in the amount of $4,500.00.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of $4,500.00 for the trash removal fees, and all associated penalties and interest on the property tax bill for 1001 Hillsdale (Tax ID #33-01-01-17-480-251).

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

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BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
GLENBURNE GRASS & TRASH ASSESSMENT ROLL SUMMER 2019

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries by Resolution 2017-047; and

WHEREAS, the City of Lansing has reviewed the services provided within those boundaries and the cost incurred between May 22, 2018 and November 5, 2018, by the City totals $29,638.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Glenburne Commons special assessment district is hereby confirmed by City Council to include all of the parcels within these subdivisions, excluding unoccupied units:

Glenburne Subdivision
Glenburne Subdivision No. 2
Glenburne Subdivision No. 3
Glenburne Subdivision No. 4
Glenburne Subdivision No. 5
Part of the North ½ and South East ¼ of Section 36, T4N, R3W
City of Lansing, Eaton County, Michigan

BE IT FURTHER RESOLVED, that the Glenburne Commons improvement be supported by a special assessment of improvement costs against the properties which are especially benefitted as follows: $65.72 per occupied parcel for the 2018 maintenance costs;

BE IT FURTHER RESOLVED, that the cost and expense of plans and assessments incidental to this preparation of the assessment and the roll, and for providing notices shall be included in the expense of the assessment;

BE IT FURTHER RESOLVED, that the Glenburne Commons assessment roll No. GB-2018, compiled by the City Assessor is attached and incorporated herein, and, presented and accepted by City Council with this resolution;

BE IT FURTHER RESOLVED, that a public hearing be held at 7:00 p.m. on Monday, March 25, 2019 in the City Council Chamber, 10th Floor, City Hall, Lansing, Michigan to consider the establishment of the Glenburne Commons District Special Assessment Roll;

BE IT FINALLY RESOLVED, that notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

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BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the following FY2018/2019 transfer be approved:

$2,500.00 from City Council Temporary Help-Contractual	1012101.743050
$2,500.00 from City Council Equipment	1012101-977000
$5,000.00 to Public Service Contractual Services	1014603.743000

WHEREAS, to provide funds towards Phase 1 of the City of Lansing Climate Action Planning Project. With the assistance of Commons Logics, LLC the following items will be performed under Phase 1:

- The Phase 1 will focus on the City's infrastructure and operations. This will include meetings with City staff to finalize goals, objectives, identify data needs and availability and confirm the project schedule. This project scope will include data collection and analysis creating a gap analysis for data needs, identify data available and compare data required to achieve future phases; and

- The assessments in this phase will determine sustainability of projects/activities already in action and the corresponding level of impact. This will allow the assessment of internal change management and communication needs for the plan. The plan will identify potential funding sources to assist with implementation and evaluation of the plan progress; and

- The Climate Action Planning Project will identify opportunities for immediate implementation, set short term goals, and develop the Climate Action Plan to establish a GHG baseline, sources to assist in implementing and monitoring the plan, short term
- goals and other recommendations.

NOW THEREFORE BE IT RESOLVED, the City of Lansing City Council will authorize a transfer of $2,500 from City Council Temporary Help-Contractual and $2,500 from City Council Equipment to Public Service Contractual Services for the Phase 1 of the Lansing Climate Action Planning Project, with the understanding that the balance of the contract shall be paid for from the Public Service Department.

BE IT FURTHER RESOLVED, the contractor, Commons Logics, LLC through the Committee on Intergovernmental Relations will provide the deliverables to include the final report summarizing all data, findings and recommended next steps for implementation and subsequent phases no later than October 1, 2019.

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

WHEREAS, the Department of Human Relations and Community Services (HRCS) was renewed as the Collaborative Applicant for the Continuum of Care for the Lansing, East Lansing, Ingham County area, to the Michigan State Housing Development Authority (MSHDA) under the 2018-2019 Emergency Solutions Grant Notice of Funding Availability (NOFA) process; and

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

WHEREAS, the HRCSD will manage the MSHDA funds for an amount at least $453,579 total; and

WHEREAS, MSHDA is not requiring any cash and/or in-kind match for the 2018-2019 MSHDA NOFA;

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

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.

2. To maintain satisfactory financial accounts, documents, and records to make them available to MSHDA for auditing at reasonable times.

3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.

4. To authorize the Mayor of the City of Lansing or designee to be the local authorized representative to sign documents in behalf of the City of Lansing.

5. To comply with any and all terms of said MSHDA agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

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

WHEREAS, in November 2014, the Ingham County electorate approved a countywide trails and parks millage level of 50/100 (.50) of one mill to be used for the purpose of creating and maintaining a county system of recreational trails and adjacent parks trail system, which may incorporate trails or parks created by local units of government, including Lansing's River Trail, and may acquire rights of way to connect and extend existing trails; and

WHEREAS, the Ingham County Board of Commissioners Resolution #18-257 approved a fourth round of applications that would address new construction as identified as regional priority corridors in figure 24 of the Ingham County Trails and Parks Comprehensive Report, and special projects (including blue ways) as well as repairs, rehabilitation, and long-term maintenance projects; and

WHEREAS, the Parks & Recreation Department of the City of Lansing received approval from the Ingham County Board of Commissioners for up to $2,034,026 in trails and parks millage funding; and

WHEREAS, the funding will be used for seven (7) projects within the trail system within the City of Lansing as follows;

Trail connect – Cambridge to Frances Park	$400,030.00
Volunteer Trail Ambassador/Coordinator	$15,000.00
Bridges (#13, 14, 15, 18 and 31)	$1,618,996,00

And

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Ingham County trails and parks millage funding; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facilities and has budgeted specific monies to ensure the continued maintenance of the enhancements; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe recreation and non-motorized transportation facilities;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Ingham County parks and trails millage funding.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for their administration in accordance with the requirements of the grantor.

City of Lansing
Counties of Ingham and Eaton, State of Michigan

RESOLUTION REGARDING REFUNDING OF
TAX INCREMENT FINANCE AUTHORITY BONDS

WHEREAS, the Tax Increment Finance Authority of Lansing (the "TIFA") established by the City under the provisions of Act 450, Public Acts of Michigan, 1980, as amended (the "TIFA Act") has previously issued its 1994 Development and Refunding Bond (Limited Tax General Obligation) in the original aggregate principal amount of $25,108,133.20 (the "1994 Bond"); and

WHEREAS, pursuant to the provisions of the TIFA Act, the TIFA has previously issued its 2009 Refunding Bonds (Limited Tax General Obligation) (Federally Taxable) in the original aggregate principal amount of $10,410,265.70 (the "2009 Bonds," and collectively with the 1994 Bond, the "Prior TIFA Bonds") for the purpose of refunding the 1994 Bond; and

WHEREAS, the TIFA proposes to refund a portion of the 2009 Bonds through issuance of Refunding Bonds (Limited Tax General Obligation) in one or more series in an original aggregate principal amount not-to-exceed $8,500,000 (the "TIFA Refunding Bonds") in order to reduce the TIFA's annual debt service costs; and

WHEREAS, the TIFA Act has been amended to permit a TIFA to issue a qualified refunding obligation if the TIFA refunds a bond, which is refunding bond that is an other protected obligation issued as a capital appreciation bond delivered to the Michigan Municipal Bond Authority on December 21, 1994, or bonds, such as the 2009 Bonds, issued to refund that bond.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. TIFA Refunding Bonds. The City hereby irrevocably pledges its full faith and credit for the payment of the TIFA Refunding Bonds. If at any time the Tax Increment Revenues are insufficient to pay the principal of and interest on the Bonds as the same become due, the City, upon notification by the TIFA, shall as a first budget obligation advance from its general funds an amount to pay said principal and interest, or in the event of insufficiency of the City's general funds, levy ad valorem taxes on all taxable property within the boundaries of the City in an amount to pay said principal and interest, provided that such tax levy shall be within applicable constitutional, statutory and charter tax rate limitations.

The City acknowledges that the City's underwriter of the TIFA Refunding Bonds has advised that under current market conditions, the refunding will produce net present value savings.

2. Official Statement and Continuing Disclosure. The City hereby agrees to co-operate with the TIFA in preparation of preliminary and final official statements or other marketing circular describing the TIFA Refunding Bonds (collectively, the "Refunding Bonds"), and in any application for bond ratings and municipal bond insurance. The City hereby agrees to

enter into a Continuing Disclosure Undertaking Agreement in order to enable the underwriters of the Refunding Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

3. Other Actions. The Mayor and City Clerk, Finance Director, Chief Operating Officer and any other officers, administrators, agents and attorneys of the TIFA are authorized and directed to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the issuance, sale, and delivery of the Refunding Bonds in accordance with this Resolution. The Finance Director or any other officer of the City is hereby authorized to request any approvals or waivers from the Michigan Department of Treasury in support of requests filed by the TIFA in connection with the issuance of the Refunding Bonds.

4. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular meeting held on _____, 2019, at __:____ o'clock ___.m., prevailing Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____ _____ _____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ _____ and that the following Members voted against adoption of said resolution: _____.

_____
City Clerk

21631863.4\050796-00054

City of Lansing
Counties of Ingham and Eaton, State of Michigan

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
GENERAL OBLIGATION REFUNDING BONDS (LIMITED TAX)

A RESOLUTION TO APPROVE:

- Net Present Value Savings through issuing Bonds to refund the Limited Tax General Obligation Capital Improvement Bonds, Series 2009;
- Continued pledge of City's full faith and credit for payment of the 2019 Bonds;
- Finance Director to sell Bonds within parameters of this Resolution without further Council action.

WHEREAS, the City of Lansing (the "City") has previously issued its Limited Tax General Obligation Capital Improvement Bonds, Series 2009 (Taxable Build America Bonds – Direct Payment) (the "Prior Bonds") for the purpose of paying costs of improvements to the City's sanitary sewer system and transportation system, and related streetscape improvements (the "Project'); and

WHEREAS, PFM Financial Advisors LLC (the "Municipal Advisor") has advised the City that it may be able to accomplish a net savings of debt service costs by current refunding all or a portion of the Prior Bonds; and

WHEREAS, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") permits the City to issue refunding bonds for the purpose of refunding part of the funded indebtedness of the City, if the refunding would result in net present value savings; and

WHEREAS, the City Council wishes to authorize the Finance Director (the "Finance Director") to sell and deliver and receive payment for the proposed issue of bonds without the necessity of the City Council taking further action.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bond Details. If, upon the advice of the Municipal Advisor, refunding all or a portion of the Prior Bonds would accomplish a net savings of debt service costs, then Bonds of the City designated as the GENERAL OBLIGATION REFUNDING BONDS (LIMITED TAX), SERIES 2019 (the "Bonds") shall be issued in the aggregate principal amount of not to exceed Seventeen Million Dollars ($17,000,000), as finally determined by the Finance Director at the time of sale of the Bonds, for the purpose of refunding all or a portion of the Prior Bonds, including payment of legal, financial and other expenses incident thereto.

The Bonds shall mature as serial bonds or term bonds on the dates and in the amounts as shall be determined by the Finance Director at the time of sale of the Bonds. The Bonds shall bear interest at a rate or rates to be determined at the time of sale of the Bonds, but in any event not exceeding the interest rate provided in this resolution.

The Bonds shall consist of bonds registered as to principal and interest of the denominations of any multiple of $5,000 not exceeding for each maturity the maximum principal amount of the Bonds of that maturity, and numbered consecutively in order of registration or transfer. Principal of and interest on the Bonds will be payable in the manner set forth in the form of Bond shown in this resolution; provided that the date of determination of the registered owner for purposes of payment of interest may be changed by the City to conform to market practice in the future.

The Finance Director is hereby authorized and directed to designate as bond registrar, paying agent and transfer agent (the "Transfer Agent"), a bank or trust company located in the State of Michigan and qualified to carry out such duties under the laws of the State of Michigan. The City may designate a new Transfer Agent by notice mailed to the registered owner of each of the Bonds at such time outstanding not less than sixty (60) days prior to an interest payment date. The Finance Director is hereby authorized to execute an agreement with the Transfer Agent on behalf of the City.

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Finance Director is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form, and to make such changes in the form of the Bonds within the parameters of this resolution as may be required to accomplish the foregoing. Notwithstanding the foregoing, if the Bonds are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC.

Any bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any bond or bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate, if necessary, and deliver a new bond or bonds, in like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

The Bonds shall be subject to optional redemption prior to maturity as determined at the time of sale of the Bonds. If term bonds are issued, the Bonds shall be subject to mandatory redemption prior to maturity as determined at the time of sale of the Bonds. Unless waived by the registered owner of any bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City and shall conform to the requirements set forth in the form of Bond. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

The Bonds shall be executed in the name of the City with manual or the facsimile signatures of the Mayor and the City Clerk and shall have the City's seal or a facsimile thereof affixed thereto or imprinted thereon. If the Bonds are signed by the facsimile signatures of both the Mayor and the City Clerk, then no Bond of this series shall be valid until authenticated by an authorized signature of the Transfer Agent. The Bonds shall be delivered either to the purchaser or to the Transfer Agent who shall authenticate them and deliver them to the purchaser in accordance with instructions from the Finance Director upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

2. Full Faith and Credit Pledge. The City expressly and irrevocably pledges its full faith and credit for the prompt and timely payment of the principal of and interest on the Bonds. The Bonds shall be payable, as a first budget obligation, from the general fund of the City, and the City shall levy annually ad valorem taxes on all the taxable property in the City which, taking into consideration estimated delinquencies in tax collections, shall be fully sufficient to pay the principal and interest on the Bonds provided, however, that if at the time of making any such tax levy there shall be other legally available funds for the payment of principal of and interest on the Bonds, including but not limited to revenues received from operation of the City's parking system, then credit therefor may be taken against the levy for payment of the Bonds. The levy shall be subject to constitutional, statutory and charter tax rate limitations.

3. Bond Form. The Bonds shall be in substantially the following form with such changes as may be necessary to conform the Bonds to the final terms of sale:

[FORM OF BOND TO BE COMPLETED AFTER BOND SALE]

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON

CITY OF LANSING
GENERAL OBLIGATION REFUNDING BOND
(LIMITED TAX), SERIES 2019

Interest Rate	Date of Maturity	Date of Original Issue	CUSIP

Registered Owner:
Principal Amount:

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), acknowledges itself to owe and for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, [unless prepaid prior thereto as hereinafter provided,] with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on [date] and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of [transfer agent], [city], Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who or which is as of the fifteenth (15th) day of the month prior to each interest payment date, the registered owner of record, at the registered address.

This bond is one of a series of bonds of even Date of Original Issue, aggregating the principal sum of $[amount] for the purpose of refunding certain outstanding bonds of the City. This bond was issued under and in pursuance of the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a resolution of the City Council adopted on [date].

The limited tax full faith, credit and resources of the City are pledged for the payment of the bonds of this issue, and the City has pledged that it shall pay the principal of and interest on the bonds of this issue as they mature as a first budget obligation from its general fund and, after taking into account funds which the City may have legally available for payment of principal of and interest on the bonds of this issue, shall levy annually ad valorem taxes on all taxable property in the City sufficient to pay the principal of and interest on the bonds of this issue subject to applicable constitutional, statutory and charter tax rate limitations.

Bonds of this issue maturing on or prior to [date] are not subject to redemption prior to maturity.

Bonds or portions of bonds in multiples of $5,000 of this issue maturing on or after [date] shall be subject to redemption prior to maturity at the option of the City, in such order as the City

shall determine and within any maturity by lot, on any date on or after [date], at par plus accrued interest to the date fixed for redemption.

[Insert mandatory redemption provisions if term bonds are issued].

Notice of redemption shall be given by the Transfer Agent to each registered owner of bonds or portions thereof to be redeemed by mailing such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. Bonds shall be called for redemption in multiples of $5,000, and bonds of denominations of more than $5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by $5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.

Any bond may be transferred by the person in whose name it is registered, in person or by the Registered Owner's duly authorized attorney or legal representative, upon surrender of the bond to the Transfer Agent for cancellation, together with a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any bond is surrendered for transfer, the Transfer Agent shall authenticate and deliver a new bond or bonds, in like aggregate principal amount, interest rate and maturity. The Transfer Agent shall require the bondholder requesting the transfer to pay any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required (i) to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of bonds selected for redemption and ending at the close of business on the date of that mailing, or (ii) to register the transfer of or exchange any bond so selected for redemption in whole or in part, except the unredeemed portion of bonds being redeemed in part.

It is hereby certified and recited that all acts, conditions and things required by law to be done, exist and happen, precedent to and in the issuance of this bond and the series of bonds of which this is one, in order to make them valid and binding obligations of the City have been done, exist and have happened in regular and due form and time as provided by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory, or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its Council, has caused this bond to be signed in the name of the City [by] / [with the facsimile signatures of] its Mayor and its City Clerk and the City seal or a facsimile thereof to be affixed hereto or imprinted hereon, all as of the Date of Original Issue.

CITY OF LANSING

By [definitive bond to be signed]
Mayor

(Seal)

Countersigned:

By [definitive bond to be signed]
City Clerk

[Insert standard forms of certificate of authentication and assignment at end of bond.]

4. Escrow Fund. The Finance Director shall designate a bank or trust company to serve as escrow trustee (the "Escrow Trustee"). In order to secure payment of the Prior Bonds being refunded, the City will enter into an Escrow Agreement (the "Escrow Agreement") with the Escrow Trustee which shall provide for the creation of a fund designated as the CITY OF LANSING - GENERAL OBLIGATION REFUNDING BOND [SERIES] ESCROW FUND (the "Escrow Fund"). The Escrow Agreement shall irrevocably direct the Escrow Trustee to hold the Escrow Fund in trust for the payment of the principal of and interest on the Prior Bonds being refunded, and to take all necessary steps to call for redemption of any Prior Bonds specified by the Finance Director upon sale of the Bonds, including publication and mailing of redemption notices, on any date specified by the City on which the Prior Bonds may be called for redemption. The Finance Director is hereby authorized to execute and deliver the Escrow Agreement and to deposit cash and/or escrow securities in an amount sufficient to fund the Escrow Fund. The Finance Director is hereby authorized to purchase, or cause to be purchased, escrow securities, including, but not limited to, United States Treasury Obligations – State and Local Government Series (SLGS) for the Escrow Fund.

The Finance Director is hereby authorized to transfer monies from the debt retirement fund for the Prior Bonds to the Escrow Fund, to be invested as provided in the Escrow Agreement and to be used to pay principal and interest on the Prior Bonds being refunded. The amount to be transferred under this section shall be an amount which will enable the interest on the Bonds and the Prior Bonds to be, or continue to be, excludable from gross income for federal income tax purposes as determined by bond counsel.

5. Debt Retirement Fund. The Finance Director or City Treasurer is authorized and directed to open a separate depository or trust account for the Bonds with a bank or trust company to be designated as the CITY OF LANSING - GENERAL OBLIGATION REFUNDING BOND [SERIES] DEBT RETIREMENT FUND (the "Debt Retirement Fund"). The moneys to be deposited into the Debt Retirement Fund will be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds and, as may be necessary, to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"). An amount sufficient to assure timely payment of the principal of and interest on the Bonds shall be transferred each year from the general fund of the City or other funds legally available therefor into the Debt Retirement Fund. Accrued interest and premium received upon delivery of the Bonds shall also be deposited in the Debt Retirement Fund as provided in Section 6 below.

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 redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest of the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

The Debt Retirement Fund may be pooled or combined with other debt retirement funds for issues of bonds of like character as provided by Act 34, Public Acts of Michigan, 2001, as amended, or other state law.

6. Deposit of Bond Proceeds. Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund and used to pay interest on the Bonds on the first interest payment date, provided, however, that at the discretion of the Finance Director, all or a portion of any premium received upon delivery of the Bonds may be deposited in the Escrow Fund.

There shall be deposited to the Escrow Fund from Bond proceeds monies which shall be invested only as described in the Escrow Agreement and which shall be used by the Escrow Trustee solely to pay the principal of and interest on the Prior Bonds being refunded. The amount of Bond proceeds to be deposited to the Escrow Fund shall be an amount which, taken together with amounts transferred to the Escrow Fund from the debt retirement fund for the Prior Bonds, and the investment proceeds to be received from monies in the Escrow Fund, will be sufficient, without reinvestment, to pay the principal of and interest on the Prior Bonds being refunded as they become due or upon call for redemption prior to maturity.

The remaining proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds. At the option of the Finance Director, the costs of the issuance may be paid from a fund established for that purpose in the Escrow Agreement. Any monies remaining after payment of costs of issuance and costs of refunding the Prior Bonds shall be transferred to the Debt Retirement Fund.

7. Non-Arbitrage Covenant. The City covenants and agrees with the Registered Owners of the Bonds that as long as any of the Bonds remain outstanding and unpaid as to either principal or interest, the City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the Bonds or the Prior Bonds pursuant to the Internal Revenue Code in such a manner as to cause the Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code. The City hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exclusion of interest on the Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the Bonds.

8. Municipal Advisor. The City requests PFM Financial Advisors LLC to continue as Municipal Advisor to the City to assist in preparation and planning for the sale of the Bonds.

9. Bond Counsel. The City hereby requests that Miller, Canfield, Paddock and Stone, P.L.C. continue to serve as the City's bond counsel notwithstanding representation by Miller, Canfield, in matters unrelated to the Bonds, of various underwriting firms and financial institutions which are potential purchasers of the Bonds.

10. Bond Ratings; Bond Insurance. The Finance Director is hereby authorized to apply for bond ratings from such municipal bond rating agencies as deemed appropriate, in consultation with the Municipal Advisor, and, if the Municipal Advisor recommends that the City consider purchase of municipal bond insurance, then the Finance Director is hereby authorized and directed to negotiate with insurers regarding acquisition of municipal bond insurance, and, in consultation with the Municipal Advisor, to select an insurer and determine which Bonds, if any, shall be insured.

11. Preliminary Official Statement. The Finance Director is authorized to approve circulation of a Preliminary Official Statement describing the Bonds and to deem such Preliminary Official Statement "final" for purposes of compliance with Securities and Exchange Commission Rule 15c2-12 ("Rule 15c2-12").

12. Competitive Sale of Bonds. Based on the advice of the Municipal Advisor, the City intends to sell the Bonds by competitive sale. The Finance Director is authorized to fix a date for sale of the Bonds in consultation with the Municipal Advisor, and to approve publication of a Notice of Sale of the Bonds (the "Notice of Sale") in *The Bond Buyer*, New York, New York, or such other newspaper as may fulfill the requirements of Act 34. The Notice of Sale for the Bonds shall be in substantially the following form, with such revisions as the Finance Director may determine to be in the best interests of the City in consultation with the Municipal Advisor and Bond Counsel.

OFFICIAL NOTICE OF SALE

$_____,000*

*(Subject to adjustment as described below)

CITY OF LANSING
Counties of Ingham and Eaton, State of Michigan
GENERAL OBLIGATION REFUNDING BOND
(LIMITED TAX), SERIES 2019

BID OPENING: Bids for the purchase of the above bonds (the "Bonds") will be publicly opened and read by an agent of the City of Lansing on [date], until [time] Eastern Time.

SEALED BIDS for the purchase of the Bonds will be received at the office of the Municipal Advisory Council of Michigan, Buhl Building - 535 Griswold, Suite 1850, Detroit, Michigan 48226, or at the Finance Department located on the 8th floor of the Lansing City Hall, 124 W. Michigan Ave., Lansing, Michigan 48933.

FAXED BIDS, signed by the bidder, may be submitted by members of the Municipal Advisory Council of Michigan to MAC at fax number (313) 963-0943 or by any bidder to the City at fax (517) 483-4524, Attention: Finance Director; provided that faxed bids must arrive before the time of sale and the bidder bears all risks of transmission failure.

ELECTRONIC BIDS: Electronic bids will be received by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or Client Services, 1359 Broadway, Second Floor, New York, New York 10018, (212) 849-5021. If any provision of this Official Notice of Sale shall conflict with information provided by Bidcomp/Parity, as the approved provider of electronic bidding services, this Official Notice of Sale shall control. No change of the dated date will be allowed for the computation of the winning bid.

Bidders may choose any means or location to present bids but a bidder may not present a bid by more than one means or at more than one location. The City will award or reject bids on the date of the bid opening.

BOND DETAILS: The Bonds will be registered bonds of the denomination of $5,000 or integral multiples thereof up to the principal amount of that maturity, originally dated as of the date of delivery thereof (currently anticipated to be [date]), and will bear interest from their date payable on November 1, 2019, and semiannually thereafter. The Bonds will mature on May 1 of each year, as follows:

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
2020		2025		2030	
2021		2026		2031	
2022		2027		2032	
2023		2028		2033	
2024		2029		2034	

ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES: The aggregate principal amount of this issue as shown in this Notice of Sale is believed to be the amount necessary to provide adequate funds to refund a prior issue of bonds and to pay transactional costs. The City reserves the right to increase or decrease the aggregate principal amount of the bonds after receipt of the bids and prior to final award. Such adjustment, if necessary, will be made in increments of $5,000, and may be made in any maturity. The purchase price of the bonds will be adjusted proportionately to the increase or decrease in issue size, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the Bonds be made by the City, the purchase price of the Bonds will be adjusted by the City proportionally to the adjustment in principal amount of the Bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates not exceeding 6.00% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one Bond shall be at one rate only and all Bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the Bonds shall not exceed 3.00% per annum. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE RESPECTIVE PRECEDING YEAR. No proposal for the purchase of less than all of the bonds or at a price less than 99% or more than 110% of their par value will be considered. In submitting a bid for the Bonds, the bidder agrees to the representation of the City by Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel.

If no bid results in present value debt service savings acceptable to the City, the City may reject all bids.

OPTIONAL PRIOR REDEMPTION: Bonds of this issue maturing or subject to mandatory redemption in the years 2020 to 2029, inclusive, shall not be subject to redemption prior to maturity at the option of the City. Bonds or portions of Bonds in multiples of $5,000 of this issue maturing or subject to mandatory redemption in the year 2030 and thereafter shall be subject to redemption prior to maturity at the option of the City in such order of maturity as the City shall determine and within any maturity by lot, on any date on or after May 1, 2029, at par and accrued interest to the date fixed for redemption.

TERM BOND OPTION: Bidders shall have the option of designating the Bonds as term bonds or serial bonds or both. The bid must designate whether each of the principal amounts shown above represent a serial maturity or a mandatory redemption requirement for a term bond maturity. In any event, the above principal amount schedule shall be represented by either serial bond maturities or mandatory redemption requirements, or a combination of both. Any such designation must be made within 1 hour of sale.

If the term bond option is selected, then the principal amount of the term bonds of a maturity to be redeemed on the dates set forth above may be reduced by the principal amount of the term bonds of the same maturity which have been previously redeemed or called for redemption (other than as a result of a mandatory redemption) or purchased or acquired by the City and delivered to the transfer agent. The City may satisfy mandatory redemption requirements by the purchase and surrender of term bonds in lieu of the calling of such term bonds for redemption.

NOTICE OF REDEMPTION PRIOR TO MATURITY: Notice of redemption of any bond or portion thereof shall be given by the transfer agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the transfer agent. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the transfer agent to redeem the bond or portion thereof. In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

AWARD OF BONDS - TRUE INTEREST COST: The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on November 1, 2019 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to [date] in an amount equal to the price bid. [Date] is the anticipated date of delivery of the Bonds. In the event there is an election to exercise the Term Bond option, true interest cost shall be calculated by applying the interest rate of such Term Bonds to each mandatory sinking fund redemption for such Term Bonds.

BOOK-ENTRY-ONLY OPTION: At the option of the purchaser of the Bonds, the Bonds will be issued in book-entry-only form as one fully registered Bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. If this option is selected, then an authorized agent of DTC will act as securities depository for the Bonds, purchase of the Bonds will be made in book-entry only form, in the denomination of $5,000 or any integral multiple of $5,000, and bondholders will not receive certificates representing their interest in Bonds purchased. The book-entry-only system is described further in the preliminary Official Statement for the Bonds. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the Bonds.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the designated office of [bank], or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to any interest payment date. As long as The Depository Trust Company or its nominee, Cede & Co., is the bondholder, payments will be made directly to DTC. Disbursement of such payments to the DTC Participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Bonds is the responsibility of the DTC Participants and Indirect Participants as described in the preliminary official statement for the Bonds. Interest shall be paid by check or draft mailed to

the registered owner of record as shown on the registration books kept by the transfer agent as of the 15th day of the month prior to an interest payment date. The Bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The Bonds are issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution of the City Council for the purpose of current refunding bonds previously issued by the City. The Bonds will pledge the limited tax full faith and credit of the City for payment of the principal and interest thereon, and will be payable as a first budget obligation from the general fund of the City, and from ad valorem taxes, which may be levied against all taxable property in the City, subject to applicable constitutional, statutory, and charter tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of [$amount] payable to the order of the City Treasurer, will be required of the successful bidder. THE SUCCESSFUL BIDDER IS REQUIRED TO SUBMIT ITS GOOD FAITH DEPOSIT TO THE CITY AS INSTRUCTED BY THE CITY OR THE MUNICIPAL ADVISOR NOT LATER THAN NOON, EASTERN TIME, ON THE NEXT BUSINESS DAY FOLLOWING THE SALE. The good faith deposit will be applied to the purchase price of the Bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the Bonds shall be made at the closing.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants and the issue price rules set forth below, interest on the Bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the Bonds and interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

NOT BANK QUALIFIED: The Bonds have **not** been designated as qualified tax exempt obligations for purposes of deduction of interest expense by financial institutions pursuant to the Internal Revenue Code.

ISSUE PRICE: The winning bidder will be required to assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached either as Appendix [no.] or [no.] of the preliminary Official Statement, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "Competitive Sale Requirements") because:

a. the City is disseminating this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

b. all bidders shall have an equal opportunity to bid;

c. the City anticipates receiving bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

d. the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the lowest true interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that all of the Competitive Sale Requirements are not satisfied, the City shall so advise the winning bidder. The City will not require bidders to comply with the "hold-the-offering price rule," and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity, though the winning bidder, in consultation with the City, may elect to apply the "hold-the-offering price rule" (as described below). Bids will not be subject to cancellation in the event the Competitive Sale Requirements are not satisfied. Unless a bidder intends to apply the "hold-the-offering price rule" (as described below), bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% Test (as described below). The winning bidder must notify the City of its intention to apply either the "hold-the-price rule" or the 10% Test at or prior to the time the Bonds are awarded.

If the winning bidder does not request that the "hold-the-offering price rule" apply to determine the issue price of the Bonds, the following two paragraphs shall apply:

a. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% Test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds; and

b. Until the 10% Test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until the 10% Test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

If the winning bidder <u>does</u> request that the "hold-the-offering price rule" apply to determine the issue price of the Bonds, then following three paragraphs shall apply:

a. The winning bidder, in consultation with the City, may determine to treat (i) pursuant to the 10% Test, the first price at which 10% of a maturity of the Bonds is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the "hold-the-offering price rule"), in each case applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds. The winning bidder shall promptly advise the City, at or before the time of award of the Bonds, which maturities of the Bonds shall be subject to the 10% Test or shall be subject to the hold-the-offering price rule or both.

b. By submitting a bid, the winning bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of the award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder, and (ii) if the hold-the-offering-price rule applies, agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

    a. the close of the fifth (5th) business day after the sale date; or

    b. the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public;

    The winning bidder shall promptly advise the City when the underwriters have sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

c. The City acknowledges that, in making the representation set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its

corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that:

a. any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (i) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% Test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (ii) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder and as set forth in the related pricing wires; and

b. any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement, as applicable, to (i) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% Test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (ii) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of establishing issue price. Further, for purposes of this Notice of Sale:

a. "public" means any person other than an underwriter or a related party,

b. "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public);

c. a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are

partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and

d. "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Lansing and Detroit, Michigan. The opinion will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C., for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the Bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the Bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish executed Bonds to be delivered at its expense to an authorized agent of DTC or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if the 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the Bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the Bonds shall be made in immediately available funds.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser of the insurance. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

CUSIP NUMBERS: It is anticipated that CUSIP numbers will be printed on the Bonds, but neither the failure to print CUSIP numbers nor any improperly printed CUSIP numbers shall be cause for the purchaser of the Bonds to refuse to take delivery of and pay for the Bonds. Application for CUSIP numbers will be made by PFM Financial Advisors LLC, municipal

advisor to the City. The CUSIP Service Bureau's charge for the assignment of CUSIP identification numbers shall be paid by the purchaser of the Bonds.

OFFICIAL STATEMENT: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from PFM Financial Advisors LLC, municipal advisor to the City, at the address and telephone listed under MUNICIPAL ADVISOR below. PFM Financial Advisors LLC will provide the winning bidder with a final Official Statements in electric only format at no cost to the purchaser within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12.

CONTINUING DISCLOSURE: As described more fully in the Official Statement, the City will execute and deliver prior to delivery of the Bonds a written continuing disclosure undertaking in order to enable the underwriters of the Bonds to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

MUNICIPAL ADVISOR: Further information relating to the Bonds may be obtained from PFM Financial Advisors LLC, 555 Briarwood Circle, Suite 333, Ann Arbor, Michigan 48108. Telephone (734) 994-9700. Fax (734) 994-9710.

In submitting a bid for the Bonds, the bidder represents that it is not an "Iran linked business" within the meaning of the Iran Economic Sanctions Act, Act 517 of the Public Acts of Michigan of 2012.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Refunding Bonds."

Angela Bennett, Finance Director
City of Lansing, Michigan

13. Award of Sale of Bonds at Competitive Sale. The Finance Director is hereby authorized on behalf of the City, subject to the provisions and limitations of this Resolution, to award sale of the Bonds to the bidder whose bid meets the requirements of law and which produces the lowest true interest cost to the City computed in accordance with the terms of the Notice of Sale as published. If fewer than three (3) bids are received from underwriters (as defined by the Internal Revenue Code) at the time set for competitive sale, the City may reject all bids and carry out a negotiated sale to comply with the regulations of Treas. Reg. § 1.148-1(f).

14. Negotiated Sale of Bonds. If in light of current market conditions a negotiated sale would present advantages and opportunities to select and adjust terms for the Bonds, to allow more flexibility in accessing the municipal bond market, and to price and sell the Bonds at the time that is expected to best achieve the most advantageous interest rates and costs to the City and the most favorable price for purchase of securities to be escrowed for payment of the Prior Bonds to be refunded, then, based on the advice of the Municipal Advisor, the Finance Director is hereby authorized on behalf of the City to conduct and pursue a negotiated sale of the Bonds. In the event that a negotiated sale is pursued, then the Finance Director is authorized to select an underwriter or placement agent for the Bonds in consultation with the Municipal Advisor or circulate a request for quotes from financial institutions. The Finance Director is authorized to negotiate and execute a bond purchase agreement with an underwriter, financial institution, or other investor, and take all other necessary actions required to effectuate the negotiated sale and delivery of the Bonds within the parameters authorized in this Resolution.

By adoption of this resolution the City assumes no obligations or liability to the underwriter of the Bonds for any loss or damage that may result to the underwriter of the Bonds from the adoption of this resolution, and all costs and expenses incurred by the underwriter of the Bonds in preparing for sale of the Bonds shall be paid from the proceeds of the Bonds, if the Bonds are issued, except as may be otherwise provided in the purchase agreement or other acceptance of an offer to purchase the Bonds or placement agreement to be signed by the City at the time of sale of the Bonds.

15. Sale Parameters. The Bonds shall only be sold if there shall be net present value savings of at least 2.00% as determined by the Municipal Advisor. The Bonds shall bear interest at a rate or rates not exceeding 6.00% per annum and the true interest cost shall not exceed 4.00%. The purchase price for the Bonds, exclusive of any original issue discount or premium, shall not be less than 99% or more than 110% of the principal amount of the Bonds plus accrued interest if any. In making such determinations the City is authorized to rely upon data and computer runs provided by the Municipal Advisor.

The authorization to the Finance Director to sell the Bonds includes, but is not limited to, determination of original principal amount of the Bonds; the prices at which the Bonds are sold; the date of the Bonds; the schedule of principal maturities and whether the Bonds shall mature serially or as term bonds; the provisions for optional and mandatory redemption of term bonds, if any; the interest rates and payment dates of the Bonds, application of the proceeds of the Bonds; selection of the portion of the Prior Bonds to be refunded; transfer of balances, if any, from the debt retirement fund for the Prior Bonds to the Escrow Fund; and purchase of securities for the Escrow Fund. Approval of the matters delegated to the Finance Director under this Resolution

may be evidenced by execution of a certificate awarding sale of the Bonds, bond purchase agreement or other document agreeing to sell the Bonds, or the final Official Statement.

16. Final Official Statement; Continuing Disclosure. After sale of the Bonds, the Finance Director is authorized to prepare, execute and deliver a final Official Statement and to execute and deliver a written continuing disclosure agreement if necessary to enable the underwriter of the Bonds to comply with the requirements of Rule 15c2-12.

17. Verification Agent. The Finance Director is hereby authorized, at her discretion, to retain an independent certified public accountant to serve as verification agent to verify that the securities and cash to be deposited to the Escrow Fund will be sufficient to provide, at the times and in the amounts required, sufficient moneys to pay the principal of and interest on the Prior Bonds being refunded as they become due.

18. Other Actions. In the event that the Finance Director is not available to undertake responsibilities delegated to her under this resolution, then an officer of the City designated by the Finance Director is authorized to take such actions. The officers, administrators, agents and attorneys of the City are authorized and directed to take all other actions necessary and convenient to facilitate issuance and sale of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient in accordance with this resolution, and to pay costs of issuance including but not limited to municipal advisor fees, filing fees, rating agency fees, costs of printing the preliminary and final official statements, escrow trustee fees, transfer agent fees, verification agent fees, bond counsel fees, and any other costs necessary to accomplish sale and delivery of the Bonds.

19. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of City of Lansing, State of Michigan, at a Regular meeting held on _____, 2019 at 7:00 p.m. Eastern Time, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the Act 267.

I further certify that the following Members were present at the meeting: _____ _____ _____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of the resolution and that Member _____ supported the motion.

I further certify that the following Members voted for adoption of the resolution: _____ _____ _____ and that the following Members voted against adoption of the resolution: _____.

_____
City Clerk

32920890.2\050796-00054

BY THE COMMITTEE OF THE WHOLE
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:

Account	Appropriation	Description	Unencumbered	
	GENERAL FUND			
101.000000.679100.00000	General Fund	Use Of Fund Balance	$ 291,659	
	Council Operating	Council Operating	$ 8,109	
101.833710.960120.00000	Human Services Agencies	Human Services Discretionary	14,751	(1)
101.833715.960121.00000	Human Services Agencies	Community Problem Solving	9,915	(1)
101.833715.960152.00000	Human Services Agencies	Community Mental Health Board	29,000	(1)
101.833720.960237.00000	Human Services Agencies	Youth RFP 14-19	1,283	(1)
101.833720.960304.00000	Human Services Agencies	Kids Cafe After School Nutrition	15,000	(1)
101.833720.960322.00000	Human Services Agencies	Kids Connect	111,009	(1)
101.833720.960329.00000	Human Services Agencies	Feed The Babies Keep Them Dry	10,000	(1)
101.833720.960331.00000	Human Services Agencies	Womens Support Initiative	20,000	(1)
101.833730.960062.00000	Human Services Agencies	Chronic Homeless Outreach	13,161	(1)
101.833730.960305.00000	Human Services Agencies	One Church One Family Housing	10,000	(1)
101.833730.960306.00000	Human Services Agencies	Project Homeless Connect	12,274	(1)
101.833730.960315.00000	Human Services Agencies	Mobile Food Pantry	2,605	(1)
101.833730.960325.00000	Human Services Agencies	Subsidized Eviction Prevention	34,553	(1)
	General Fund Total		**$ 291,659**	

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

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended for the purpose of supporting and/or opposing the Ordinance renaming the project sponsor and providing for an extension of a Service Charge In Lieu of Taxes for existing low income family units for a project known as 517 N. Walnut apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended, was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

DRAFT

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, March 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 supporting and/or opposing the Ordinance renaming the project sponsor and providing for an extension of a Service Charge In Lieu of Taxes for existing low income family units for a project known as 517 N. Walnut apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSES OF RENAMING THE PROJECT SPONSOR AND PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR EXISTING LOW INCOME FAMILY UNITS FOR A PROJECT KNOWN AS 517 N. WALNUT APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 888 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO READ AS FOLLOWS:

888.26. - Rental properties located at 517 North Walnut.

(a)

Purpose. It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions, including the City of Lansing, to provide housing for citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (Act No. 346 of the Public Acts of 1966, as amended). The City is authorized by this act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this act at any amount it chooses not to exceed the taxes that would be paid but for this act. It is further acknowledged that housing for persons of low income is a public necessity, and as the City will be benefitted and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuation of the provisions of this ordinance section for tax exemption and the service charge in lieu of taxes during the period contemplated in this section are essential to the determination of economic feasibility of the housing development project which is to be rehabilitated and financed in reliance on such tax exemption and service charge.

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The City acknowledges that the sponsor, as defined in this section of the ordinance, is a Michigan Non-profit Corporation and has offered, subject to receipt of an allocation under the Low Income Housing Tax Credit (LIHTC) Program and a mortgage loan, to rehabilitate, own, and operate rental properties identified as the housing development project located in the City to serve persons of low income, and that the sponsor has offered to pay the City on account of this housing development an annual service charge for public service in lieu of taxes.

(b) Definitions.

(1) "Act" means the State Housing Development Authority Act, being Michigan Public Act 346 of 1966, as amended; MCL Section 125.1401, et seq.

(2) "Annual shelter rent" means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.

(3) "Authority" means the Michigan State Housing Development Authority; MCL Section 125.1401, et seq.

(4) "City" means the City of Lansing, a Michigan Municipal Corporation.

(5) "Commencement of construction" means the commencement of the rehabilitation of the existing facilities located in Lansing at 517 North Walnut.

(6) "Housing development" means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the authority determines improve the quality of the development as it relates to housing for persons of low income.

(7) "Housing development project" means the rehabilitation of rental properties located within Lansing at 517 North Walnut (parcel ID #33-01-01-16-108-161).

(8) "Low income persons or families" means low income persons or families as defined in Section 15(a)(7) of the act.

(9) "Mortgage loan" means a federally-aided or authority-aided mortgage or advance from the authority, as defined in the act, to the sponsor for the construction and/or permanent financing of the housing development.

(10) "Sponsor" means person(s) or entities which have applied to the authority for a mortgage loan or for an allocation under the low income housing tax credit program to finance the project. The sponsor under this section of the ordinance is the ~~Greater Lansing Housing Coalition, a Michigan Nonprofit Corporation~~ WALNUT FERRIS LDHA LP, OR ITS SUCCESSORS OR ASSIGNS WHICH CONTINUE TO MEET ALL REQUIREMENTS HEREIN.

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(11) "Utilities" means fuel, water, sanitary sewer service and/or electrical service which are paid by the housing development.

All terms referencing the act but not defined in this section shall have the meanings given them in the act.

(c) Class of Housing Development. It is determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing developments which are financed or assisted pursuant to the act. It is further determined that the housing development project is of this class.

(d) Establishment of Annual Service Charge in Lieu of Property Taxes.

(1) Subject to the conditions precedent in this section, the housing development project and the property on which it is situated shall be exempt from all property taxes for not more A PERIOD ESTABLISHED IN SECTION (H) HEREIN~~than 30 years from and after the commencement of construction~~. The City acknowledges that the sponsor and the authority have established the economic feasibility of the housing development project in reliance upon the enactment and continuing effect of this section and the qualification of the housing development project for the exemption from all property taxes and a payment in lieu of taxes as established in this section, and in consideration of the sponsor's offer, subject to receipt of a mortgage loan and an allocation under the LIHTC program, to rehabilitate, own and operate the housing development project. The City agrees to accept payment of an annual service charge for public services in lieu of all property taxes, provided the sponsor furnishes the City with proof of its annual certification pursuant to the requirements of the act and at the request of the City, proof that the sponsor has received and is maintaining its allocation of low income housing credits by the authority and that the housing development project units have not increased, decreased or been altered in any form, unless the City has otherwise amended the provisions of this section.

(2) In addition to the annual certification requirement in paragraph (1) of this subsection, the tax exemption shall commence when the sponsor complies with Section 15a of the act, which provides: the owner of a housing project eligible for the exemption shall file with the local assessing officer a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file the certified notification of the exemption with the local assessing officer before November 1 of the year preceding the tax year in which the exemption is to begin.

(3) The annual service charge shall be equal to four percent of the difference between the annual shelter rents actually collected and utilities.

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(e) Limitation on the Payment of the Annual Service Charge. Notwithstanding subsection (d), the service charge to be paid each year in lieu of taxes for the part of the housing development project that is tax exempt and occupied by other than low income persons or families shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.

(f) Payment of Service Charge. The service charge in lieu of taxes as determined under this section shall be payable in the same manner as general property taxes are payable to the City, except that the annual payment shall be paid on or before July 1 of the year following the year upon which such charge is calculated.

(g) Contractual Effect of this Section. Notwithstanding the provisions of Section 15(a)(5) of the act to the contrary, a contract between the City and the sponsor, with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this section.

(h) Duration; Commencement of Construction.

(1) The property tax exempt status of the housing development project approved by this section shall remain in effect and shall not terminate so long as the mortgage loan for the housing development project remains outstanding and unpaid, or for such period as the authority or other governmental entity has any interest in the property or the project is subject to income and rent restrictions under § 42 of the Internal Revenue Code. As amended; provided that the rehabilitation of the housing development project commences within one year from the effective date of this section, that the project is in part financed by low income housing tax credits from the authority and that the number of units and the purposes for the housing development project remain unchanged, subject to amendment in accordance with the law. If the rehabilitation of the housing development project does not commence within one year from the effective date of this section, this Section 888.26 of the ordinance shall automatically expire, terminate and be of no effect. If the sponsor fails to obtain within one year of the effective date of this section low income housing tax credits from the authority or changes the scope or purpose of the housing development project without the consent of the people of the City, by and through its representatives, and in accordance with the requirements of the law, this section shall automatically expire, terminate and be of no effect.

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(2) Notwithstanding paragraph (1) of this subsection, the exemption from property taxes shall terminate not later than 30 years from and after the date of the commencement of construction. OR, IN THE EVENT THE FINANCING IS RESTUCUTRED BETWEEN MARCH 25, 2019 AND MARCH 25, 2021, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN FIFTEEN (15) YEARS FROM AND AFTER THE DATE OF COMMENCEMENT OF CONSTRUCTION FINANCED BY THE RESTRUCTURING, WHCHEVER IS LATER.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED AS THEY PERTAIN TO THE PORTER SENIOR APARTMENTS.

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 VALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

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INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended for the purpose of supporting and/or opposing the Ordinance renaming the project sponsor and providing for an extension of a Service Charge In Lieu of Taxes for existing low income family units for a project known as 516 W. Saginaw Apartments/Ferris Manor, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended, was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

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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, March 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 supporting and/or opposing the Ordinance renaming the project sponsor and providing for an extension of a Service Charge In Lieu of Taxes for existing low income family units for a project known as 516 W. Saginaw Apartments/Ferris Manor, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSES OF RENAMING THE PROJECT SPONSOR AND PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR EXISTING LOW INCOME FAMILY UNITS FOR A PROJECT KNOWN AS 516 W. SAGINAW APARTMENTS/FERRIS MANOR, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 888 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO READ AS FOLLOWS:

888.14. - 516 W. Saginaw Street Apartments.

(a) Purpose. It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions, including the City of Lansing, to provide housing for citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act. It is further acknowledged that housing for persons of low income is a public necessity, and as the City will be benefitted and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuation of the provisions of this ordinance section for tax exemption and the service

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charge in lieu of taxes during the period contemplated in this section are essential to the determination of economic feasibility of the housing development project which is to be constructed or rehabilitated and financed in reliance on such tax exemption and service charge.

The City acknowledges that the sponsor, as defined in this section of the ordinance, is a Michigan non-profit corporation and has offered, subject to receipt of an allocation under the Low Income Housing Tax Credit (LIHTC) program and a mortgage loan, to rehabilitate, own, and operate a housing development, identified as "516 W. Saginaw Rehabilitation Project", on certain property located in the City to serve persons of low income, and that the sponsor has offered to pay the City on account of this housing development an annual service charge for public service in lieu of taxes.

(b) Definitions.

(1) "Act" means the State Housing Development Authority Act, being Michigan Public Act 346 of 1966, as amended; MCL 125.1401 et seq.

(2) "Annual shelter rent" means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.

(3) "Authority" means the Michigan State Housing Development Authority; MCL 125.1401 et seq.

(4) "City" means the City of Lansing, a Michigan Municipal Corporation.

(5) "Commencement of construction" means the commencement of the rehabilitation of the existing facilities known as 516 W. Saginaw Apartments.

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(6) "Housing development" means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the authority determines improve the quality of the development as it relates to housing for persons of low income.

(7) "Low income persons or families" means low income persons or families as defined in Section 15(a)(7) of the Act.

(8) "Mortgage loan" means a federally-aided or authority-aided mortgage or advance from the authority, as defined in the Act, to the sponsor for the construction and/or permanent financing of the housing development.

(9) "516 W. Saginaw Rehabilitation Project" and "the project" and "the housing development project" mean the rehabilitation of the facilities at 516 W. Saginaw Street, Lansing, consisting of approximately 23 residential apartment units. This includes the property described in the following tax parcel identification number: ~~3301-09-363-051-6~~ 33-01-01-09-363-051. IN THE EVENT OF A LOT COMBINATION WITH LOT 33-01-01-09-363-041 THE RESULTANT LOT WILL BE SUBJECT TO THIS ORDINANCE.

(10) "Sponsor" means person(s) or entities which have applied to the authority for a mortgage loan or for an allocation under the low income housing tax credit program to finance the project. The sponsor under this section of the ordinance is ~~the Michigan Non-Profit Real Estate Development Corporation, doing business as Ferris Development, a Michigan nonprofit corporation~~ WALNUT FERRIS LDHA LP, OR ITS SUCCESSORS OR ASSIGNS WHICH CONTINUE TO MEET ALL REQUIREMENTS HEREIN.

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(11) "Utilities" mean fuel, water, sanitary sewer service and/or electrical service which are paid by the housing development.

All terms referencing the Act but not defined in this section shall have the meanings given them in the Act.

(c) Class of Housing Development. It is determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing developments which are financed or assisted pursuant to the Act. It is further determined that 516 W. Saginaw Apartments Rehabilitation Project is of this class.

(d) Establishment of Annual Service Charge in Lieu of Property Taxes.

(1) Subject to the conditions precedent in this section, the housing development project known as the 516 W. Saginaw Apartments Rehabilitation Project and the property on which it is situated shall be exempt from all property taxes for not more than A PERIOD ESTABLISHED IN SECTION (H) HEREIN~~30 years from and after the commencement of construction~~. The City acknowledges that the sponsor and the authority have established the economic feasibility of the housing development project in reliance upon the enactment and continuing effect of this section and the qualification of the housing development project for the exemption from all property taxes and a payment in lieu of taxes as established in this section, and in consideration of the sponsor's offer, subject to receipt of a mortgage loan and an allocation under the LIHTC program, to rehabilitate, own and operate the 516 W. Saginaw Street Apartments Rehabilitation

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Project, the City agrees to accept payment of an annual service charge for public services in lieu of all property taxes, provided the sponsor furnishes the City with proof of its annual certification pursuant to the requirements of the Act and or at the request of the City, proof that the sponsor has received and is maintaining its allocation of low income housing credits by the authority and that the housing development project units have not increased, decreased or been altered in any form, unless the City has otherwise amended the provisions of this section.

(2) In addition to the annual certification requirement in paragraph (1) of this subsection, the tax exemption shall commence when the sponsor complies with Section 15a of the Act, which provides: the owner of a housing project eligible for the exemption shall file with the local assessing officer a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file the certified notification of the exemption with the local assessing officer before November 1 of the year preceding the tax year in which the exemption is to begin.

(3) The annual service charge shall be equal to four percent (4%) of the difference between the annual shelter rents actually collected and utilities.

(e) Limitation on the Payment of the Annual Service Charge. Notwithstanding subsection (d), the service charge to be paid each year in lieu of taxes for the part of the housing development project which is tax exempt and which is occupied by other than low income persons or families shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.

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(f) Payment of Service Charge. The service charge in lieu of taxes as determined under this section shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be made on or before July 1 of the year following the year upon which such charge is calculated. Notwithstanding the foregoing, the service charges payable on or before July 1, 2006 through July 1, 2010, shall be deferred and will be due on or before July 1, 2015.

(g) Contractual Effect of this Section. Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the City and the sponsor, with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this section.

(h) Duration; Commencement of Construction.

(1) The property tax exempt status of the housing development project approved by this section shall remain in effect and shall not terminate so long as the mortgage loan for the housing development project remains outstanding and unpaid, or for such period as the authority or other governmental entity has any interest in the property or the project is subject to income and rent restrictions under § 42 of the Internal Revenue Code, as amended; provided that the rehabilitation of the housing development project commences within one year from the effective date of this section, that the project is in part financed by low income housing tax credits from

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the authority and that the number of units and the purposes for the housing development project remain unchanged, subject to amendment in accordance with the law. If the rehabilitation of the housing development project does not commence within one year from the effective date of this section, this Section 888.14 of the ordinance shall automatically expire, terminate and be of no effect. If the sponsor fails to obtain within one year of the effective date of this section low income housing tax credits from the authority or changes the scope or purpose of the housing development project without the consent of the people of the City, by and through its representatives, and in accordance with the requirements of the law, this section shall automatically expire, terminate and be of no effect.

(2) Except as provided in paragraph (1) of this subsection, the exemption from property taxes shall terminate not later than 30 years from and after the date of the commencement of construction.; OR, IN THE EVENT THE FINANCING IS RESTUCUTRED BETWEEN MARCH 25, 2019 AND MARCH 25, 2021, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN FIFTEEN (15) YEARS FROM AND AFTER THE DATE OF COMMENCEMENT OF CONSTRUCTION FINANCED BY THE RESTRUCTURING, WHICHEVER IS LATER.

SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED AS THEY PERTAIN TO THE PORTER SENIOR APARTMENTS.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE

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VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE VALID.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

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PASSAGE OF ORDINANCE

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

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

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

☐ ADOPTED ☐ FAILED

ORDINANCE NO. _____

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

THE CITY OF LANSING ORDAINS:

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

872.01 – Definitions

As used in this chapter:

DOCKLESS ELECTRIC SCOOTER COMPANY MEANS A PERSON, AS DEFINED IN SECTION 202.03(18) OF THIS CODE, THAT OWNS, OPERATES, PROVIDES, OR OTHERWISE MAKES ELECTRIC SCOOTERS AVAILABLE TO THE PUBLIC TO USE ON A TEMPORARY BASIS FOR PAYMENT, WHERE SUCH ELECTRIC SCOOTERS ARE NOT REQUIRED TO BE PARKED OR DOCKED IN PHYSICALLY FIXED LOCATIONS OR DOCKS .

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

~~*Greater Lansing Taxi Authority* means the authority created by the cities of Lansing and East Lansing and incorporated pursuant to the Michigan Public Transportation Act, being MCL 124.451 et seq., for the purpose of regulating and licensing private taxicab companies, drivers for hire, and all persons, firms, and business entities acting as taxicab companies or drivers by carrying persons for hire, to and from such places as they may designate, within the municipalities provided in its rules and regulations.~~

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

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

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

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

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

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

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

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

Shuttle bus means any motor vehicle which transports individuals between pre-established fixed points for established fixed fees, not including taxicabs, limousines, publicly owned or church or school buses, buses utilized for living or camping purposes or motor vehicles utilized exclusively for funeral purposes.

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

~~(a) Vehicles used exclusively as hearses or funeral cars;~~
~~(b) Ambulances;~~
~~(c) Hotel buses or shuttles;~~
~~(d) Sightseeing buses;~~
~~(e) Motor coaches or motor buses.~~

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

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

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

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

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

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

1. LIMIT THE MAXIMUM SPEED OF ALL ELECTRIC SCOOTERS TO 15 MILES PER HOUR WITHIN THE CITY OF LANSING;
2. PROVIDE EASILY VISIBLE CONTACT INFORMATION ON EACH ELECTRIC SCOOTER, INCLUDING: A LOGO OR OTHER BRANDING; A UNIQUE IDENTIFICATION NUMBER IN FONT THAT IS VISIBLE FROM 30 FEET AWAY WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT; AND CONTACT INFORMATION FOR THE DOCKLESS ELECTRIC SCOOTER COMPANY THAT IS VISIBLE WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT, INCLUDING TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE;
3. MAINTAIN A 24-HOUR CUSTOMER SERVICE PHONE NUMBER FOR CUSTOMERS AND MEMBERS OF THE PUBLIC TO REPORT SAFETY CONCERNS, COMPLAINTS, OR TO ASK QUESTIONS;
4. RESPOND TO REQUESTS FROM ANY PERSON FOR REBALANCING, REPORTS OF INCORRECTLY PARKED ELECTRIC SCOOTERS, OR REPORTS OF UNSAFE/INOPERABLE ELECTRIC SCOOTERS BY RELOCATING, REPARKING, OR REMOVING THE ELECTRIC SCOOTERS, AS APPROPRIATE, WITHIN 2 HOURS OF RECEIVING NOTICE;
5. RESPOND TO REPORTS FROM ANY PERSON OF SAFETY OR MAINTENANCE ISSUES WITH A SPECIFIC DEVICE, BY REMOTELY MAKING THAT ELECTRIC SCOOTER UNAVAILABLE TO USERS IN ADDITION TO REMOVING THE ELECTRIC SCOOTER AS REQUIRED IN THIS SECTION;
6. ENSURE THAT ANY INOPERABLE OR UNSAFE DEVICE SHALL BE REPAIRED BEFORE IT IS PUT BACK INTO SERVICE;
7. ENSURE THAT THE USE POLICY INCLUDES CLEAR PROHIBITION ON MORE THAN ONE INDIVIDUAL RIDING ON AN ELECTRIC SCOOTER AT A TIME;
8. IMPLEMENT A MARKETING AND TARGETED COMMUNITY OUTREACH PLAN, AT THE PERSON'S OWN COST, TO PROVIDE ACCESS TO

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

9. COORDINATE WITH THE CITY TO IMPLEMENT AN EDUCATIONAL CAMPAIGN, AT THE PERSON'S OWN COST, TO INFORM THE PUBLIC REGARDING PERMISSIBLE PARKING LOCATIONS, SPEED LIMITS, SAFETY EQUIPMENT REQUIREMENTS AND RECOMMENDATIONS, AND GENERAL COURTESY;
10. INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY AGAINST ALL LIABILITY, ACTIONS, OR CLAIMS RESULTING FROM THE CONDUCT OR OPERATIONS RELATED TO ELECTRIC SCOOTERS BY ANY PERSON;
11. MAINTAIN INSURANCE PROVIDING LIABILITY COVERAGE IN AN AMOUNT NOT LESS THAN $500,000 PER INCIDENT AND $1,000,000 AGGREGATE; AND
12. SHARE DE-IDENTIFIED USAGE DATA, AS MORE FULLY DESCRIBED IN SECTION 872.04, WITH THE CITY OF LANSING.

B. THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT LICENSES DESCRIBED IN THIS SUBSECTION. ALL LICENSES ARE ANNUAL UNLESS REVOKED EARLIER AS PROVIDED IN SECTION 872.06. A NONREFUNDABLE FEE MUST BE PAID FOR A LICENSE; THE ANNUAL FEE FOR EACH CALENDAR YEAR, OR PORTION THEREOF, THAT THIS ORDINANCE IS IN EFFECT IS $2,500 UNLESS ADJUSTED AND SET BY RESOLUTION OF CITY COUNCIL. AN ADDITIONAL ORIGINATION FEE FOR EACH ELECTRIC SCOOTER RIDE THAT ORIGINATES IN THE CITY OF LANSING SHALL BE PAID TO THE CITY ON A MONTHLY BASIS; THE ORIGINATION FEE DURING THE EACH CALENDAR YEAR, OR PORTION THEREOF, THAT THIS ORDINANCE IS IN EFFECT IS $.10 UNLESS ADJUSTED AND SET BY RESOLUTION OF CITY COUNCIL. AFTER OFFSETTING COSTS RELATED TO THE PERMIT PROCESS AND ENFORCEMENT OF OPERATIONAL AND PARKING RESTRICTIONS, ALL FEES COLLECTED UNDER THIS SECTION SHALL BE ALLOCATED TO FUND PROGRAMS CONSISTENT WITH THE CITY'S "COMPLETE STREETS" INITIATIVE, AS SET FORTH IN

SECTION 1020.13, SO AS TO MAINTAIN AND EXPAND THE CITY'S INFRASTRUCTURE AND RIGHTS OF WAY UTILIZED BY ELECTRIC SCOOTERS.

C. A LICENSE MAY NOT BE TRANSFERRED FROM ANY PERSON TO ANOTHER PERSON.

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

872.03. – LICENSE APPLICATION; CITY CLERK APPROVAL REQUIRED.

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

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

C. SUCH APPLICATION SHALL INCLUDE

1. THE FULL NAMES AND ADDRESSES OF THE OWNER OR OPERATOR OF THE APPLICANT;
2. THE ADDRESS OF THE APPLICANT'S LOCAL BUSINESS OFFICE;
3. THE LOGO OR OTHER BRANDING UNIQUE TO THE APPLICANT THAT WILL BE VISIBLE ON EVERY ELECTRIC SCOOTER IT OPERATES OR MAKES AVAILABLE;
4. THE TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE THAT THE PUBLIC MAY CONTACT TO LODGE COMPLAINTS OR MAKE REPORTS; AND
5. ANY OTHER INFORMATION THE CITY CLERK DEEMS NECESSARY AND PROPER.

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

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

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

872.04. – DATA SHARING

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

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

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

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

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

A. ELECTRIC SCOOTERS SHALL BE PARKED UPRIGHT ON HARD SURFACES ON THE SIDEWALK, BUT ONLY IF AT LEAST 5 LINEAR FEET OF UNOBSTRUCTED SIDEWALK, MEASURED FROM THE PROPERTY LINE OR NEAREST FIXED

STRUCTURE TOWARDS THE PARKWAY AS THOSE TERMS ARE DEFINED IN CHAPTER 1020, IS PRESERVED FOR SAFE PEDESTRIAN TRAVEL.

B. ELECTRIC SCOOTERS MAY NOT PARK IN SUCH A MANNER THAT IMPEDES OR INTERFERES WITH ACCESS TO OR USE OF:
   1. SIDEWALKS, CROSSWALKS, OR SIDEWALK RAMPS
   2. BUS STOPS, SHELTERS, OR WAITING AREAS
   3. LOADING ZONES OR HANDICAPPED PARKING SPACES
   4. FIRE HYDRANTS
   5. BENCHES
   6. PARKING METERS OR PAY STATIONS
   7. ANY COMMERCIAL WINDOW DISPLAY
   8. ACCESS TO OR FROM ANY BUILDING
   9. ANY BICYCLE RACK
   10. DRIVEWAYS OR ALLEYS

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

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

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

872.06. – LICENSE REVOCATION.

A LICENSE REQUIRED UNDER SECTION 872.02 MAY BE REVOKED BY CITY COUNCIL IF THE LICENSEE OPERATES IN SUCH A WAY AS TO VIOLATE THE TERMS OF ITS LICENSE, THE LAWS OF THE STATE, OR THE ORDINANCES OR REGULATIONS OF THE CITY. UPON RECEIVING NOTICE OF SUCH A VIOLATION, THE CHIEF OF POLICE OR THE CHIEF'S REPRESENTATIVE SHALL FILE A PETITION WITH THE CITY CLERK SPECIFYING THE VIOLATION WITH WHICH THE LICENSEE IS CHARGED AND REQUESTING THAT THE DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE BE

REVOKED. UPON RECEIPT OF SUCH PETITION, COUNCIL SHALL SET A DATE FOR A HEARING ON SUCH ALLEGED VIOLATIONS, AND THE LICENSEE SHALL BE GIVEN NOT LESS THAN FIVE DAYS WRITTEN NOTICE OF THE HEARING. AT SUCH HEARING THE LICENSEE MAY APPEAR IN PERSON OR BY AGENT OR ATTORNEY AND MAY SUBMIT EVIDENCE IN ITS DEFENSE. IF COUNCIL DETERMINES THAT THE VIOLATION HAS BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE, THE DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE MAY BE REVOKED.

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

Section 8. 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 9. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire on December 31, 2028.

XV A.1.a

Chris Swope
Lansing City Clerk

March 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**
Board of Police Commissioners	January 15, 2019 February 19, 2019
Demolition Board	February 22, 2018 March 22, 2018 August 23, 2018 October 25, 2018 December 6, 2018 January 24, 2010
Lansing Entertainment and Public Facilities Board	January 22, 2019

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

Sincerely,

Chris Swope

Chris Swope, CMC, CMMC
Lansing City Clerk

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

WHEREAS, the City Clerk has forwarded an application for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

Lansing Lugnuts/Melrose Pyrotechnics Inc. for a public display of fireworks in the City of Lansing at 505 E Michigan Ave., to be held on April 6, May 3, May 5, June 1, 14, 15, 28, 29 July 4, 19, 20, 27, August 9, 16, 17, 24, October 5

INTRODUCTION OF ORDINANCES

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

Z-1-2019: West 5,295.5 square feet of 901 Cleveland Street from "B" 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-1-2019: West 5,295.5 square feet of 901 Cleveland Street from "B" Residential District to "F" Commercial District

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-1-2019, West 5,295.5 square feet of 901 Cleveland Street
Rezoning from "B" 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 to consider **Z-1-2019.** This is a request by Ahptic Productions, LLC to rezone the west 5,295.5 square feet of 901 Cleveland Street from "B" Residential District to "F" Commercial District. The purpose of the rezoning is to permit development of the subject property for parking and/or a building that would be used for commercial purposes or storage.

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

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number:	Z-1-2019
Parcel Number:	33-01-01-10-331-192
Address:	West 5,295.5 square feet of 901 Cleveland Street
Legal Descriptions:	West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision, from "B" 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.

GENERAL INFORMATION

APPLICANT/OWNER:	Ahptic Productions, LLC 901 Cleveland Street Lansing, MI 48906
REQUESTED ACTION:	Rezone the west 5,295.5 square feet of 901 Cleveland from "B" Residential District to "F" Commercial District
EXISTING LAND USE:	Vacant – Single family home was demolished in 2015
EXISTING ZONING:	"B" Residential District
PROPOSED ZONING:	"F" Commercial District
PROPERTY SIZE:	"L" Shaped lot – 10,902.5 square feet (.25 acres) West 5,295.5 square feet – area to be rezoned
SURROUNDING LAND USE:	N: Single Family Residential S: Single Family Residential E: Single Family Residential W: Single Family Residential
SURROUNDING ZONING:	N: "B" Residential District S: "B" Residential District E: "B" Residential District W: "B" Residential District
MASTER PLAN:	The Design Lansing Comprehensive Plan designates the subject property as "Residential Corridor". E. Oakland is designated as a principal arterial.

DESCRIPTION:

This is a request by Ahptic Productions, LLC to rezone the west 5,295.5 square feet of 901 Cleveland Street from "B" Residential District to "F" Commercial District, legally described as:

Entire Parcel: "Lot 11 & the West 43 feet of Lot 10, Block 2, Rouses Subdivision"

Area to be rezoned: "West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision"

The purpose of the rezoning is to permit development of the subject property for parking and/or a building that would be used for commercial purposes or storage.

BACKGROUND INFORMATION

The property that is the subject of the rezoning contained a single family home that was demolished by the Ingham County Land Bank in 2015. The applicant purchased the property from the Land Bank in 2017 and subsequently combined it with the adjoining property to the east at 901 Cleveland Street. The two properties are now one parcel of land with two different zoning designations. The property at the corner of Cleveland and E. Oakland is zoned "F" Commercial and contains a video/film production studio. The property that was purchased from the Land Bank is zoned "B" Residential. The request is to rezone the area of the site that is zoned "B" Residential to "F" Commercial for the purpose of constructing a storage building or additional parking to support the existing production studio or for another commercial building with associated parking.

AGENCY RESPONSES

Assessing:	No objections.
BWL:	
Building Safety:	The Building Safety Office has no objection. This project will be subject to site plan and building plan review as set forth by the State Construction Code.
Development Office:	
Fire Marshal:	
Parks & Recreation:	No comment.
Public Service:	For a parking lot where the residential property at 1215 E. Oakland Ave. resided, they should be made aware up-front that they will not simply be able to pave a parking lot with sheet flow stormwater runoff. A site plan submittal would be required, and they will have to meet stormwater requirements, which, at a minimum, will include at least one catch basin in the new parking lot with a hard-piped connection to the public storm sewer. Now, assuming they are combining the parcels, they are fortunate in that we left a storm stub connection for their business at 901 Cleveland (this is shown on the attached drawing). In addition to the catch basin and piped connection and pending a review of what they are proposing, requirements for stormwater solids treatment and stormwater retention will likely apply. Lastly, any new driveway approaches would have to be reviewed in conjunction with the site plan submittal.

Traffic Engineer:	No objection as long as a sufficient buffer is provided. All parking should use the existing drive of the commercial property. If the demolished house used a shared drive, the rezoned property should not be permitted to do so.

REZONING CRITERIA

Compatibility with Surrounding Land Use

The proposed rezoning will not be consistent with the existing zoning and land use patterns in the area. With the exception of the area of 901 Cleveland Street that is currently zoned "F" Commercial, the subject property is completely surrounded by properties that are zoned "B" Residential and are being used for single family residential purposes. As evidenced by the attached maps, the requested rezoning would allow for a significant intrusion of non-residential land use/development into the residential area. Nonresidential development on the subject property could result in negatively impacting the surrounding residential environment through light glare, noise and diminished privacy as a result of an increased level of activity on the site. Approval of the rezoning could also set a negative precedent for future rezonings in the vicinity of the subject property and along the E. Oakland Avenue corridor in general.

Compliance with Master Plan

The Design Lansing Comprehensive Plan designates E. Oakland Avenue from Ballard Street to the west to the E. Cesar Chavez/E. Oakland Avenue intersection to the east, which includes the subject property, as "Residential Corridor". The intent of this land use designation is:

> "To allow medium-density residential development in a variety of urban formats, rather than a conversion of residential to commercial use, along certain high-traffic streets that also serve as transit routes or are within easy walking distance (¼ mile)."

The Plan described the following as the typical location criteria for this designation:

> "Typical location/location criteria: Located on or within walking distance of an existing transit route currently developed for low-density or medium-low-density residential use **where some commercial uses have also been developed, indicating pressure to transition from residential to commercial use**."

The Design Lansing Comprehensive Plan clearly discourages rezoning residential parcels along the "Residential Corridor" to commercial zoning designations. The applicant's request, therefore, is in direct conflict with the intent and purpose of the Plan.

Impact on Vehicular and Pedestrian Traffic

No new driveways will be permitted along E. Oakland Avenue. Any new development will be required to utilize the E. Oakland Avenue driveway on the area of the site that is currently zoned "F" Commercial. Non-residential traffic will not be permitted to utilize the joint driveway that provides access to 1211 E. Oakland Avenue and previously provided access to the single family home on the subject property.

Impact on Public Facilities

See comments from the Public Service Department on page 2 of the report. The Board of Water & Light will provide comments relative to water and electric service.

Environmental Impact

Any new development that results in 1,000 square feet of new impervious surface being added to the site will have to be reviewed and approved through the City's administrative site plan review process.

Impact on Future Patterns of Development

Rezoning the subject property from "B" Residential to "F" Commercial could have a negative impact on future patterns of development in the area. The proposed "F" Commercial zoning is contrary to the residential land use pattern being advanced in the Master Plan as described on page 3 of this report. Furthermore, development of the subject property for nonresidential purposes could infringe on the enjoyment and privacy of the surrounding residential area. Many of the uses permitted by right in the "F" Commercial district would significantly increase the level of activity on the site and generate noise and light glare that would negatively impact adjoining residential uses. Approval of the rezoning request, in spite of its conflict with the Master Plan and incompatibility with the surrounding zoning and land use patterns, could set a negative precedent for future requests to rezone residential properties along E. Oakland Avenue to commercial zoning designations.

SUMMARY

This is a request by Ahptic Productions, LLC to rezone the west 5,295.5 square feet of 901 Cleveland Street from "B" Residential District to "F" Commercial District, legally described as:

Entire Parcel:	"Lot 11 & the West 43 feet of Lot 10, Block 2, Rouses Subdivision"
Area to be rezoned:	"West 43 feet of Lot 10 & the West 42 feet of Lot 11, Block 2, Rouses Subdivision"

The purpose of the rezoning is to permit development of the subject property for parking and/or a building that would be used for commercial purposes or storage.

Rezoning the subject property to the "F" Commercial district would not be consistent with the established zoning pattern in the area and would allow for land uses that are not compatible with the surrounding residential neighborhood. The "F" Commercial zoning would also be contrary to the residential land use pattern being advanced in the Design Lansing Comprehensive Plan. In addition, approval of the rezoning could impact future patterns of development by setting a negative precedent for future rezoning requests in the vicinity of the subject property and along the E. Oakland Avenue corridor in general.

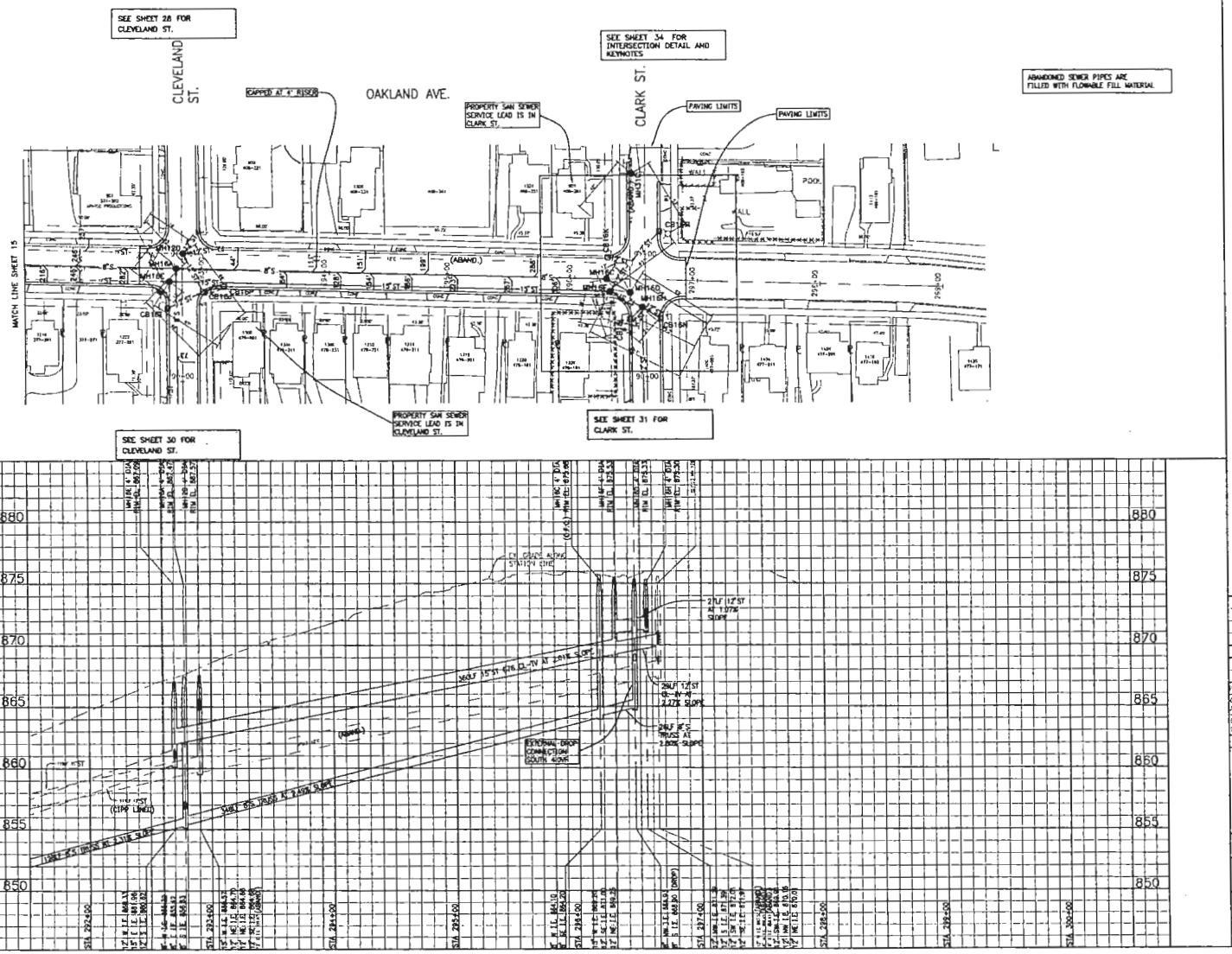
RECOMMENDATION

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

> Recommend that Z-1-2019 be **denied** to rezone the west 5,295.5 square feet of the property at 901 Cleveland Street from "B" Residential District to "F" Commercial District, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



QUANTITIES – AS BID THIS SHEET

BENCHMARKS:

ITWPS B.M. 958 SET MAGNAIL NE FACE POWER POLE AT SW CORNER OF CLEVELAND & OAKLAND. ELEV. 867.42

ITWPS B.M. 959 SET MAGNAIL NORTH SIDE POWER POLE AT SE CORNER OF OAKLAND & FAIRFAX. ELEV. 857.48

ISSUE	NATURE OF REVISION	DATE
1	T.O. #26	6/23/08
	CONFORMING TO CONST. RECORDS	02/10
	WCD 191	4/11/07
	PHASE IV SEGMENT 4	
	018SE SEPARATION 2007-2008	

PRIME CONTRACTOR:	KAMMINGA & ROOZEVOTES INC.
CONSTRUCTION ADMINISTRATOR:	BRAD FRAKER – TT
CONSTRUCTION OBSERVATION BY:	RALPH STOVER – TT
R. CONTRACT	123P0166.096.S-1

TETRA TECH

DESIGNED: M. McPHERSON | DRAWN: J. KILLIPS

SCALE: 1" = 40' | CADD DATE:

DEPARTMENT OF PUBLIC SERVICE
LANSING, MICHIGAN

OAKLAND AVENUE
STA. 291+50 TO STA. 299+00

APPROVED
DEPARTMENT OF PUBLIC SERVICE
DATE
HORIZONTAL 1"=40' VERTICAL 1"=4'

FILE NO. 5867

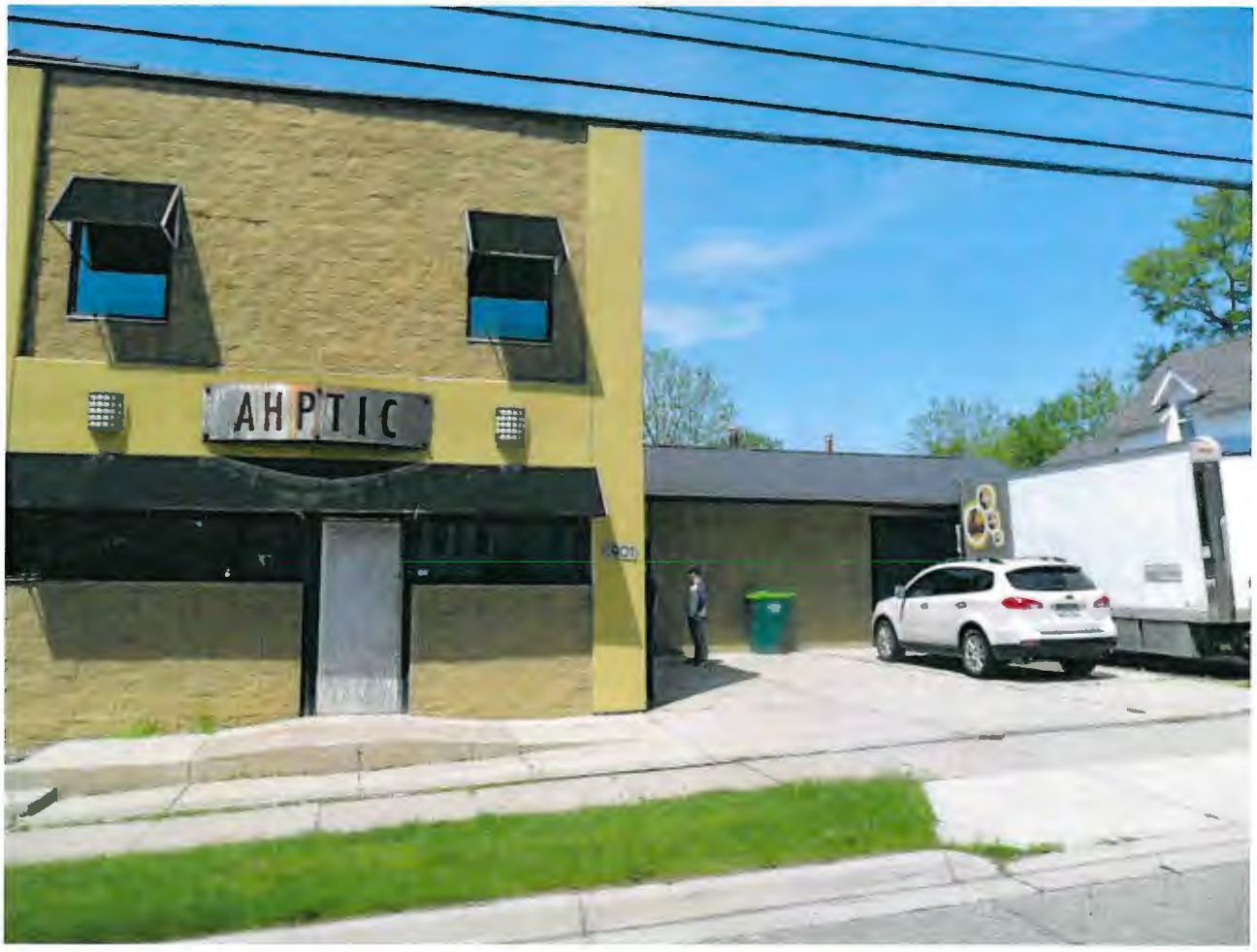
PROJECT NO. PS 27067

SHEET 16 OF 51 SHEETS

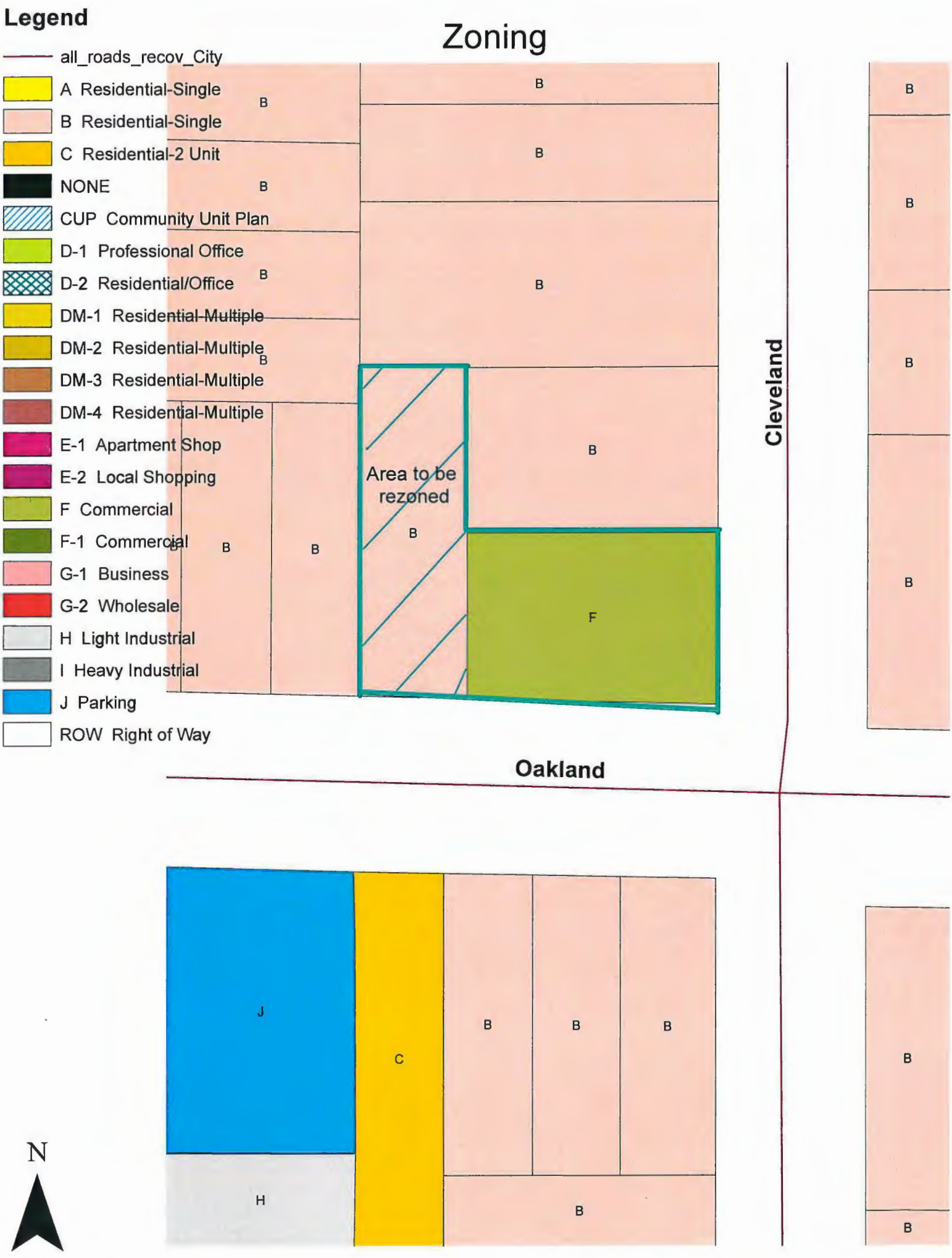
PS 27067

PHASE IV SEGMENT 4 – 018SE SEPARATION

RECORD COPY


AHPTIC

area to be rezoned
house has been demolished
901 Cleveland
Cleveland
Oakland
N


Legend
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A Residential-Single
B Residential-Single
C Residential-2 Unit
NONE
CUP Community Unit Plan
D-1 Professional Office
D-2 Residential/Office
DM-1 Residential-Multiple
DM-2 Residential-Multiple
DM-3 Residential-Multiple
DM-4 Residential-Multiple
E-1 Apartment Shop
E-2 Local Shopping
F Commercial
F-1 Commercial
G-1 Business
G-2 Wholesale
H Light Industrial
I Heavy Industrial
J Parking
ROW Right of Way
Zoning
Area to be rezoned
Cleveland
Oakland
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-2-2019: 714 N. Pine Street from "C" Residential District to "D-1" Professional Office 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-2-2019: 714 N. Pine Street from "C" Residential District to "D-1" Professional Office District

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number:	Z-2-2019
Parcel Number's:	33-01-01-09-363-041
Address:	714 N. Pine Street
Legal Descriptions:	North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat, from "C" 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 on the 30th day after enactment.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-2-2019, 714 N. Pine Street
Rezoning from "C" Residential District to "D-1" Professional Office 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-2-2019.** This is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street from "C" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses.

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:	Capital Area Housing Partnership 600 W. Maple Street, Suite D Lansing, MI 48906
OWNER:	Niowave Properties, LLC 1012 N. Walnut Street Lansing, MI 48906
REQUESTED ACTION:	Rezone 714 N. Pine Street from "C" Residential to "D-1" Professional Office
EXISTING LAND USE:	Single Family Dwelling
EXISTING ZONING:	"DM-3" Residential District
PROPOSED ZONING:	"D-1" Professional Office District
PROPERTY SIZE & SHAPE:	29' x 100.9' = 2,927 square feet
SURROUNDING LAND USE:	N: Single Family Residential S: Parking Lot/Commercial Building E: Multiple Family Residential Building W: Single Family Residential
SURROUNDING ZONING:	N: "C" Residential District S: "J" Parking & "F" Commercial Districts E: "DM-3" Residential District W: "C" Residential District
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property for medium-low density residential use. Pine Street, north of E. Oakland Avenue, is designated as a local road.

SPECIFIC INFORMATION

This is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street, legally described as:

> "North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat"

from "C" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses.

AGENCY RESPONSES:

Assessor:	No objections.
BWL:	
Building Safety:	The Building Safety Office has no objections to the rezoning. This project is subject to building plan review as set forth by the State Construction Code Act.
Fire Marshal:	
Parks & Rec.:	No comments.
Public Service:	No comments.
Transportation:	No objection to the rezoning. If the current house is demolished now or in the future, a sufficient buffer should be required between the D-1 structure and the adjacent residential use.

ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USE

The subject property has historically been used for a single family residential dwelling. The applicant, which also owns the adjoining apartment building at 516 W. Saginaw Street, recently purchased the property with the intent of renovating it into office space and a 1-bedroom apartment unit that would be utilized/occupied by the manager of the apartment building.

The apartment building adjoins single family residential uses to its north and east. High density residential uses can have a negative impact on single family residential uses simply due to the vast difference in the level of activity associated with the two uses. Providing on-site management (which has not been provided in the past for 516 W. Saginaw Street) is a very positive step towards mitigating any negative impacts on the surrounding area and thus, strengthening the compatibility between the two uses. To that end, approval of the rezoning to accommodate on-site management for the apartments will have a positive effect on the surrounding area.

COMPLIANCE WITH MASTER PLAN

The Design Lansing Comprehensive Plan designates the subject property for medium – low density residential use. Since the proposed "D-1" Professional Office zoning permits medium-low density residential uses as a matter of right, the applicant's proposal is consistent, at least in part, with the specific land use designation being advanced in the

Master Plan. It is entirely consistent with one of the central goals of Master Plan which is to enhance the City's commercial corridors while preserving and protecting its residential neighborhoods.

The applicant for this request owns the adjoining multiple family residential property at 516 W. Saginaw Street which is located on one of the City's primary commercial corridors and directly adjoins a single family residential neighborhood to its north and east. If approved, the applicant intends to renovate the building at 714 N. Pine Street so that the manager of the adjoining apartment building would have an office on the first floor and could live in a second story 1-bedroom apartment. By providing continuous on-site management, any issues that arise can be promptly addressed so that the apartment building does not negatively impact the adjoining single family residential uses or the commercial corridor upon which it is located.

IMPACT ON VEHICULAR AND PEDESTRIAN TRAFFIC

No impacts on vehicular or pedestrian traffic are anticipated to result from the proposed rezoning. The traffic generated by converting the building at 714 N. Pine Street into living space and office space for the manager of the adjoining apartment building will be no greater than what has historically been generated by use of the building for a single family dwelling. In fact it may even be less since the building will only house a 1-bedroom apartment for the person who will also operate the office, whereas, the house could have had multiple occupants.

Four parking spaces are required for the proposed first floor office space and the upper floor 1-bedroom residential apartment. The existing parking area behind the building can accommodate 4, possibly 5 parking spaces which is more than adequate to support the proposed uses.

ENVIRONMENTAL IMPACT

There are no physical changes proposed for the site and therefore, the rezoning will have no impact on the natural environment. Occupants and visitors to the site will utilize the existing parking behind the building, which is more than adequate to support the proposed residential/office uses.

IMPACT ON FUTURE PATTERNS OF DEVELOPMENT

The request to rezone the subject property to the "D-1" Professional Office district is not anticipated to have any negative impacts on future land use patterns in the area. The rezoning will not result in any actual changes to the area from what currently exists. It will merely provide an office and an apartment for the manager of the adjoining apartment building so that it can be continuously monitored and any issues addressed in a timely manner.

SUMMARY

This is a request by Capital Area Housing Partnership to rezone the property at 714 N. Pine Street, legally described as:

> "North 29 feet of the West 100 feet, 11 inches of Lot 9, Block F, Subdivision of Blocks 26 & 27, Original Plat"

from "C" Residential District to "D-1" Professional Office District. The purpose of the rezoning is to permit use of the building at this location for a combination of office and residential uses.

The proposed rezoning is consistent with the goals of the Master Plan and the established land use pattern in the area. In addition, no adverse impacts on vehicular and pedestrian traffic, the environment or future patterns of development are anticipated to result from approval of the rezoning.

RECOMMENDATION

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

> Recommend that Z-2-2019 be approved to rezone the property at 714 N. Pine Street from "C" Residential District to "D-1" Professional Office District, based on the findings of fact as outlined in this staff report.

Respectfully Submitted,

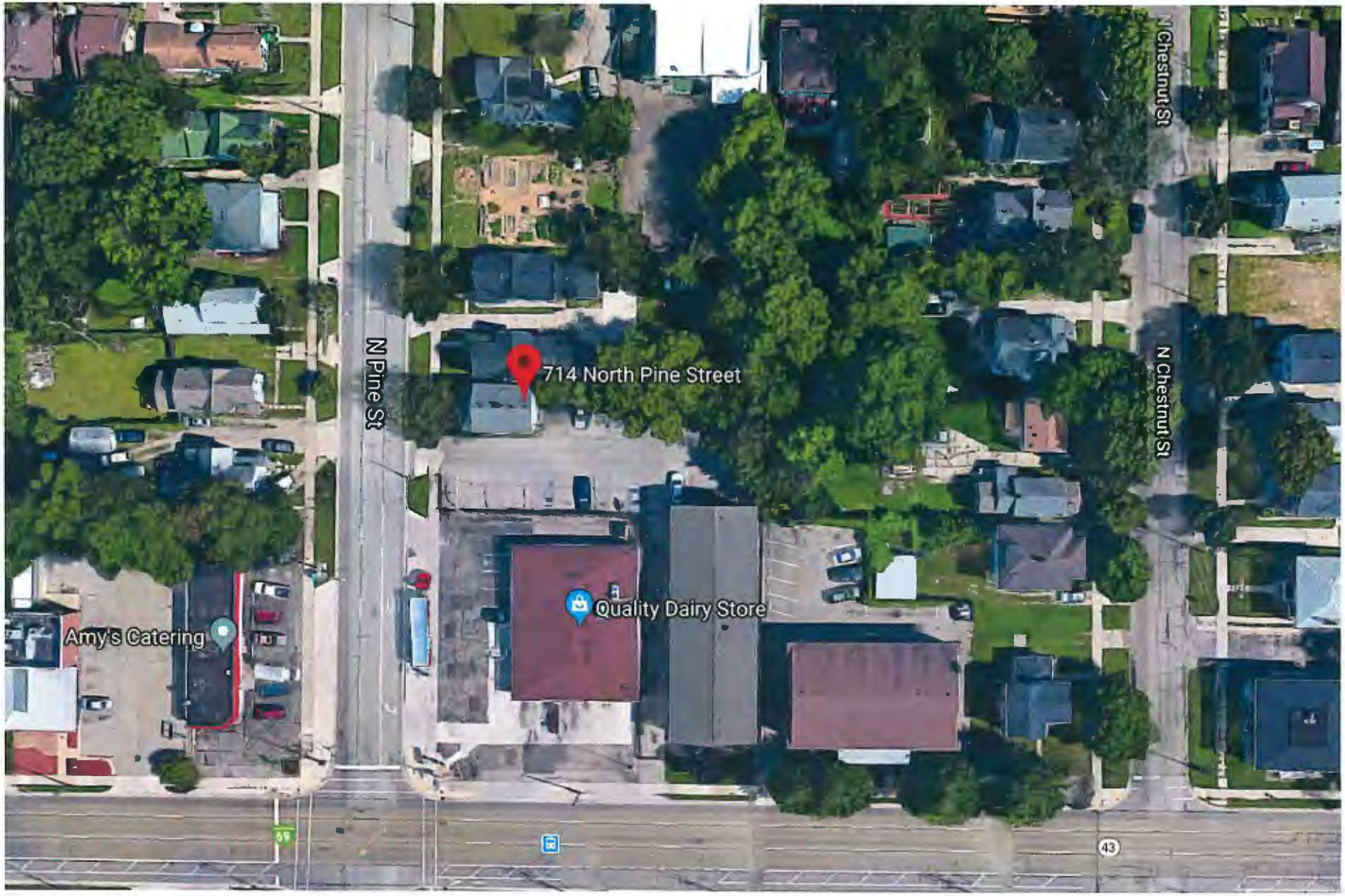
Susan Stachowiak
Zoning Administrator

metroPOS

2017
metro
Quality Dairy

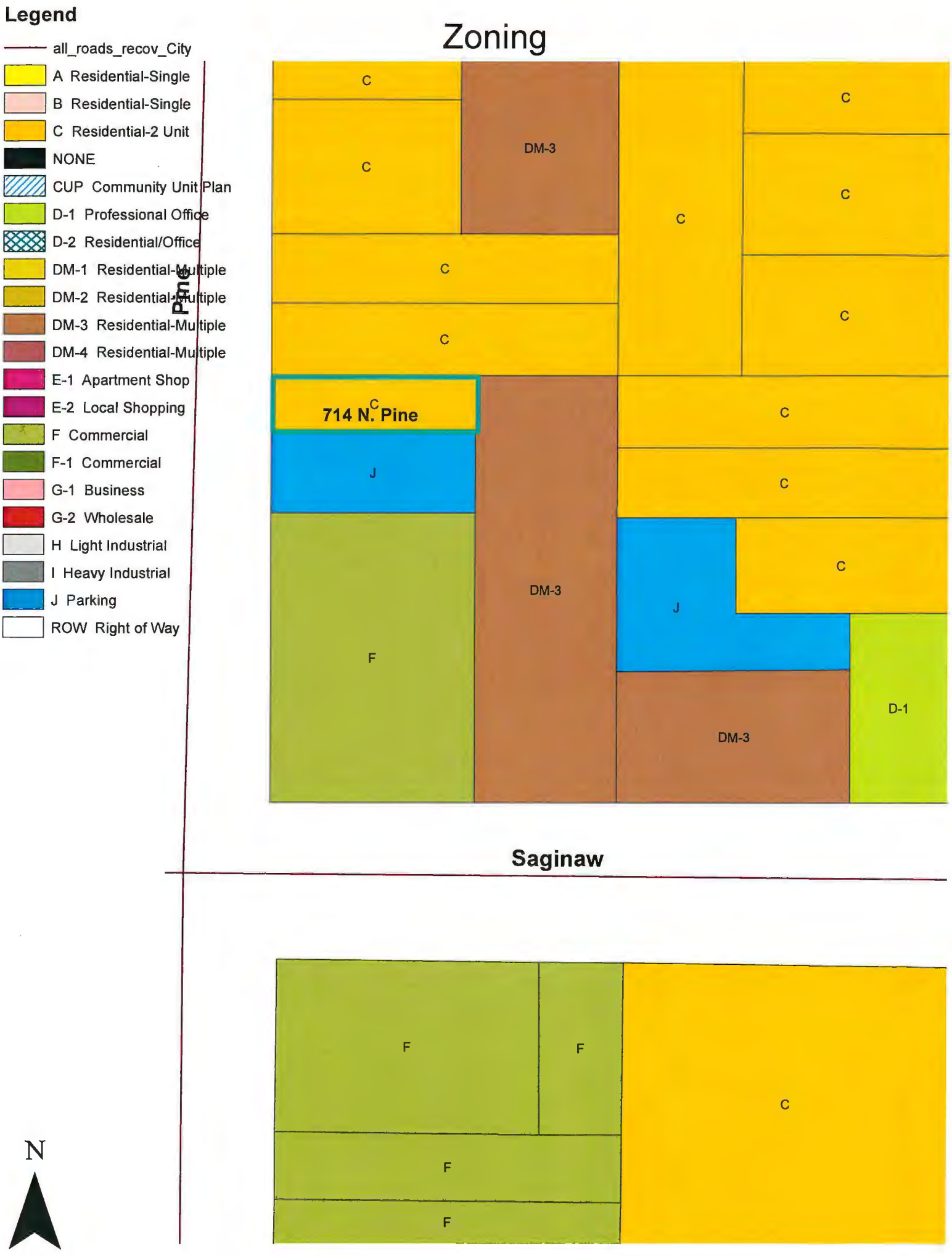
Apartment building at 516 W. Saginaw adjoining 714 N. Pine Street

Google Maps 714 N Pine St



714 N. Pine
N

Zoning


Legend
all_roads_recov_City
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
Pine
714 N. Pine
Saginaw
N

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

Act-2-2019, Eastside Connector (PPN 33-01-01-15-126-284, 33-01-01-15-226-012, 33-01-01-15-226-003), License Agreement

WHEREAS, the City of Lansing plans to construct a 10 feet wide paved pathway with two feet shoulders each side beginning at Pennsylvania Avenue and traversing east and north through the aforementioned parcels and terminating at Saginaw Street/M-43; and

WHEREAS, these plans include the connection of Downtown Lansing with the Frandora Hills area on the eastern City limits and require license agreements for a tract of land up to 10 feet each side of the centerline of the proposed pathway alignment for public, non-motorized, use and maintenance; and

WHEREAS, on January 29, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that:

- the construction of the pathway will take place with Federal and City matching funds,
- the community character is enhanced by this proposal, because all changes reflect the city's Complete Street Ordinance; and

WHEREAS, on January 29, 2019, the Board voted unanimously (4-0) to recommend approval of Act-2-2019, of the request for the construction of the Eastside Connector onto a new tract of land established under agreements made between the City of Lansing and the parcel owners; 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-2-2019 for the interests in real property associated with the construction of the Eastside Connector.

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-15-126-284 is generally described as:

> SECTION 15, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 15; THENCE S01DEG15'05"W, 40 FEET; THENCE N88DEG31'40"W, 335.76 FEET ALONG THE SOUTH LINE OF EAST SAGINAW STREET; THENCE S01DEG52'00"W 395.17 FEET ALONG THE EAST LINE OF THE "JONES & PORTER'S ADDITION TO THE CITY OF LANSING", AS RECORDED IN LIBER 2 OF PLATS, PAGE 20, INGHAM COUNTY RECORDS AND THE EAST LINE OF THE "FAIRVIEW SUBDIVISION

TO THE CITY OF LANSING" AS RECORDED IN LIBER 3 OF PLATS, PAGE 46, INGHAM COUNTY RECORDS; THENCE N88DEG32'59"W, 940.21 FEET ALONG THE SOUTH LINE OF SAID "FAIRVIEW SUBDIVISION TO THE CITY OF LANSING"; THENCE S01DEG52'00"W, 898.58 FT ALONG THE EAST LINE OF PENNSYLVANIA AVENUE TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH E 1,130 FT ALONG THE PRIVATE DRIVE, SE 225 FT TO 32 FT N OF THE S PROPERTY LINE, E 1,840 FT TO THE E ROW LINE OF MARSHALL ST; SEC 15, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-15-226-012 is generally described as:

SECTION 15, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM AT THE NW COR LOT 1 BLOCK 1 RUMSEYS MICHIGAN AVENUE ADD; TH N 24 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH E 516 FT TO A POINT 52 FT E AND 18 FT N OF LOT 1 J B RAYNERS ADD; SEC 15, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-15-226-003 is generally described as:

SECTION 15, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 40 FT S OF NE COR SEC 15, TH S 1560.25 FT TO N LINE LONGYEARS ADD, W 369.49 FT, N 18 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; E 4104 FT, N 1447 FT TO THE S LINE OF E SAGINAW STREET; SEC 15 T4N R2W; and

BE IT FURTHER RESOLVED, that the public pathway be placed in an agreement that meets the requirements of the Public Service Department; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-15-126-284 one dollar for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-15-226-012 one dollar for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-15-226-003 one dollar for the conveyance of said license agreement.

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

Andy Schor, Mayor

ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT-_____

DATE SUBMITTED:_____

Applicant: City of Lansing

Address *(including zip code)*: 124 W Michigan Avenue, 7th Floor City Hall, Lansing, MI 48933

Phone number: (517) 483-4248

Fax number: (517) 483-6082 Email: andrew.kilpatrick@lansingmi.gov

Interest in Property:

☐ Owner ☐ Represent owner ☐ Option to buy

☒ Other: License Agreement for construction and maintenance of non-motorized pathway

If applicant of not the owner, or if there is more than one owner, provide the following information *(attach additional sheets if necessary)*:

Name of owner(s): See Additional Sheets

Address *(including zip code)*:

Phone number(s):

Fax number: Email:

SUBJECT PROPERTY GENERAL INFORMATION:

Address *(if any)*: See Additional Sheets

Location description:

Permanent parcel #:

Legal description *(see note below)*:

Applicant's proposal: The city of Lansing is proposing the construction of a ten-feet wide non motorized pathway constructed on an 8 inch aggregate base comprising of 3.5 inches of Hot-Mix-Asphalt and a 2-feet aggregate shoulder on each side of the pathway. The patway will be constructed on Lansing School district property beginning at the east side of Pennsylvania Avenue public right-of-way at Shiawassee Street just north of the existing school driveway, the pathway will follow the driveway to the Field House then cross the driveway with an ADA compliant crossing and continue east on the north side of the field house then south to the southern property line and continuing east to the Marshall Street Property where the pathway will cross Marshall street and continue eastward along the south side of the old Armory property and continue eastward onto School district property until it reaches the eastern parcel line at which time it will head northward along the property line to Saginaw Street. Three neighborhood connections will be incorporated into the project allowing access for the residents and students to access the path. The proposed pathway will be carried east and west on another project connect the network to downtown Lansing and the Frandor area. The proposed network, when complete, will allow access for students, recreational use, and utilitarian uses such as shopping and commuting to work. All parcel owners will be paid $1 each for the execution of the agreement and use of the land in which the pathway occupies.

REQUESTED ACTION: (please check one)

☐ City Acquisition of Property ☐ Street or Alley Closure ☐ City Sale of Property

☐ Vacation of R.O.W ☐ Significant Change of Use of City Property

☑ Other: Liscense Agreements

What positive impacts (if any) will occur as a result of approving this proposal?

Non-motorized recreational and utilitarian access for area residents between downtown Lansing, Lansing Schools, Sparrow Hospital, Lansing Rivertrail and Frandor area will be provided.

What negative impacts (if any) will occur if this proposal is not approved?

A complete non-motorized connection will not be afforded to the area residents and Federal funding will be lost.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

No negative impacts are anticipated. The city has been in discussion with the Lansing School District, the owners of the former Armory parcel and area residents and has involved them in the design process and incorporated any requests that were feasible.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over $50,000	$100.00
Involving land sales under $50,000	$50.00

Signature of applicant:

_____/_____
Date

Signature of owner(s):

_____/_____
Date

_____/_____
Date

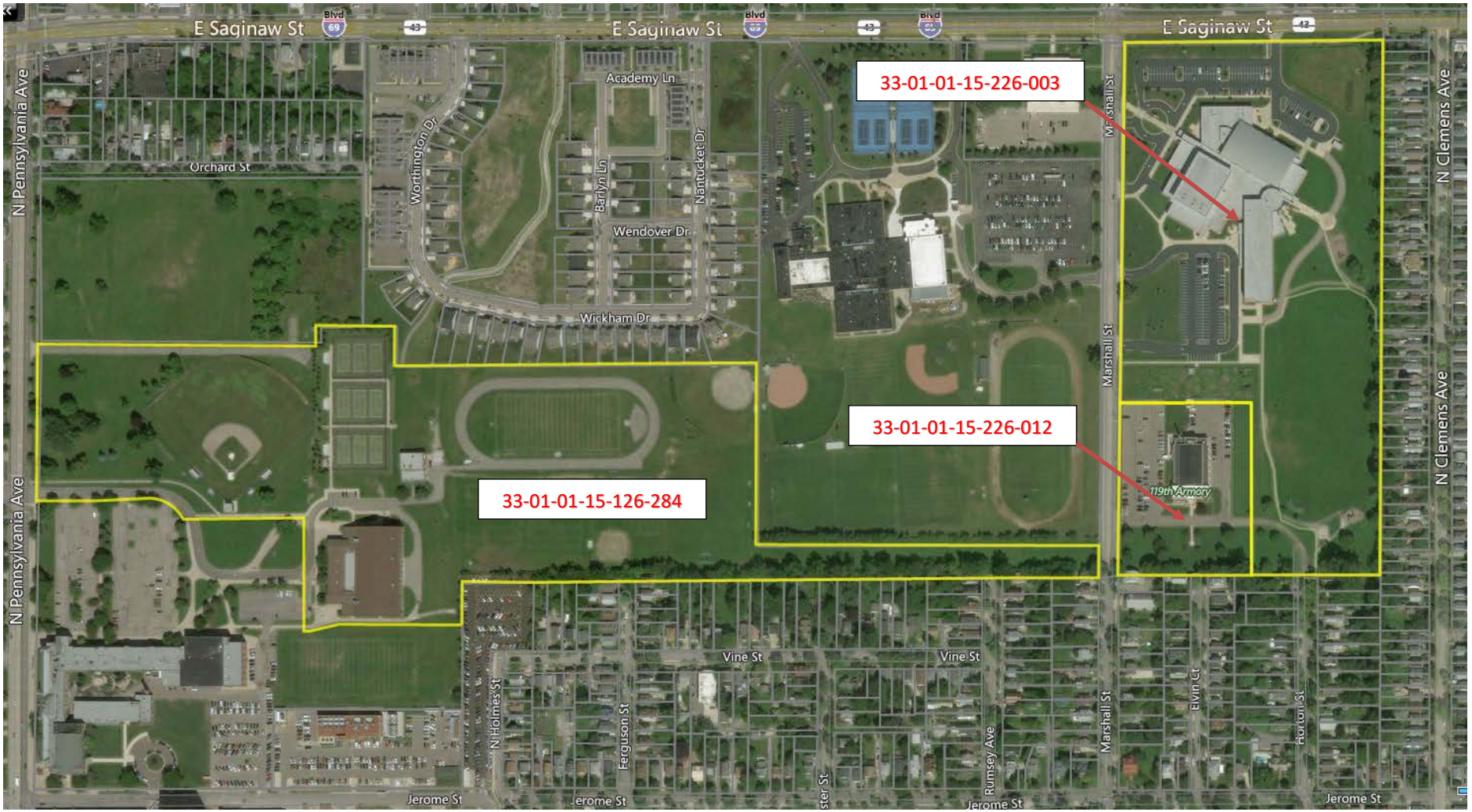
_____/_____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036

Overall View of the Three Parcels the City of Lansing Proposes Constructing a Non-Motorized Pathway



Name of Owner: Lansing School District
Address: 519 W. Kalamazoo St.
Lansing, MI 48933-2080
Phone Number: (517) 755-1010
Fax Number:
Email:

Subject Property General Information

Address: 334 N. Pennsylvania Avenue
Lansing, MI 48912

Location Description: Parcel is located adjacent residential and businesses in the City of Lansing, Ingham County. The parcel is east of Pennsylvania Avenue, directly east of Shiawassee Street and Pennsylvania Avenue Intersection and North of Sparrow Hospital.

Permanent Parcel#: 33-01-01-15-126-284

Legal Description:

PARCEL E PART OF THE NORTH 1/2, SECTION 15, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 15; THENCE S01DEG15'05"W, 40 FEET; THENCE N88DEG31'40"W, 335.76 FEET ALONG THE SOUTH LINE OF EAST SAGINAW STREET; THENCE S01DEG52'00"W 395.17 FEET ALONG THE EAST LINE OF THE "JONES & PORTER'S ADDITION TO THE CITY OF LANSING", AS RECORDED IN LIBER 2 OF PLATS, PAGE 20, INGHAM COUNTY RECORDS AND THE EAST LINE OF THE "FAIRVIEW SUBDIVISION TO THE CITY OF LANSING" AS RECORDED IN LIBER 3 OF PLATS, PAGE 46, INGHAM COUNTY RECORDS; THENCE N88DEG32'59"W, 940.21 FEET ALONG THE SOUTH LINE OF SAID "FAIRVIEW SUBDIVISION TO THE CITY OF LANSING"; THENCE S01DEG52'00"W, 485.78 FEET ALONG THE EAST LINE OF PENNSYLVANIA AVENUE TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE N88DEG05'53"E 810.28 FEET; THENCE N01DEG54'07"E, 60.00 FEET; THENCE ALONG THE SOUTHERLY LINE AND ITS WESTERLY EXTENSION OF "PARK PLACE AT EAST VILLAGE CONDOMINIUM", AS RECORDED IN INSTRUMENT NO. 2013-057489, INGHAM COUNTY RECORDS FOR THE FOLLOWING THREE (3) COURSES, (1) S88DEG05'53"E, 230.00 FEET, (2) S01DEG54'07"W, 115.13 FEET AND (3) S89DEG00'16"E, 1055.47 FEET; THENCE S01DEG40'03"W, 527.72 FEET; THENCE S88DEG59'41"E, 998.51 FEET TO THE WEST LINE OF MARSHALL STREET; THENCE S01DEG42'54"W, 100.65 FEET ALONG THE WEST LINE OF MARSHALL STREET, TO THE NORTHEAST CORNER OF BLOCK 2 OF "RUMSEY'S MICHIGAN AVENUE ADDITION TO THE CITY OF LANSING", AS RECORDE IN LIBER 2 OF PLATS, PAGE 12, INGHAM COUNTY RECORDS; THENCE N88DEG54'02"W, 499.76 FEET ALONG THE NORTH LINE OF SAID " RUMSEY'S MICHIGAN AVENUE ADDITION TO THE CITY OF LANSING"; THENCE ALONG THE NORTHERLY LINE OF "GANSSLYS ADDITION TO THE CITY OF LANSING", AS RECORDED IN LIBER 1 OF PLATS, PAGE 20, INGHAM COUNTY RECORDS FOR THE FOLLOWING THREE (3) COURSES, (1) N01DEG48'37"E, 4.03 FEET, (2) N88DEG46'44"W, 514.75 FEET AND (3) S01DEG29'24"W, 6.88 FEET; THENCE N88DEG59'08"W, 839.70 FEET ALONG THE NORTHERLY LINE OF THE FOLLOWING PLATS "CARROLL'S ADDITION TO THE CITY OF LANSING", AS RECORDED IN LIBER 2 OF PLATS, PAGE 35, "MCPHERSON'S MICHIGAN AVENUE ADDITION OF THE CITY OF LANSING", AS RECORDE IN LIBER 3 OF PLATS, PAGE 15, "D.B. TAYLOR'S ADDITION TO THE CITY OF LANSING", AS RECORED IN LIBER 4 OF PLATS, PAGE 8, AND "GOWER'S ADDITION TO THE CITY OF LANSING"; AS RECORDED INLIBER 3 OF PLATS, PAGE 31, ALL IN INGHAM COUNTY RECORDS TO THE NORTHWEST CORNER OF SAID "GROWER'S ADDITION TO THE CITY OF LANSING"; THENCE S01DEG56'21"W, 126.21 FEET ALONG THE WEST LINE OF SAID "GOWER'S ADDITION TO THE CITY OF LANSING"; THENCE S01DEG56'21"W, 126.21 FEET ALONG THE WEST LINE OF SAID "GOWNER'S ADDITION TO THE CITY OF LANSING"; THENCE N88DEG16'29"W, 359.67 FEET; THENCE S78DEG04'10"W, 85.00 FEET; THENCE N88DEG41'53"W, 17.71 FEET; THENCE N01DEG26'08"E, 328.86 FEET; THENCE N89DEG11'28"W, 351.19 FEET; THENCE 119.37 FEET ALONG A 114.58 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 59DEG41'26" AND A CHORD OF N56DEG01'47"W, 114.04 FEET; THENCE S88DEG39'04"W, 165.79 FEET; THENCE N88DEG24'47"W, 158.60 FEET; THENCE S85DEG29'19"W, 7.66 FEET TO THE EAST LINE OF PENNSYLVANIA AVENUE; THENCE N01DEG52'00"E, 456.00 FEET ALONG THE SAID EAST LINE OF PENNSYLVANIA AVENUE TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHTS OF WAY OR EASEMENTS OF RECORD AND CONTAINING 31.75 ACRES, MOR OR LESS. SPLIT/COMBINED ON 01/24/2017 FROM 33-01-01-15-126-293;

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders on each side and ADA compliant ramps at crossings. The pathway alignment will follow the north side of the driveway entrance beginning at Shiawassee Street continuing eastward along the driveway, then east along the north side of the field house, then southeast to the southern property line, then follow the southern property line eastward to the Marshall Street public right-of-way.

Name of Owner:	Eastside Armory LLC
Address:	330 Marshall St. STE 100 Lansing, MI 48912-2317
Phone Number:	(517) 333-4123
Fax Number:	
Email:	

Subject Property General Information

Address:	330 Marshall St STE 100 Lansing, MI 48912-2317
Location Description:	Parcel is located just north of a residential neighborhood in the City of Lansing, Ingham County. The parcel is located on the east side of Marshall Street and south of Pattengill School.
Permanent Parcel#:	33-01-01-15-226-012

Legal Description:

COM NW COR LOT 1 BLOCK 1 RUMSEYS MICHIGAN AVENUE ADD, TH N 503 FT ALONG E LINE MARSHALL ST, E 388.16 FT, S 502.98 FT TO N LINE JB RAYNERS ADD, W 390.06 FT TO BEG SEC 15 T4N R2W

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the path. The pathway alignment will follow the south end of the parcel.

Name of Owner: Lansing School District
Address: 519 W. Kalamazoo St.
Lansing, MI 48933-2080
Phone Number:
Fax Number:
Email:

Subject Property General Information

Address: 626 Marshall St
Lansing, MI 48912

Location Description: Parcel is located at the corner of southeast corner of Marshall Street and Saginaw Highway. The parcel is part of the Lansing School District and is currently used as a middle school. Residential units are south and east of the parcel and Lansing Catholic School and the National Guard recruiting office are to the west.

Permanent Parcel#: 33-01-01-15-226-003

Legal Description:

COM 40 FT S OF NE COR SEC 15, TH S 1560.25 FT TO N LINE LONGYEARS ADD, W 369.49 FT, N 502.98 FT, N 388.16 FT TO E LINE MARSHALL ST, N 1059.31 FT, E 760.01 FT TO BEG; SEC 15 T4N R2W

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the path. The pathway alignment will follow the south end of the parcel until it reaches the eastern end of the parcel, then head north along the eastern parcel line and terminate at Saginaw Highway. Pathway connections will be provided to the neighborhoods to the east and south of the parcel to provide access for students, recreation and utilitarian purposes.

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

Act-3-2019, Bear Lake Pathway (PPN 33-01-01-35-180-002, 33-01-01-35-180-021, 33-01-01-35-179-101, 33-01-01-35-226-002, 33-01-01-35-201-004, 33-01-01-26-427-002, 33-01-01-26-426-012), License Agreement

WHEREAS, the City of Lansing plans to construct a 10 feet wide paved pathway with two feet shoulders each side beginning at Cavanaugh Road and traversing northeast through the aforementioned parcels and terminating at Forest Road; and

WHEREAS, these plans include the expansion of the South Lansing Pathway north toward Michigan State University and require license agreements for a tract of land up to 10 feet each side of the centerline of the proposed pathway alignment for public, non-motorized, use and maintenance; and

WHEREAS, Hospice of Lansing, Inc. has requested the City of Lansing acquire property for the portion of pathway through their parcel 33-01-01-35-201-004; and

WHEREAS, on January 29, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that:

- the construction of the pathway will take place with Federal and City matching funds,
- the community character is enhanced by this proposal, because all changes reflect the city's Complete Street Ordinance; and

WHEREAS, on January 29, 2019, the Board voted unanimously (4-0) to recommend approval of Act-3-2019, of the request for the construction of the Bear Lake Pathway onto a new tract of land established under agreements made between the City of Lansing and the parcel owners; 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-3-2019 for the interests in real property associated with the construction of the Bear Lake Pathway.

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-180-002 is generally described as:

> SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 1210 FT E OF W 1/4 POST TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH N 2 FT, NE 47.99 FT ALONG 60FT

RAD, NE 66.7 FT, NE 52.6 FT ALONG 400 FT RAD TO E PROPERTY LINE OF CONSUMERS ENERGY PARCEL # 33-01-01-35-180-021; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-180-021 is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 1320 FT E OF 1/4 POST AND N 153 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 22 FT ALONG 400 FT RAD TO THE N PROPERTY LINE OF CONSUMERS ENERGY PARCEL # 33-01-01-35-180-021; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-180-002 reconvenes and is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 660 FT E OF W 1/4 POST AND N 165 FT AND E 19 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 67.84 FEET ALONG A 400 FT RAD, NE 43.02 FT, NE 96.11 FT ALONG A 200 FT RAD, SE 366.55 FT, NE 53.14 FT ALONG A 70 FT RAD, NE 14.22 FT, NE 72.97 FT ALONG A 100 FT RAD, E 33.44 FT, NE 55.01 FT ALONG A 150 FT RAD, NE 356.42 FT, SE 99.3 FT ALONG A 60 FT RAD, SE 93.84 FT, SE 105.78 FT ALONG A 60 FT RAD, NE 117.33 FT, NE 83.86 FT ALONG A 500 FT RAD, NE 67.18, NE 107.21 FT ALONG A 60 FT RAD, NE 220.79 FT, NE 82.79 FT ALONG 60 FT RAD REVERSE CURVES, NE 62 FT TO LWA INVESTMENTS LLC PARCEL # 33-01-01-35-179-101; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-179-101 is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 324 FT E OF SE COR LOT 22 OTTO PARK SUB TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE TO A PT 80.2 FT N OF SE COR OF PARCEL 33-01-01-35-179-101; SEC35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-226-002 reconvenes and is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 331 FT E OF SE COR

LOT 22 OTTO PARK SUB AND N 80.2 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 613.45 FT, NE 156.21 FT ALONG A 671.93 FT RAD, N 68.7 FT, NE 141.12 FT ALONG A 500 FT RAD, NE 33.71 FT TO A PT 967.29 FT +/- E OF SE COR LOT 75 PROVINCIAL HOUSE NO 4; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-35-201-004 is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 967.29 FT +/- E OF SE COR LOT 75 PROVINCIAL HOUSE NO 4 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 82.04 FT, NE 53.47 FT ALONG A 500 FT RAD, NE 586.35, NE 18.29 FT ALONG A 200 FT RAD, NE 185.16 FT NE TO A PT E 712.53 FT OF N 1/4 POST SEC 35; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the ROW through parcel no. 33-01-01-35-201-004 is generally described as:

SECTION 35, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM E 719.53 FT OF N 1/4 POST SEC 35, S 08DEG 04MIN W 889.82 FT, W 52 FT, N 82DEG 52MIN 26SCD W 889.82 FT, E 52 FT TO BEG; SEC 35, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-26-427-002 is generally described as:

SECTION 26, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM E 712.53 FT OF S 1/4 POST SEC 26 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 20.3 FT, NE 32.82 FT ALONG A 60 FT RAD, NE 94.38 FT, NE 19.39 FT ALONG A 60 FT RAD, NE 132.86 FT, NE 50.55 FT ALONG A 200 FT RAD, NE 152.71 FT, NE 33.96 FT ALONG A 500 FT RAD, NE 296.27 FT, NE 126.56 FT ALONG A 150 FT RAD, NE 59.1 FT, NE 48.78 FT ALONG A 200 FT RAD, NE 56.57 FT ALONG A 60 FT RAD, NE 46.73 FT, NE 26.94 FT ALONG A 60 FT RAD, NE 72.36 FT, NE 72.14 FT ALONG A 200 FT RAD, NE 69.03 FT, NE 3.7 FT ALONG A 60 FT RAD, NE 47.33 FT TO THE CENTERLINE OF PUBLIC PATH CONNECTOR TO STATEN AVE , CONT NE ON CENTERLINE OF MAIN PUBLIC PATH 25.4 FT, NE 34.27 FT ALONG A 60 FT RAD, NE 36.46 FT, NE 17.97 FT, NE 43.9 FT ALONG A 60 FT RAD, NE 82.59 FT, E 122.54 FT, NE 39.27 FT ALONG A 60 FT RAD, NE 14 FT TO A PT N89 DEG 10 MIN 51 SEC 401.44 FT E OF LOT 2 TAMMANY HILLS NO 3; SEC 26, T4N, R2W; and

BE IT FURTHER RESOLVED, that the Staten Avenue connector path alignment through parcel no. 33-01-01-26-427-002 is generally described as:

> SECTION 26, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 27.5 FT E AND 115.8 FT S OF LOT 2 TAMMANY HILLS NO 3 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC STATEN AVENUE CONNECTOR PATH FURTHERMORE LOCATED AT THE INT'N OF THE CENTERLINES OF THE PUBLIC BEAR LAKE PATH AND THE PUBLIC STATEN AVENUE CONNECTOR PATH; TH NW 20 FT, NE 26 FT ALONG A 60 FT RAD, N 70.8 FT TO A PT 10 FT E OF LOT 2 TAMMANY HILLS NO 3; SEC 26, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-26-426-012 is generally described as:

> SECTION 26, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM N89 DEG 10 MIN 51 SEC 401.44 FT E OF LOT 2 TAMMANY HILLS NO 3 AT THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 111.93 FT, NE 66.18 FT ALONG A 60 FT RAD, NE 214.49 FT TO A PT N89 DEG 10 MIN 51 SEC 656.44 FT E OF LOT 2 TAMMANY HILLS NO 3 AND N 275.55 FT; SEC 26, T4N, R2W; and

BE IT FURTHER RESOLVED, that the Staten Avenue connector path alignment through parcel no. 33-01-01-26-426-012 is generally described as:

> SECTION 26, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM 10 FT E OF LOT 2 TAMMANY HILLS NO 3 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC STATEN AVENUE CONNECTOR PATH; TH N 319.19 FT TO STATEN AVENUE ROW; SEC 26, T4N, R2W; and

BE IT FURTHER RESOLVED, that the alignment through parcel no. 33-01-01-26-427-002 reconvenes and is generally described as:

> SECTION 26, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COM N89 DEG 10 MIN 51 SEC 656.44 FT E OF LOT 2 TAMMANY HILLS NO 3 AND N 275.55 FT TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PUBLIC PATH; TH NE 25.01 FT, N 37.91 FT ALONG A 100 FT RAD, N 239.25 FT, NE 12.89 FT ALONG A 239.19 FT RAD, NE 183.68 FT, NW 42.4 FT ALONG

A 200 FT RAD, NW 19.84 FT, N 43.75 FT ALONG A 200 FT RAD, N 400.27 FT TO THE FOREST ROAD ROW; SEC 26, T4N, R2W; and

BE IT FURTHER RESOLVED, that the public pathway be placed in an agreement that meets the requirements of the Public Service Department; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-35-180-002 one dollar for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will enter into a license agreement with the parcel owner of parcel no. 33-01-01-35-180-021 at a prorated amount estimated at fifty-five dollars per year for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-35-179-101 one dollar for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-35-201-004 one thousand dollars for the conveyance of said property acquisition agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-26-427-002 one dollar for the conveyance of said license agreement; and

BE IT FURTHER RESOLVED, that the City of Lansing will pay the parcel owner of parcel no. 33-01-01-26-426-012 one dollar for the conveyance of said license agreement; and

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

Overall View of the Parcels where the City of Lansing Proposes Constructing a Non-Motorized Pathway

Name of Owner:	Michigan State University
Address:	420 New Administration Building East Lansing, MI 48824
Phone Number:	(517) 355-1855
Fax Number:	
Email:	

Subject Property General Information

Address:	0 E Cavanaugh Rd Lansing, MI 48910
Location Description:	Parcel is located in the City of Lansing, Ingham County, and is north of Cavanaugh Rd, East of Aurelius Road. The parcel is undeveloped and has existing overhead utility lines traversing the property. The parcel is partially wooded with some wetland areas. Residential properties are south, north and west of the parcel. A utility corridor exists south of the parcel and Bear Lake is east of the parcel.
Permanent Parcel#:	33-01-01-35-180-002

Legal Description:

COM 660 FT E OF W 1/4 POST, TH N 313.98 FT, N 57DEG 55MIN 19SCD E 712.03 FT, N 01DEG 31MIN 30SCD W 61.07 FT, E 1782.38 FT, S 580.84 FT, E 1726 FT, S 165 FT, W 660 FT TO BEG; SEC 35 T4N R2W

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway beginning at the Cavanaugh Rd. right-of-way then winding northeast through parcel 33-01-01-35-180-002 to the northeast corner of the parcel. To preserve the future use of the parcel, the pathway will follow adjacent an existing power line and near to, but avoiding, wetland areas at the owner's request.

Name of Owner:	Consumers Energy Company
Address:	1 Energy Plaza Dr Jackson, MI 49201-2357
Phone Number:	(800) 477-5050
Fax Number:	
Email:	

Subject Property General Information

Address:	0 E Cavanaugh Rd Lansing, MI 48910
Location Description:	Parcel is located in the City of Lansing, Ingham County, and is north of Cavanaugh Rd, East of Aurelius Road. The parcel is a Consumers Energy owned Utility Corridor. The parcel is partially wooded with some wetland areas. Residential properties are to the south, I-496/US-127 is to the east and undeveloped parcels are to the north and west.
Permanent Parcel#:	33-01-01-35-180-021

Legal Description:

165 FT OF NE 1/4, ALSO S 165 FT OF SE 1/4 OF NW 1/4, ALSO W 1/2 OF SW 1/4 EXC SUPERVISORS PLAT OF CULVER-DALE SUB, ALSO COM NW COR OF E 1/2 OF SW 1/4, TH S 314.3 FT, NE'LY TO A POINT ON E & W 1/4 LINE 350 FT E OF BEG, W TO BEG EXC THAT PART USED FOR HIGHWAY KNOWN AS DUNCKEL RD; SEC 35 T4N R2W

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway beginning along the northwest corner of the parcel.

Name of Owner:	LWA Investments LLC
Address:	PO BOX 1662 Okemos, MI 48805-1662
Phone Number:	
Fax Number:	
Email:	

Subject Property General Information

Address:	0 No Street Frontage Lansing, MI 48910
Location Description:	Parcel is located in the City of Lansing, Ingham County, east of the residential housing along Stoneleigh Drive and Champion Way. This parcel is undeveloped, landlocked and wooded.
Permanent Parcel#:	33-01-01-35-179-101

Legal Description:

COM NE COR LOT 30 OTTO PARK SUB, TH E 647.51 FT, S 574.16 FT, W 341 FT TO SE COR LOT 22, N 00DEG 10MIN 46SCD E 42.5 FT, N 38DEG 05MIN W 133 FT, N 58DEG 24MIN 49SCD W 221.74 FT, N 14DEG 10MIN W 183 FT, N 03DEG 50MIN E 132.5 FT TO BEG; SEC 35 T4N R2W

Applicant's Proposal: Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the pathway. The pathway alignment will cross the southeast corner of the parcel.

Name of Owner:	Michigan State University
Address:	420 New Administration Building East Lansing, MI 48823
Phone Number:	(517) 355-1855
Fax Number:	
Email:	

Subject Property General Information

Address:	0 No Street Frontage Lansing, MI 48910
Location Description:	Parcel is a landlocked parcel owned by Michigan State University and is in the City of Lansing, Ingham County. The majority of the parcel is wooded with a lake and bog that is an environmentally sensitive area monitored by the owner. A portion of eastern edge of the parcel extends into an old borrow pit with a utility corridor that runs north/south along the ridge of the old borrow pit. The parcel is bound by I-496/US-127 on the east, Lansing School District's Beekman Center on the north, a utility corridor on the south and Hospice and undeveloped property on the west.
Permanent Parcel#:	33-01-01-35-226-002
Legal Description:	NE 1/4 SEC 35 EXC LANDS USED FOR HIGHWAY PURPOSES; ALSO EXC S 165 FT; ALSO EXC W 406 FT OF N 1155 FT OF S 1/2 SAID NE 1/4; AND ALSO EXC COM N 1/4 POST SEC 35, TH E 721.53 FT, S 08DEG 04MIN W 889.82 FT, W 599.47 FT TO N & S LINE SAID SEC, N 880 FT +/- TO BEG; SEC 35 T4N R2W
Applicant's Proposal:	Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the pathway. The pathway alignment will traverse north and south along the utility corridor located on the west edge of the parcel and on the ridge adjacent to the old borrow pit.

Name of Owner:	Hospice of Lansing Inc
Address:	420 New Administration Building East Lansing, MI 48823
Phone Number:	(517) 882-4500
Fax Number:	
Email:	

Subject Property General Information

Address:	0 No Street Frontage Lansing, MI 48910
Location Description:	Parcel is a business located east of Stoneleigh Drive and south of Wabash Road in the City of Lansing,Ingham County. The majority of the parcel is undeveloped and has a building owned and operated by Hospice in the northeast corner of the parcel. The parcel was a former borrow pit and has a high ridge along the eastern parcel line on which a utility line exists.
Permanent Parcel#:	33-01-01-35-201-004
Legal Description:	
Applicant's Proposal:	Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the pathway. The pathway alignment will traverse north and south along the utility corridor located on the east edge of the parcel and on the ridge adjacent to the old borrow pit.

Name of Owner:	Lansing School District
Address:	519 W Kalamazoo St Lansing, MI 48933-2080
Phone Number:	(517) 755-1010
Fax Number:	
Email:	

Subject Property General Information

Address:	2901 Wabash Rd Lansing, MI 48910
Location Description:	The Beekman Center parcel is located at the east end of Wabash Rd in the City of Lansing, Ingham County. The parcel is majority of the parcel is 52 Acres with a school building, horse stable and walking and riding paths along the wooded periphery of the parcel. The parcel is bound by single unit residential housing on the west, apartment units and Forest Road on the north, I-496/US-127 on the east and Bear Lake wooded area on the south.
Permanent Parcel#:	33-01-01-26-427-002
Legal Description:	LOT 56 TAMMANY HILLS NO 2, LOTS 19, 20 & 21 LEAWOOD SUB, ALSO PART SE 1/4 SEC 26 COM SE COR LEAWOOD SUB, TH N 1334.5 FT +/- TO S LINE TAMMANY HILLS NO 3, E 1314.32 FT TO SE COR TAMMANY HILLS NO 4, N 1320.08 FT TO E-W LINE SEC 26, E 39.55 FT +/- TO W LINE HWY I-496, SE'LY ON R/W 2729 FT +/- TO S LINE SEC 26, W 1889.3 FT +/- TO BEG; SEC 26 T4N R2W
Applicant's Proposal:	Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the pathway. The pathway alignment will traverse north from Wabash Road public Right-of-way along the western parcel's property line within established paths to the northern property line, and then follow the established paths along the northern property line eastward toward the riding stables. The pathway will then cross into an adjacent parcel (Tammany Hills) to the north to avoid a wetland area then re-enter the parcel at the northernmost horse pasture where the path will then continue north to Forest Rd public right-of-way. A residential connection to Staten Avenue, between Tammany Hills and the parcels on the east side of Tumar Drive, is proposed to allow a connection to the pathway. The project will relocate a portion of the northern to the southeast end of the parcel to compensate for the grazing area lost as requested by the owner.

Name of Owner:	Tammany Hills Apts Ltd PTNS
Address:	7804 Francis Ct Ste 100 Lansing, MI 48917-7769
Phone Number:	(517) 393-1112
Fax Number:	
Email:	

Subject Property General Information

Address:	3010 Staten Avenue Lansing, MI 48910
Location Description:	Parcel is a residential apartment complex located on Staten Avenue Immediately south of Forest Rd. The parcel is bound by I-496/US-127 on the east, Forest Road on the north, Staten Avenue on the west and Lansing School District's Beekman Center on the south.
Permanent Parcel#:	33-01-01-26-426-012
Legal Description:	LOT 113 EXC THAT PART COM INT'N S LINE STATEN AVE & NE COR LOT 104 TAMMAMY HILLS NO 3, TH S 89.71 FT TO POB OF EXCEPTION: TH E 15 FT, S 110 FT, W 15 FT TO W LINE LOT 113, N 110 FT TO BEG; TAMMANY HILLS NO 4
Applicant's Proposal:	Construct a 10-feet wide hot-mix-asphalt pathway with 2 feet shoulders along each side of the pathway. The pathway alignment will traverse northeast through a wooded area at the southeast corner of the parcel. A neighborhood connection to Staten Avenue will be constructed on the west side of the parcel.

Andy Schor, Mayor

ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT-_____

DATE SUBMITTED:_____

Applicant: City of Lansing

Address *(including zip code)*: 124 W Michigan Avenue, 7th Floor City Hall, Lansing, MI 48933

Phone number: (517) 483-4248

Fax number: (517) 483-6082 Email: andrew.kilpatrick@lansingmi.gov

Interest in Property:

☐ Owner ☐ Represent owner ☐ Option to buy

☒ Other: License Agreement for construction and maintenance of non-motorized pathway

If applicant of not the owner, or if there is more than one owner, provide the following information *(attach additional sheets if necessary)*:

Name of owner(s): See Additional Sheets

Address *(including zip code)*:

Phone number(s):

Fax number: Email:

SUBJECT PROPERTY GENERAL INFORMATION:

Address *(if any)*: See Additional Sheets

Location description:

Permanent parcel #:

Legal description *(see note below)*:

Applicant's proposal: The city of Lansing is proposing the construction of a ten-feet wide non motorized pathway constructed on an 8 inch aggregate base comprising of 3.5 inches of Hot-Mix-Asphalt and a 2-feet aggregate shoulder on each side of the pathway. The patway will be constructed on Lansing School district property beginning at the east side of Pennsylvania Avenue public right-of-way at Shiawassee Street just north of the existing school driveway, the pathway will follow the driveway to the Field House then cross the driveway with an ADA compliant crossing and continue east on the north side of the field house then south to the southern property line and continuing east to the Marshall Street Property where the pathway will cross Marshall street and continue eastward along the south side of the old Armory property and continue eastward onto School district property until it reaches the eastern parcel line at which time it will head northward along the property line to Saginaw Street. Three neighborhood connections will be incorporated into the project allowing access for the residents and students to access the path. The proposed pathway will be carried east and west on another project connect the network to downtown Lansing and the Frandor area. The proposed network, when complete, will allow access for students, recreational use, and utilitarian uses such as shopping and commuting to work. All parcel owners will be paid $1 each for the execution of the agreement and use of the land in which the pathway occupies.

REQUESTED ACTION: (please check one)

☐ City Acquisition of Property ☐ Street or Alley Closure ☐ City Sale of Property

☐ Vacation of R.O.W ☐ Significant Change of Use of City Property

☑ Other: Liscense Agreements

What positive impacts (if any) will occur as a result of approving this proposal?

Non-motorized recreational and utilitarian access for area residents between downtown Lansing, Lansing Schools, Sparrow Hospital, Lansing Rivertrail and Frandor area will be provided.

What negative impacts (if any) will occur if this proposal is not approved?

A complete non-motorized connection will not be afforded to the area residents and Federal funding will be lost.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

No negative impacts are anticipated. The city has been in discussion with the Lansing School District, the owners of the former Armory parcel and area residents and has involved them in the design process and incorporated any requests that were feasible.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

Involving land sales over $50,000	$100.00
Involving land sales under $50,000	$50.00

Signature of applicant:

_____/_____
Date

Signature of owner(s):

_____/_____
Date

_____/_____
Date

_____/_____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036

fRESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-6-2019, Wise Road Parcel No. 33-01-05-06-202-021, Acquire for Davis Park

WHEREAS, the Parks and Recreation Department proposes to purchase a vacant parcel north of and adjacent to Benjamin F. Davis Park for additional parkland; and

WHEREAS, the property consists of vacant land, 396' deep X 65' wide, approx. 25,740 s.f. ; and

WHEREAS, the property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grant application that was approved by both the Park Board and City Council; and

WHEREAS, on February 5, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the property is currently vacant and undeveloped, and the acquisition will preserve the open space character of the property; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposed acquisition; 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-6-2019, the purchase of Parcel Number 33-01-05-06-202-021, being legally described as:

S 65 FT LOT 99 MAPLE GROVE FARMS NO 2

from Frederick and Lola Harmon, 1266 Marsh Rd., Luzerne, MI 48636, for the sum of $27,400, including $20,500 in grant funds, as an addition to Benjamin F. Davis Park.

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.

Act-6-2019, Wise Rd. Parcel #33-01-05-06-202-021, Acquire for Parkland – STAFF REPORT
Page 1

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 Parks and Recreation Department proposes to purchase a vacant parcel adjacent to Davis Park for additional parkland.
LOCATION:	The site is located along the east side of Wise Road, just north of Davis Park.
CURRENT OWNER(S):	Frederick L. and Lola M. Harmon, 1266 Marsh Road, Luzerne, MI 48636
EXISTING LAND USE & ZONING:	Use: Vacant land. Zoning: "A" Residential District
PROPERTY SIZE AND SHAPE:	Rectangular, 396' deep X 65' wide, approx. 25,740 s.f. (0.59 acres).
SURROUNDING LAND USE & ZONING	Residential and park uses, zoned "A" and "C" Residential Districts.

AGENCY REFERRALS

Board of Water & Light:`	No response received.
Parks and Recreation:	Property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grants and was sent to Park Board that set aside money for the 25% matching funds. City Council approved applying for the grant. This property is contiguous with Davis Park.
Public Service Department:	No comment.
Public Service - Transportation:	No impact on transportation.

ANALYSIS

LOCATION: The subject property is located north of and adjacent to Davis Park.

CHARACTER: The property is currently vacant and undeveloped. The acquisition will preserve the open space character of the property.

EXTENT: The proposed acquisition is limited to parcel adjacent to Davis Park.

STAFF RECOMMENDATION

Staff recommends approval as proposed.

Michigan Department of Natural Resources – Grants Management

NOTICE OF INTENT FOR RECREATION GRANT PROJECTS

This information is requested by authority of Part 19, Act 451 of 1994, to be considered for a MNRFT grant.

1. Name of Project	2. Date
Wise Road Acquisition	March 26, 2018

3a. Identity of the applicant agency, organization, or individual:	3b. Indicate below the representative of the applicant to contact for additional information regarding this notice:
City of Lansing	Name: Greg Satterfield
	Address (Street/PO Box): 200 N. Foster Avenue
	City, State, ZIP Code: Lansing, MI 48912
	Telephone: 517-483-6936

4a. Agency from which assistance will be sought:	Name of Program:	Public Law or USC#:
☑ Michigan Department of Natural Resources	☑ Michigan Natural Resources Trust Fund	Part 19 of Act 451 of 1994

5. Estimated Cost:	6. Estimated date by which time the applicant expects to formally file an application:
FEDERAL:	April 1, 2018
STATE: $20,500	7. Geographic location of the project to be assisted: (indicate specific location as well as city or county. Attach map if necessary). City of Lansing Parcel #33-01-05-06-202-021
OTHER: $6,900	
TOTAL: $27,400	

8. Brief description of the proposed project. This will help the clearinghouse identify agencies of state or local government having plans, programs, or projects that might be affected by the proposed project:

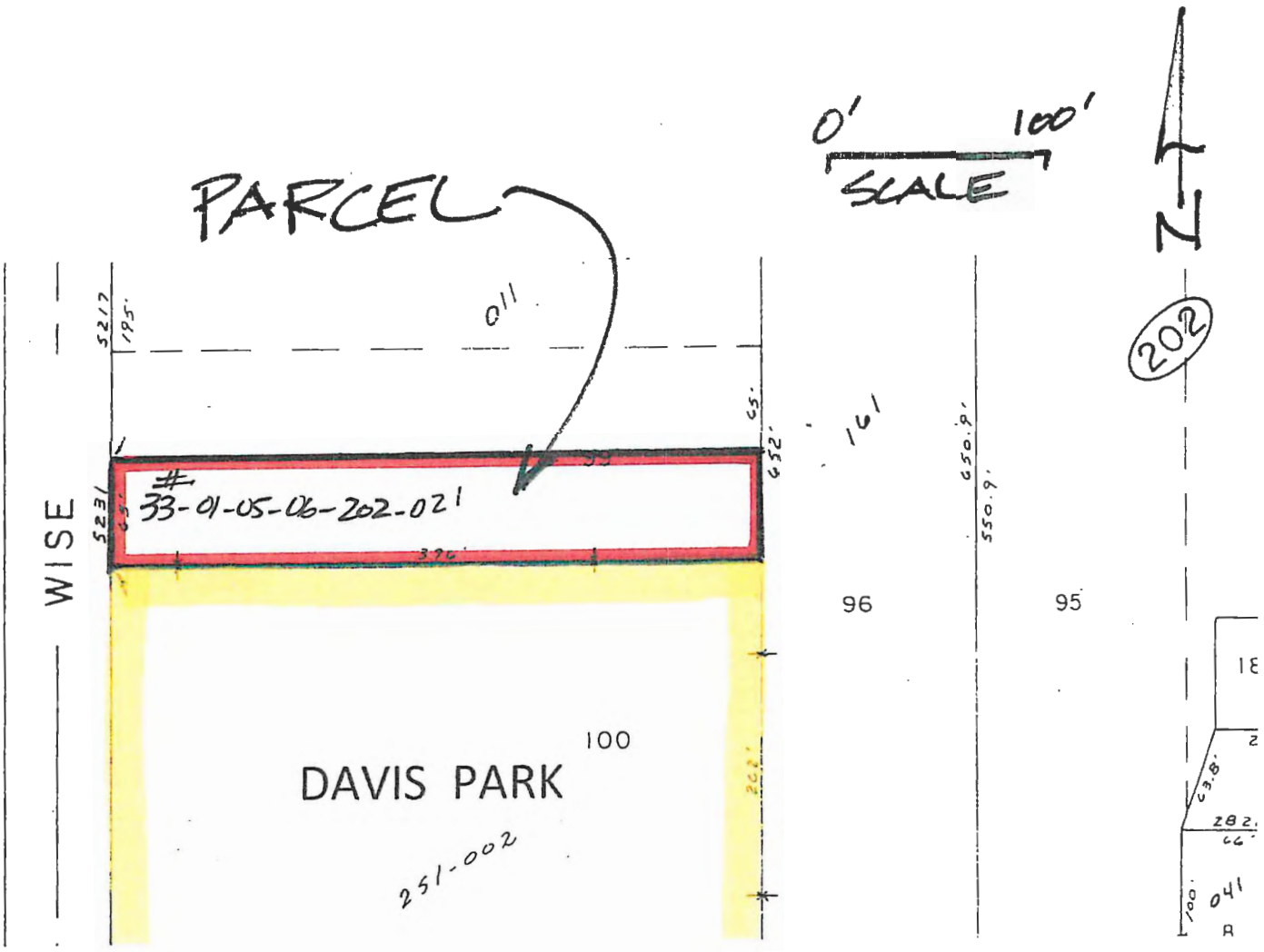
8a. Type of project:
Acquisition

8b. Purpose:
The acquisition of approximately 0.59 acres adjacent to the northern property line of Davis park along Wise Road, will provide a much needed buffer between the ball field and adjacent property.

8c. General size or scale:
0.59 acres

8d. Beneficiaries (persons or institutions benefited):
Citizens of Lansing region.

8e. Indicate the relationship of this project to plans, programs, and other activities of your agency and other agencies (attach separate sheet if necessary):
This acquisition would preserve unused land in the residential neighborhood. Acquiring park land is park of our 5-Year Recreation Plan, to improve the offering of facilities and activities to the public.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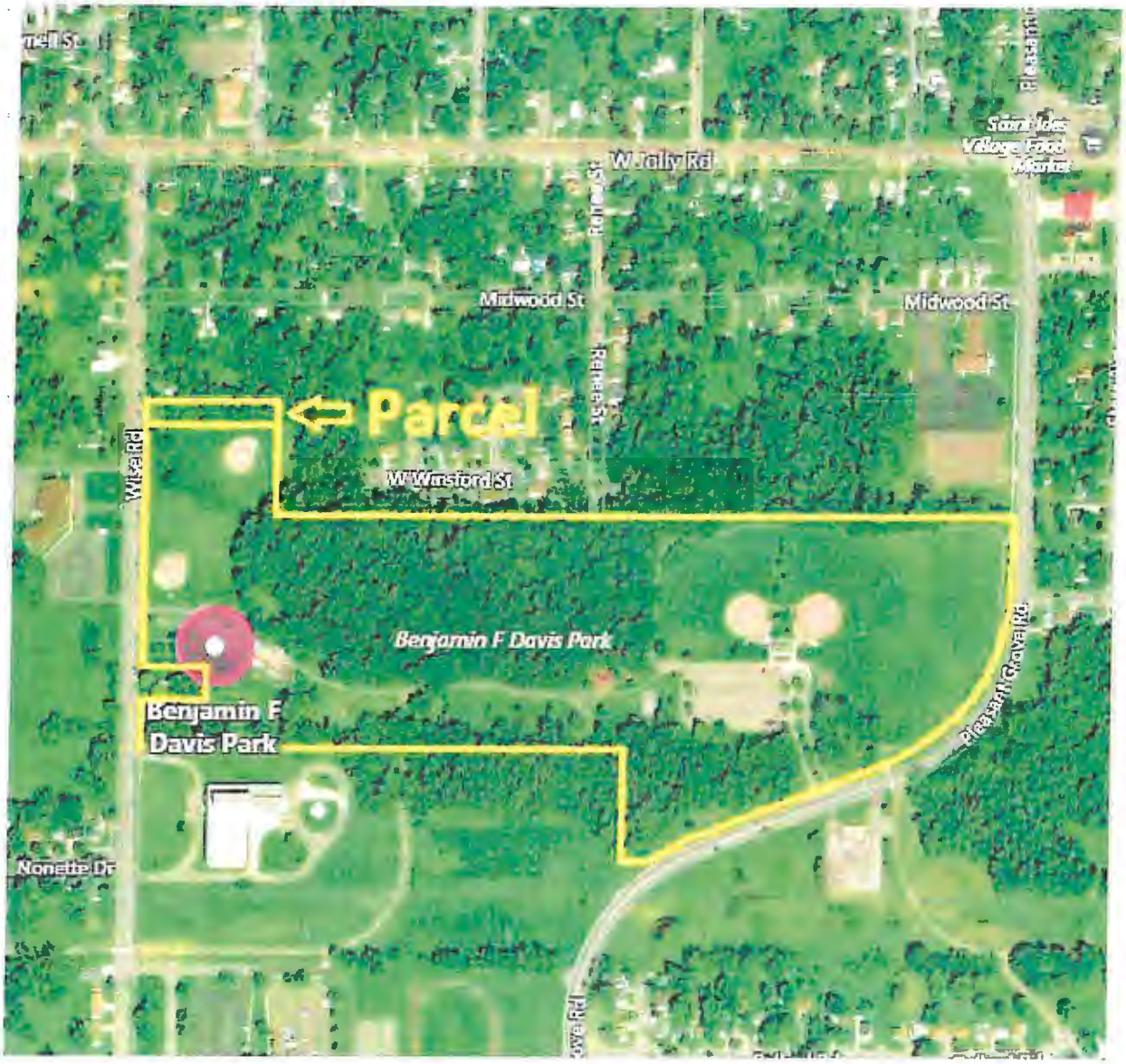

WISE RD. PARCEL # 33-01-05-06-202-021

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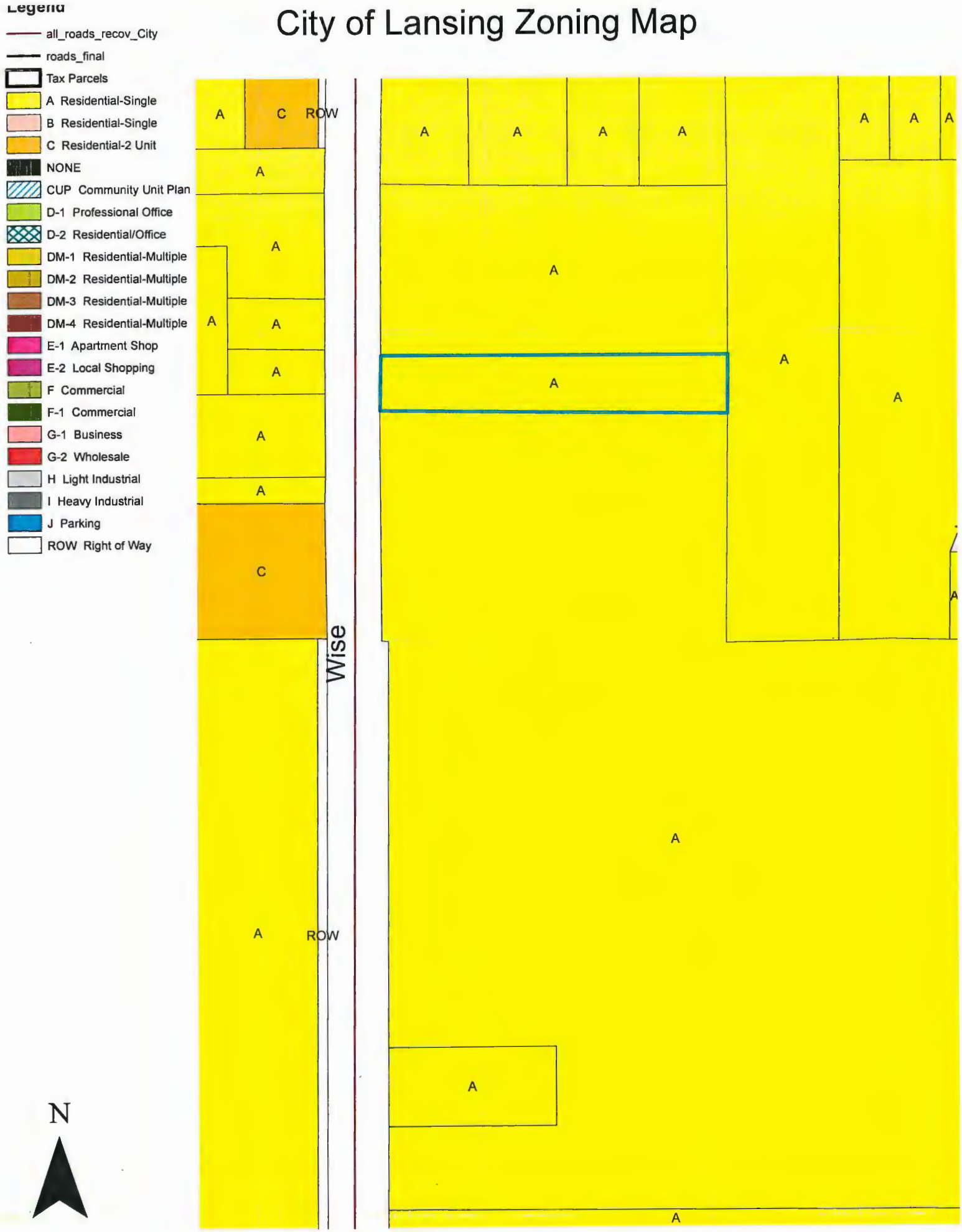
City of Lansing Zoning Map



fRESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-7-2019, Willard Avenue Parcel No. 33-01-01-27-426-001, Acquire for Scott Woods

WHEREAS, the Parks and Recreation Department proposes to purchase a vacant parcel east of and adjacent to Scott Woods for additional parkland; and

WHEREAS, the property consists of vacant land, 370' deep X 407.5' wide, approx. 150,775 s.f. (3.47acres); and

WHEREAS, the property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grant application that was approved by both the Park Board and City Council; and

WHEREAS, on February 5, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the property is currently vacant and undeveloped, and the acquisition will preserve the open space character of the property; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposed acquisition; 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-7-2019, the purchase of Parcel Number 33-01-01-27-426-001, being legally described as:

LOTS 10, 11, 12, 13 & W 22 FT LOT 9 GOODHOME SUB

From John G. Sutherland, 7753 St. Clair Rd., Laingsburg, MI 48848, for the sum of $23,100, including $17,300 in grant funds, as an addition to Scott Woods.

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:	The City of Lansing Parks and Recreation Department proposes to purchase a vacant parcel adjacent to Scott Woods, Mt. Hope Cemetery, and the RiverTrail for additional parkland.
LOCATION:	This parcel is located on the northwest corner of Willard and Ruth streets (west off Aurelius Rd.)
CURRENT OWNER(S):	John G. Sutherland, 7753 St. Clair Rd., Laingsburg, MI 48848
EXISTING LAND USE & ZONING:	Use: Vacant land. Zoning: "A" Residential District
PROPERTY SIZE AND SHAPE:	Rectangular, 370' deep X 407.5' wide, approx. 150,775 s.f. (3.47 acres).
SURROUNDING LAND USE & ZONING	Residential and undeveloped, zoned "A", "B", "C", and "DM-1" Residential Districts.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Parks and Recreation:	Property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grants and was sent to Park Board that set aside money for the 25% matching funds. City Council approved applying for the grant. This property is contiguous with Scott Woods and Mt. Hope Cemetery.
Public Service Department:	No comment.
Public Service - Transportation:	No impact on transportation.

ANALYSIS

LOCATION:	The subject property is located in the floodplain, east of Scott Woods, and south of Mt. Hope Cemetery.
CHARACTER:	The property is currently vacant and undeveloped. The acquisition will preserve the open space character of the property.

EXTENT: The proposed acquisition is limited to the subject parcel.

STAFF RECOMMENDATION

Staff recommends approval as proposed.

Michigan Department of Natural Resources – Grants Management

NOTICE OF INTENT FOR RECREATION GRANT PROJECTS

This information is requested by authority of Part 19, Act 451 of 1994, to be considered for a MNRFT grant

1. Name of Project	2. Date
Willard Avenue Acquisition	March 26, 2018

3a. Identity of the applicant agency, organization, or individual:	3b. Indicate below the representative of the applicant to contact for additional information regarding this notice:
City of Lansing	Name: Greg Satterfield
	Address (Street/PO Box): 200 N. Foster Avenue
	City, State, ZIP Code: Lansing, MI 48912
	Telephone: 517-483-6936

4a. Agency from which assistance will be sought:	Name of Program:	Public Law or USC#:
☑ Michigan Department of Natural Resources	☑ Michigan Natural Resources Trust Fund	Part 19 of Act 451 of 1994

5. Estimated Cost:	6. Estimated date by which time the applicant expects to formally file an application:
FEDERAL:	April 1, 2018
STATE: $17,300	7. Geographic location of the project to be assisted: (indicate specific location as well as city or county. Attach map if necessary). City of Lansing, Parcel # 33-01-01-27-426-001
OTHER: $5,800	
TOTAL: $23,100	

8. Brief description of the proposed project. This will help the clearinghouse identify agencies of state or local government having plans, programs, or projects that might be affected by the proposed project:

8a. Type of project:
Acquisition

8b. Purpose:
Acquisition of approximately 3.47 acres adjacent to Scott Woods Park, which is located along Sycamore Creek. The acquisition this property will allow the City of Lansing to own the property on both sides of the trail head leading to the River Trail from Willard Avenue. This property is a wooded property which boarders Mt. Hope Cemetery on the north side, Scott Woods Park on the west and south sides. Acquiring park land is park of our 5-Year Recreation Plan, to improve the offering of facilities and activities to the public.

8c. General size or scale:
3.47 acres

8d. Beneficiaries (persons or institutions benefited):
Citizens of Lansing region.

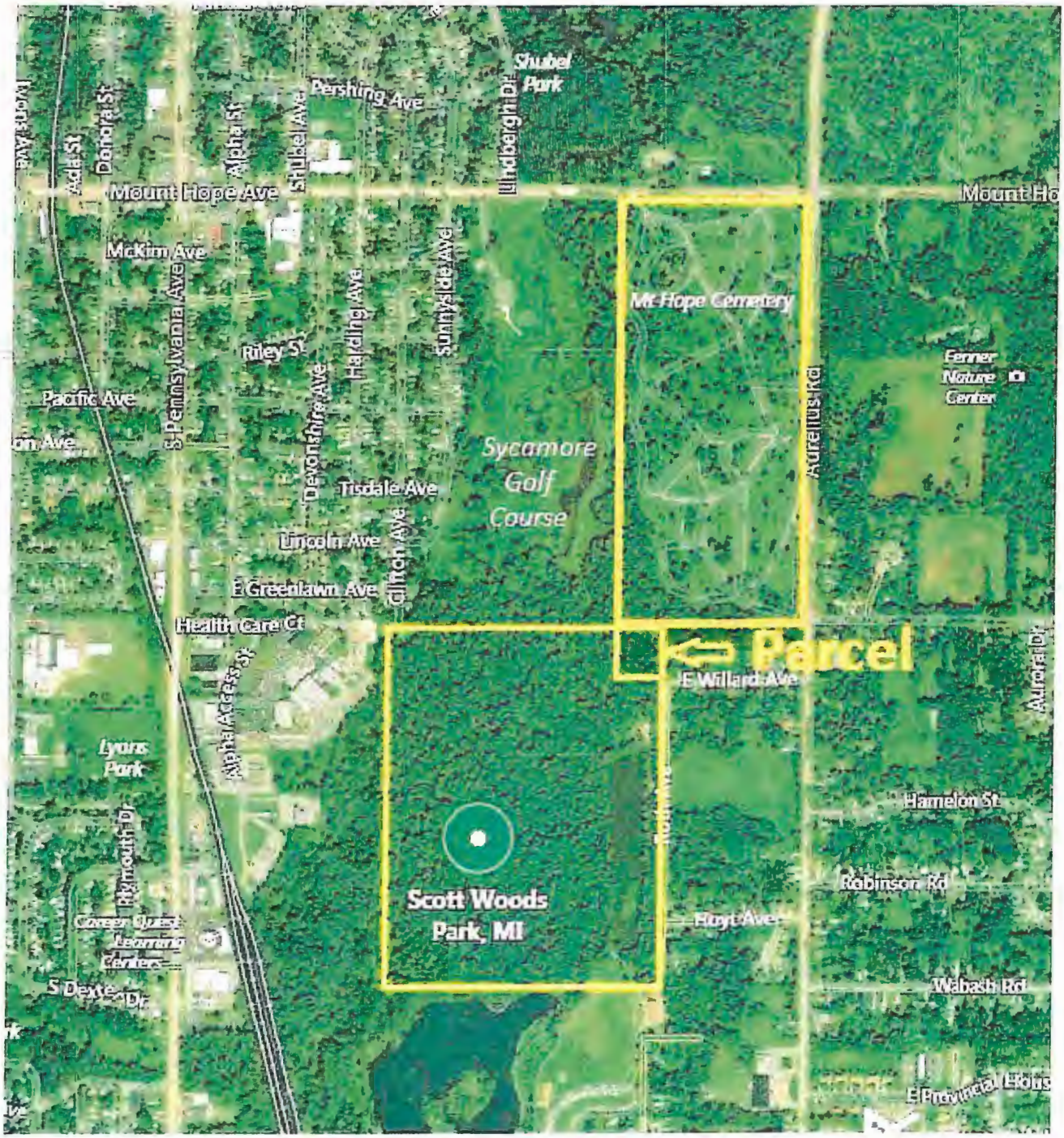
8e. Indicate the relationship of this project to plans, programs, and other activities of your agency and other agencies (attach separate sheet if necessary):
Due to the strategic location of the parcel to be acquired, the River Trail trail head would have park land completely around the site. In addition the parcel has no access onto the site. The south, west and north adjacent properties are City of Lansing owned. This acquisition would preserve natural forested environment, provide better access for hiking, bird watching, fishing activities and protect the wildlife corridor.

Image/Sketch for Parcel: 33-01-01-27-426-001

Image/Sketch for Parcel: 33-01-01-27-426-001

Image/Sketch for Parcel: 33-01-01-27-426-001

Image/Sketch for Parcel: 33-01-01-27-426-001



WILLARD AVE PARCEL # 33-01-01-27-426-001

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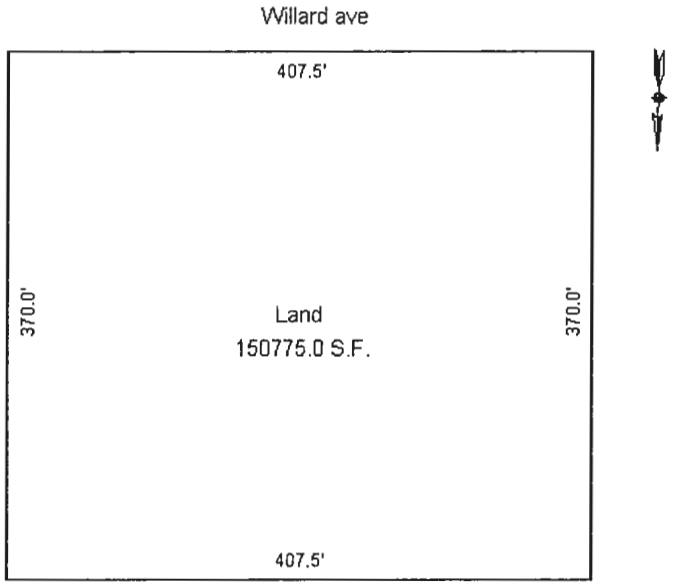

Sketch by Apex IV™

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Image/Sketch for Parcel: 33-01-01-27-426-001

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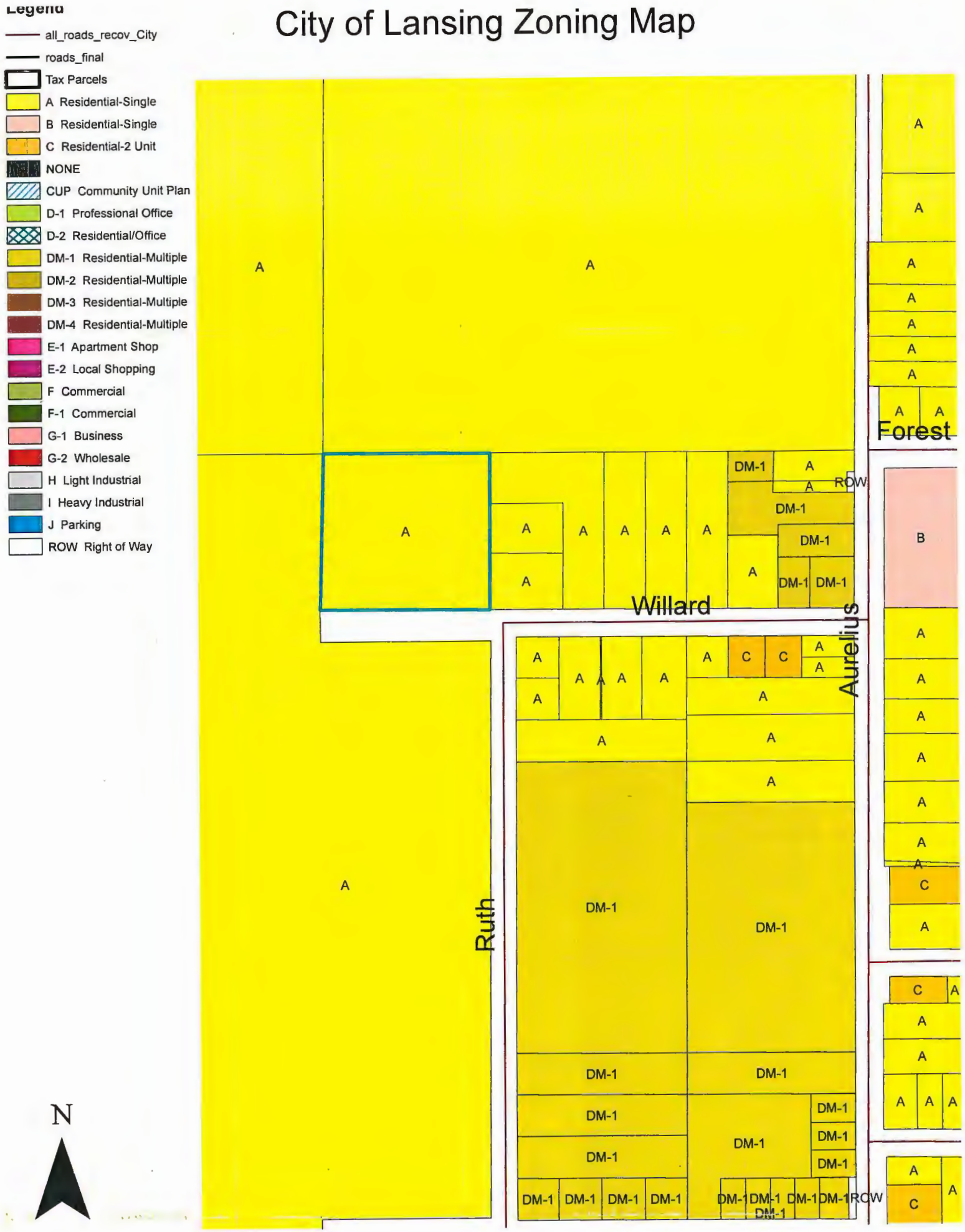
City of Lansing Zoning Map



fRESOLUTION #_____

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-8-2019, Hunters Ridge Parcel Number #23-50-40-25-451-022, Acquire for Hunters Ridge Park

WHEREAS, the Parks and Recreation Department proposes to purchase a vacant riverfront parcel west and north of and adjacent to Hunters Ridge Park for additional parkland; and

WHEREAS, the property consists of vacant land, irregular in shape, and 1.602 acres in size; and

WHEREAS, the property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grant application that was approved by both the Park Board and City Council; and

WHEREAS, on February 5, 2019, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the property is currently vacant and undeveloped, and the acquisition will preserve the open space character of the property; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposed acquisition; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-8-2019, the purchase of Parcel Number #23-50-40-25-451-022, being legally described as:

> COM AT A POINT S 89DEG 37MIN 30SCD W 2105.24 FT AND N 00DEG 22MIN 30SCD W 50 FT, AND N 09DEG 13MIN 45SCD E 199.06 FT FROM SE COR SEC 25, TH NE'LY 195 FT ALONG 596.57 FT RAD CURVE TO RT CHORD BEARING N 28DEG 11MIN 50SCD E 194.13 FT, N 247 FT, W 310 FT +/- TO E BANK OF GRAND RIVER, S'LY TO POINT W OF BEG, E 60 FT +/- TO BEG; SEC 25 T4N R3W

from Shawn Batt, 596 Kuehnle St., Ann Arbor, MI 48103, for the sum of $110,000, including $82,500 in grant funds, as an addition to Hunters Ridge Park.

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:	The City of Lansing Parks and Recreation Department proposes to purchase a parcel adjacent to Hunter's Ridge Park and the Grand River for additional parkland.
LOCATION:	This parcel is located at the west end of Hunter's Ridge Park drive, west off Waverly Road.
CURRENT OWNER(S):	Shawn and Ellison Nicole Batt 1335 Bird Road, Ann Arbor, MI 481 48103
PROPERTY SIZE AND SHAPE:	Irregular in shape, 1.602 acres in size.
EXISTING LAND USE & ZONNG:	Vacant land, zoned "DM-1" Residential
SURROUNDING LAND USE & ZONING	Hunter's Ridge Park, zoned "CUP" Community Unit Plan

BACKGROUND

A 5-bedroom house was built on the property in 1999. The house was destroyed by fire. Demolition of the house was completed last year, and the property is now vacant.

AGENCY REFERRALS

Board of Water & Light:	No response received.
Parks and Recreation:	Property was part of the 2018 Michigan Department of Natural Resources Trust Fund Acquisition grants and was sent to Park Board that set aside money for the 25% matching funds. City Council approved applying for the grant. This property is contiguous with Hunters Ridge and is waterfront property.
Public Service Department:	No comment.
Public Service - Transportation:	No impact on transportation.

ANALYSIS

LOCATION:	The property lies between Hunter's Ridge Park and the Grand River. The extreme west edge of the property is located in the floodplain. l.
CHARACTER:	The property is currently vacant and undeveloped. The acquisition will preserve the open space character of the property.
EXTENT:	The proposed acquisition is limited to the subject parcel.

STAFF RECOMMENDATION

Staff recommends approval as proposed.

Michigan Department of Natural Resources – Grants Management

NOTICE OF INTENT FOR RECREATION GRANT PROJECTS

This information is requested by authority of Part 19, Act 451 of 1994, to be considered for a MNRFT grant.

1. Name of Project	2. Date
Hunters Ridge Drive Acqisition	March 26, 2018

3a. Identity of the applicant agency, organization, or individual:	3b. Indicate below the representative of the applicant to contact for additional information regarding this notice:
City of Lansing	Name Greg Satterfield
	Address (Street/PO Box) 200 N. Foster Avenue
	City, State, ZIP Code Lansing, MI 48912
	Telephone 517-483-6936

4a. Agency from which assistance will be sought:	Name of Program:	Public Law or USC#:
☑ Michigan Department of Natural Resources	☑ Michigan Natural Resources Trust Fund	Part 19 of Act 451 of 1994

5. Estimated Cost:	6. Estimated date by which time the applicant expects to formally file an application:
FEDERAL:	April 1, 2018
STATE: $82,500	7. Geographic location of the project to be assisted: (indicate specific location as well as city or county. Attach map if necessary). Delta Township, Eaton County Parcel # 23-50-40-25-451-022
OTHER: $27,500	
TOTAL: $110,000	

8. Brief description of the proposed project. This will help the clearinghouse identify agencies of state or local government having plans, programs, or projects that might be affected by the proposed project:

8a. Type of project:
Acquisition of private property from the owner.

8b. Purpose:
The building structures (house) on the property burnt down and have been cleared from the site. The city of Lansing would like to purchase the riverfront parcel for recreational and preservation purposes.

8c. General size or scale:
1.6 acres

8d. Beneficiaries (persons or institutions benefited):
The citizens of the Lansing region.

8e. Indicate the relationship of this project to plans, programs, and other activities of your agency and other agencies (attach separate sheet if necessary):
The purchase of the parcel would allow the connection of two adjoining parks into one larger recreational area for greater connectivity for the non-motorized trail system.

Hunters Ridge
North Loop
4000 HUNTERS RIDGE DRIVE
Private
Hunters Ridge Drive
Hunters Ridge
South Loop
North
Mountain Bike (MTB) Trail
Direction to continue
Emergency Access
• Complete trail = approx. 6 miles
• MTB trail is one way
• Trail is open to hikers
• Bikers yield to hikers
Grand River
Fulton Park
Mid Loop
S. Waverly Road
West Lansing Trails
Sheffield Boulevard
Glenburne Boulevard
Fine Park
South Loop
Map by Anne Grobers / Mid Michigan Mountain Biking Association, a chapter of the International Mountain Bicycling Association (IMMBA-MBA) 2016
Map data © OpenStreetMap contributors, CC BY-SA

Image/Sketch for Parcel: 23-50-40-25-451-022

Sketch by Apex IV™

**Disclaimer: BS&A Software provides AccessMyGov.com 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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4300
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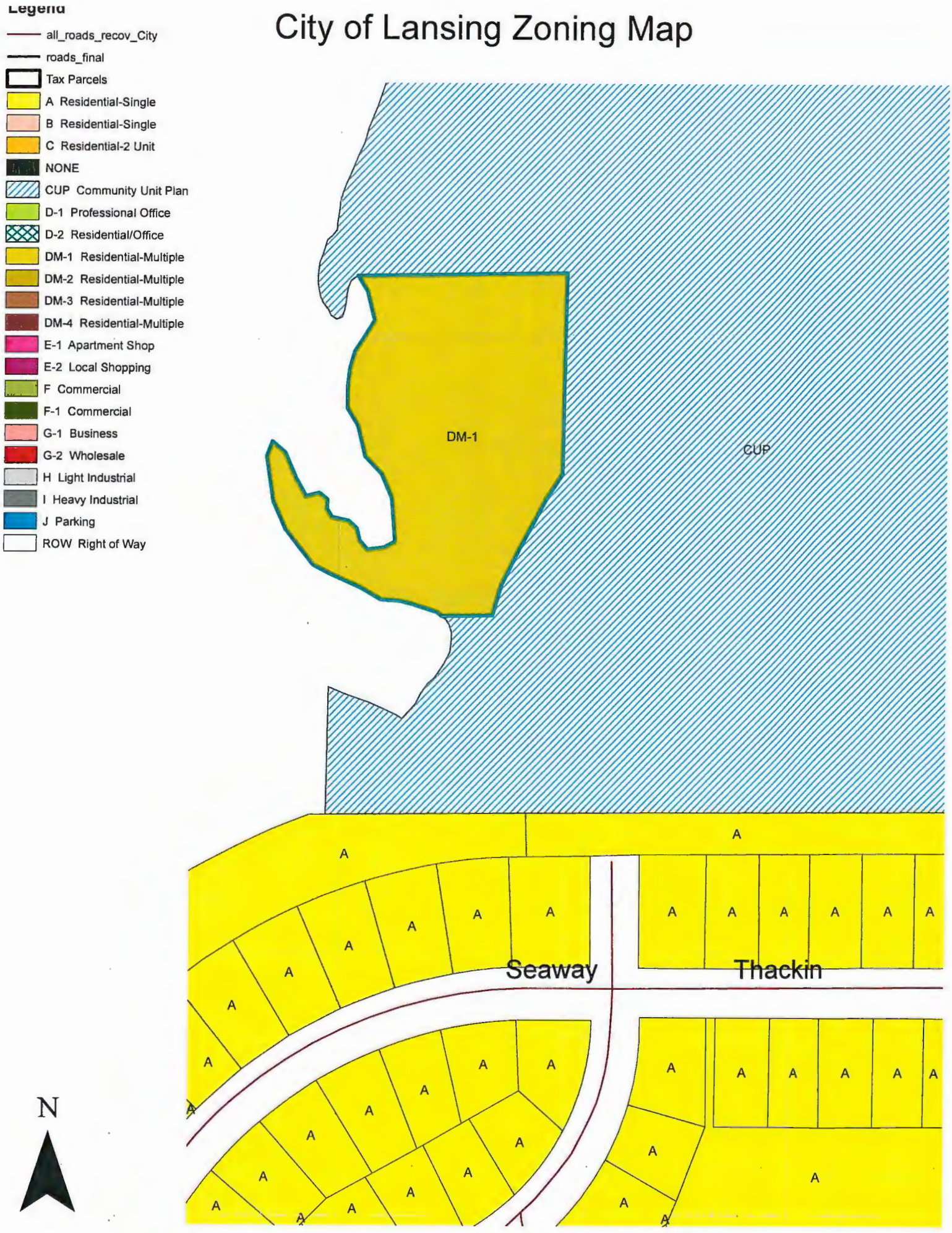
City of Lansing Zoning Map



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

WHEREAS, the City Council of the City Lansing previously approved the sale of the former Red Cedar Golf Course containing approximately 32.29 acres of land pursuant to the Amended and Restated Real Estate Real Estate Purchase Agreement (the "Agreement"), on July 23, 2018; and

WHEREAS, the Agreement was amended substantively by a First Amendment, which was also approved by City Council on July 23, 2018; and

WHEREAS, the Agreement has been extended by the Second through Sixth Amendments ; and

WHEREAS, a certain Seventh Amendment to the Agreement has been proposed that makes substantive changes to the Agreement as amended, and requires the consideration and approval of the City Council of the City of Lansing; and

WHEREAS, the Seventh Amendment to the Amended and Restated Real Estate Purchase And Development Agreement was placed on file with the Lansing City Clerk pursuant to Section 208.08 of the Codified Ordinances on February 25, 2019; and

WHEREAS, pursuant to Section 208.08 of the Codified Ordinances a public hearing on the Seventh Amendment shall be held and notice of the public hearing shall be published in accordance with the Code Section; and

WHEREAS, Pursuant to the testimony taken at the public hearings on this matter and the vote of the people, the Red Cedar Property is no longer needed for public purposes;

NOW THEREFORE, BE IT RESOLVED, that a public hearing be held in the City Council Chambers on April 8, 2019, at 7:00 P.M., or as soon thereafter as the matter shall have come on to be heard, on the proposed Seventh Amendment to the Amended and Restated Real Estate Real Estate Purchase Agreement filed with the City Clerk;

BE IT FINALLY RESOLVED, that the City Clerk publish and provide notice of the public hearing pursuant to Section 208.08 of the Codified Ordinances.

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

WHEREAS, the City Council of the City Lansing previously approved the sale of the former Red Cedar Golf Course containing approximately 32.29 acres of land pursuant to the Amended and Restated Real Estate Real Estate Purchase Agreement (the "Agreement"), in Resolution 2018-204, passed on July 23, 2018; and

WHEREAS, the Agreement was amended substantively by a First Amendment, which was also approved by City Council on July 23, 2018; and

WHEREAS, the closing date in the Agreement has been extended by the Second through Sixth Amendments; and

WHEREAS, a certain Seventh Amendment to the Agreement has been proposed that contains substantive changes to the consideration, duties and obligations of both parties, including: an increase in the purchase price, a removal of the cap on tax exempt bonding to be done by the Developer, a revision to the scope and physical layout of the project; and requires the consideration and approval of the City Council of the City of Lansing; and

WHEREAS, the Seventh Amendment to the Amended and Restated Real Estate Purchase And Development Agreement was placed on file with the Lansing City Clerk pursuant to Section 208.08 of the Codified Ordinances on February 25, 2019; and

WHEREAS, pursuant to Section 208.08 of the Codified Ordinances a duly noticed public hearing for consideration of the Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement was held on April 8, 2019; and

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement for the Red Cedar Property, placed on file with the City Clerk on February 25, 2019.

BE IT FURTHER RESOLVED, that the Lansing City Council reaffirms its determination, based on testimony taken at the public hearings on this matter and the vote of the people, that the Red Cedar Property is no longer needed for public purposes.

BE IT FURTHER RESOLVED, that the Lansing City Council hereby authorizes the sale of approximately 35.57 acres of the former Red Cedar Park property to Continental/Ferguson Lansing, LLC, more fully described in Resolution 2018-204, passed on July 23, 2018, for the increased sum of Two Million Two Hundred Twenty One Thousand Six Hundred Seventy and 00/100 Dollars ($2,221,670.00), pursuant to

the changes in consideration, duties, terms, conditions, and obligations contained in the Seventh Amendment to the Amended and Restated Real Estate Purchase Agreement.

BE IT FURTHER RESOLVED, that any net proceeds from the sale of the Property described herein will be handled as set forth in Resolution 2018-204, passed on July 23, 2018.

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

SEVENTH AMENDMENT TO THE AMENDED AND RESTATED REAL ESTATE PURCHASE AND DEVELOPMENT AGREEMENT

This is the Seventh Amendment (the "Amendment") to the Amended and Restated Real Estate Purchase and Development Agreement dated July 23, 2018, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, and Sixth Amendment (the "Agreement"), by and between the City of Lansing, a Michigan municipal corporation (the "City"), and Continental/Ferguson Lansing, LLC, a Delaware limited liability company ("Developer").

RECITALS

WHEREAS, the Developer and the City entered into the Amended and Restated Real Estate Purchase and Development Agreement which was amended by the First Amendment to the Amended and Restated Real Estate Purchase and Development Agreement; and

WHEREAS, the Second Amendment to the Amended and Restated Real Estate Purchase and Development Agreement removed the date of November 30, 2018 in Section 2.1 and replaced it with December 14, 2018; and

WHEREAS, the Third Amendment to the Amended and Restated Real Estate Purchase and Development Agreement removed the date of December 14, 2018 in Section 2.1 and replaced it with January 11, 2019; and

WHEREAS, the Fourth Amendment to the Amended and Restated Real Estate Purchase and Development Agreement removed the date of January 11, 2019 in Section 2.1 and replaced it with February 11, 2019; and

WHEREAS, the Fifth Amendment to the Amended and Restated Real Estate Purchase and Development Agreement removed the date of February 11, 2019 in Section 2.1 and replaced it with March 4, 2019; and

WHEREAS, the Sixth Amendment to the Amended and Restated Real Estate Purchase and Development Agreement removed the date of March 4, 2019 in Section 2.1 and replaced it with April 26, 2019; and

WHEREAS, the Developer and City are hereby agreeing to amend the Agreement according to the terms set forth herein;

NOW, THEREFORE, in consideration of the mutual promises hereinafter contained and other good and valuable consideration, the parties agree as follows:

AMENDMENTS TO THE AGREEMENT

1. Section 1.2 is amended to increase the Purchase Price from Two Million Two Hundred Thousand and 00/100 Dollars ($2,200,000.00) to Two Million Two Hundred Twenty One Thousand Six Hundred Seventy and 00/100 Dollars ($2,221,670.00), in consideration for the delay in Closing.

2. Section 2.1, is amended to remove the date of April 26, 2019, and replace it with July 31, 2019.

3. Section 5.1.1 (b) is amended to remove all text and replace it with, "Within the same structure that contains the Full Service Hotel, a Select Service Hotel containing not less than 128 guest rooms ("Select Service Hotel")."

4. Section 5.1.1 (c) is amended to remove "40,000" and replace it with "35,550".

5. Section 5.1.1 (d) is amended to remove "two hundred (200)" and replace it with "one hundred and fifty (150)"

6. Section 5.1.1 (d1) is removed in its entirety.

7. Section 5.1.1 (e) is amended to remove "exclusively in that portion of the Purchase Property that is east of the easternmost point of the portion of the Red Cedar Property" and replaced with "in the eastern and southern portions of the Purchase Property that front on Michigan Avenue", and to remove "1,222" and replace it with "1,100".

8. Section 5.1.1 (h) is amended to removed "116" and replace it with "120".

9. Section 5.1.1 (j) is amended to remove "will be owned constructed and maintained by the Developer" and replace it with, "may be partially publicly owned, but will be constructed and maintained exclusively by Developer."

10. Section 5.6 is amended to insert ", and associated site preparation" to the end of the first sentence, and to insert ", and anything owned, maintained, and operated by a public entity so long as it is within a public right of way or easement" to the end of the third sentence.

11. Section 7.3.1. is amended to remove "City will reasonably pursue" and replace it with "Developer will reasonably pursue".

12. Section 7.3.1 (a) is amended to remove, "Ten Million Seven Hundred Fifteen Thousand Six Hundred Sixty-Nine and 00/100 Dollars ($10,715,669.00)", and replace it with, "the Project costs that qualify for tax exempt bonding, as determined by the LBRA in its sole and exclusive discretion in consultation with its bond counsel,".

13. Section 7.4 is amended to strike the dates October 1, 2017 through September 30, 2018 and replace them with the dates October 1, 2018 through September 30, 2019.

14. At the end of the Agreement, the Exhibits are modified as follows:
    a. Exhibit C-1 is replaced with Revised Exhibit C-1, dated January 18, 2019, as attached to this Amendment;
    b. Exhibit C-2 is replaced with Revised Exhibit C-2, dated February 6, 2019, as attached to this Amendment;
    c. Exhibit D is replaced with Revised Exhibit D, dated January 16, 2019, as attached to this Amendment;

15. An electronic copy of a signature to this Amendment or the Agreement will be deemed the same as an original.

16. This Agreement may be executed in counterparts, each of which shall be an original and all of which should constitute the same instrument.

17. All other terms and conditions of the Agreement, except as modified herein, remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Developer has executed this Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement, as of the date signed.

CONTINENTAL/FERGUSON LANSING, LLC:
By: Hallmark Lansing, LLC
Its: Member

By: Franklin E. Kass
Its: Member

STATE OF OHIO)
)ss
COUNTY OF FRANKLIN)

The foregoing instrument was acknowledged before me this 22 day of February, 2019 by Franklin E. Kass, as Member of Hallmark Lansing, LLC as Member of Ferguson/Continental Lansing, LLC, by him to be his free act and voluntary deed.

_____, Notary Public
_____ County, _____
My commission expires: _____

SHAYLA MOFFITT
Notary Public, State of Ohio
My Commission Expires 1-21-20

CONTINENTAL/FERGUSON LANSING, LLC:
By: Red Cedar Investor, LLC
Its: Member

By: Joel I. Ferguson
Its: Member

STATE OF MICHIGAN)
)ss
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me this 22 day of February 2019 by Joel I. Ferguson, as Member of Red Cedar Investor, LLC as Member of Ferguson/Continental Lansing, LLC, by him to be his free act and voluntary deed.

_____, Notary Public
Livingston County, acting in Ingham
My commission expires: 1.28.2023

KELLY MARIE CLARK
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires January 28, 2023

IN WITNESS WHEREOF, the City has executed this Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement, as of the date signed.

CITY OF LANSING:

_____

By: Andy Schor
Its: Mayor

STATE OF MICHIGAN)
)**ss**
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Andy Schor, as Mayor of the City of Lansing, by him to be his free act and voluntary deed.

_____
_____, Notary Public
_____ County, _____
My commission expires: _____

I hereby certify that funds are not required for this transaction:

_____
Finance Director/Controller

Approved as to form only:

_____
City Attorney, James Smiertka

RED CEDAR DEVELOPMENT

CONCEPTUAL MASTER PLAN

LANSING, MI
January 18, 2019

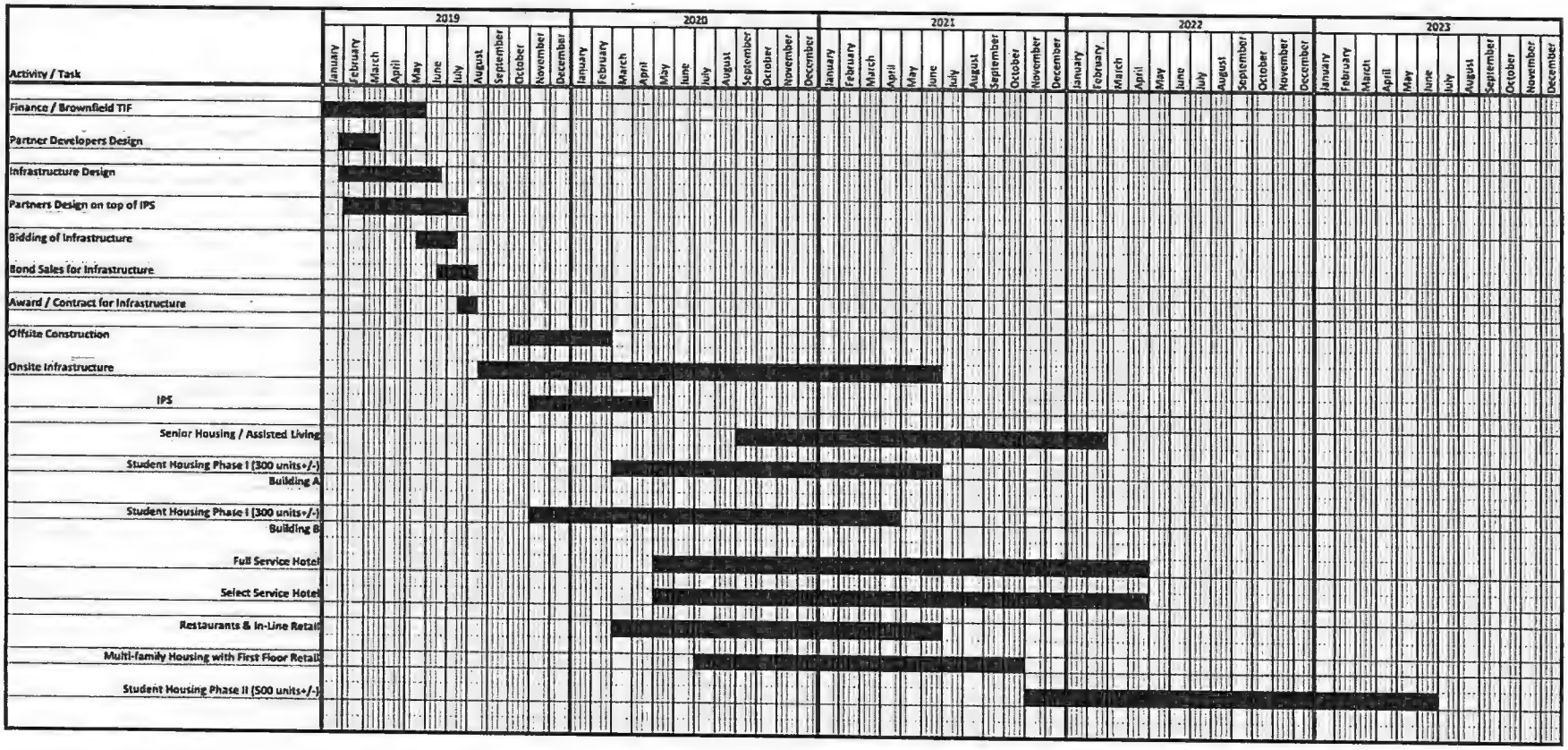
EDGE

Exhibit C-2: Red Cedar Development - Lansing, Michigan

as of February 6, 2019 (per January 18, 2019 Red Cedar Development "Conceptual Master Plan")

Master Developer: Continental/Ferguson Lansing, LLC		
Construction Type	**Construction Description**	**Investor**
Vertical Construction (All Structures will be built upon Three Integrated Parking Structures)	**Structure and Exterior Materials**	**Ownership/Building Developer**
Full Service Hotel (80 feet above Michigan Ave., 5-stories on IPS - 152 Keys, Restaurant and Ballrooms)	Structure - steel frame and concrete with engineered metal stud. Exterior - EIFS, masonry and decorative metal exterior finishes with aluminum and glass window systems.	Concord Hospitality Enterprise Company/Continental Real Estate Companies and Continental/Ferguson Lansing, LLC
Select Service Hotel (80 feet above Michigan Ave., 5-stories on IPS - 128 Keys)	Structure - steel frame and concrete with engineered metal stud. Exterior - EIFS, masonry and decorative metal exterior finishes with aluminum and glass window systems.	Concord Hospitality Enterprise Company/Continental Real Estate Companies and Continental/Ferguson Lansing, LLC
Restaurants and In-Line Retail (35,550 SF)	Structure - steel frame and concrete with light gauge metal stud. Exterior - EIFS, masonry and and decorative metal exterior finishes with aluminum and glass storefront and windows.	Continental/Ferguson Lansing, LLC
Multifamily Housing with First Floor Retail (10,000 SF) (55 feet above Michigan Ave., 5-stories - 150 Marketrate Units)	Structure - steel and light gauge metal stud; wood stud with engineered wood floor/roof structure. Exterior - EIFS, masonry and decorative metal exterior finishes with aluminum and glass window systems.	Continental/Ferguson Lansing, LLC
Student Housing (55 feet above Michigan Ave., 5-stories on IPS - 1,100 Beds)	Structure - steel and wood stud with engineered wood floor/roof structure. Exterior - EIFS, masonry and decorative metal exterior finishes with aluminum clad and glass window systems.	Hallmark Communities/Continental Real Estate Companies and Continental/Ferguson Lansing, LLC
Senior Village - Assisted Living / Memory Care Facility (27 to 50 feet above and facing Michigan Ave., 2 to 4-stories above-grade along Michigan Ave. - 120 Units)	Structure - steel frame and concrete with engineered metal stud. Exterior - combination of masonry and fiber cement siding.	Continental Senior Housing
On-site and Off-Site Improvements (Includes Integrated Parking Structure)		
Privately Funded Improvements	Public and private infrastructure, environmental remediation, asbestos abatement, demolition and site preparation.	Continental/Ferguson Lansing, LLC-Tax-Exempt/Taxable Revenue Bonds and Private Lender Financing
Lansing Board Water & Light Improvements	Public infrastructure in public rights-of-way and easements.	Lansing Board Water & Light

Exhibit D: Project Schedule
Red Cedar Redevelopment - Lansing, Michigan
Preliminary as of January 16, 2019



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RECEIVED DEC 03 2018

XV B 1.

City of Lansing

OFFICE OF THE CITY ATTORNEY

1656

Claims Review Committee Form

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

NAME: Nicholas John Premo DATE: Dec. 3

MAILING ADDRESS: 1126 Farrand EMAIL:

CITY: Lansing STATE: MI ZIP CODE: 48906

TELEPHONE: Home (517) 894 3897 Work ( )

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: 1126 Farrand PARCEL NO. 33-01-01-10-328

DATE OF INCIDENT: 11-1-2018 AMOUNT YOU WERE BILLED: 3,065.00

TOTAL AMOUNT YOU ARE CONTESTING: Sum, Part, All

TYPE OF ASSESMENT:

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.

was working on picking up and restoring property when I didn't know i had a spoter and my home was red tagged. I had no time or understanding that the Yard letter was sent. If i had I would have cleaned it up promptly like any others I have gotten in the past. I relize more then a few Items where debris But all my Front door wood frams where on the wood Isle racks, I had so more Put a new slide door But the day I went to get it, in the house it was taken. as one of the items. also this is a Big Bill when Im allready looking at a huge remodel Bill.

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

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

Nuisance Fee Billing Statement

RECEIVED DEC 03 2018

Due Date: 12/28/18
Pay Invoice In Full

PREMO NICHOLAS
1126 FARRAND ST
LANSING MI 48906-5409
Re: 1126 FARRAND ST

Enf Number: E18-10111
Parcel: 33-01-01-10-328-
Address: 1126 FARRAND ST

Signature of Owner/Owner's Agent _____ Date _____

Please detach and return with payment

Bill Detail

Invoice Number	Enforcement Numbe	Address	Amount Due
00124033	E18-10111	1126 FARRAND ST	$3,065.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash - Admin Fee	$ 265.00
	2800.000	Trash - Contractor Charge	$ 2,800.00

Total Amount Due $ 3,065.00

Questions? Contact CODE ENFORCEMENT at 483-4361

Note:

1. Payment in full may be made within 30 days from billing date.
2. Any unpaid balance remains as a lein against this property, and will be added to the next property tax bill, (JULY TAXES).
3. July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
4. In order to assure proper credit, please send in the top portion of this bill along with your payment.
5. Fees not paid within 30 days are subject to a 5% penalty, which will be applied on the 31st day.

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 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, 5th Floor, City Hall, 124 West Michigan Ave, Lansing, MI 48933

Please make checks payable to: Lansing City Treasurer
124 W. Michigan Avenue
1st Floor
Lansing, MI 48933

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

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

PREMO NICHOLAS
1126 FARRAND ST
LANSING, MI 48906-5409

Violation Date:	11/01/2018
Violation Location:	1126 FARRAND ST
Parcel No:	33-01-01-10-328-061
Compliance Due Date:	November 08, 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: Carpeting/Carpet Padding debris

Violation: Deteriorated electronic equipment

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Deteriorated building materials

Violation: Motor vehicle parts debris

Violation: Brush & Tree Limb debris

Violation: Clothing/Cloth Products

Violation: Plastic Container(s) debris

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: **Everett Coates** (517) 483 7621 **Everett.Coates@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy

OFFICE OF THE CITY ATTORNEY

MEMORANDUM

To: **LYNNE PUENTE, Code Compliance**

From: **VENUS KUMAR, Paralegal**

Subject: **SPECIAL ASSESSMENTS CLAIM; Nicholas John Premo**
Date of Incident: November 1, 2018

Date: **December 4, 2018**

Attached is a Claim Form received by this office from Nicholas John Premo for $3,065.00 due to a Trash Violation at 1126 Farrand.

Please have the history of this incident investigated and compile all records, data, back up information, and the like and return to me so that Lisa Hagen can review the information and make a determination as to whether the City is liable or not.

Thank you for your assistance.

/vmk
Attachments

RECEIVED FEB 12 2019

DATE: 12/03/2019

1656

PPN:	**33-01-01-10-328-061**
DATE SUBMITTED:	**2/12/2019**
ADDRESS OF VIOLATION:	**1126 Farrand**
LISTED TAXPAYER OF RECORD:	**Premo, Nicholas**
OTHER TAXPAYER OF RECORD:	
CLAIMANT:	**Premo, Nicholas**
CLAIMANT'S ADDRESS:	**1126 Farrand Lansing, MI 48906**
TYPE OF ACTIONS CONTESTED:	**Trash Removal**
VIOLATION DATE:	**11/01/2018**
NOTIFICATION DATE:	**11/01/2018**
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	**$3,065.00**
CONTRACTOR NAME - INVOICE NO. - DATE:	**Crutcher 18-T094 11/20/2018**
AMOUNT OF CLAIM:	**$3,065.00**

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 1/01/2018	**Grass Violation 7/26/2018**	**Red Tagged 11/01/2018**	**Trash Violation 11/01/2018**

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: **See Attached**

CODE OFFICER'S NOTES: This office was called to this property by the Lansing Police Department the call was for someone being in the home which turned out to be someone who was living there in exchange for working on the property. The owner wanted this person out and called LPD and stated there was a squatter in the home. This property was Red Tagged due to the interior and exterior conditions as the home is almost completely gutted and there are no permits for the work or repairs. At the time this property was tagged a trash violation was also written and the owner was aware of this per their conversations with the Code Enforcement Officer. The claimant also notified me that they were going to file a claim and state the notification was stolen from the mail box. This office has repeatedly asked the claimant to update their mailing address so that they can get the notifications in a timely manner the owner stated on 12/07/2018 that he put a forward address in with the post office but to date still has not updated his address with the Assessor's Office. Proper actions were taken by both the officer and the contractor therefore this office recommends denial of the claim.

SCANNED

RECEIVED DEC 03 2018

City of Lansing

OFFICE OF THE CITY ATTORNEY

1656

Claims Review Committee Form

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

NAME: Nicholas John Premo DATE: Dec. 3

MAILING ADDRESS: 1126 Ferrand EMAIL:

CITY: Lansing STATE: MI ZIP CODE: 48906

TELEPHONE: Home (517) 394 3897 Work ( )

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: 1126 Ferrand PARCEL NO. 33-01-01-10-328

DATE OF INCIDENT: 11-1-2018 AMOUNT YOU WERE BILLED: 3,065.00

TOTAL AMOUNT YOU ARE CONTESTING: Sum, Part, All

TYPE OF ASSESMENT:

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.

was working on picking up and restoring property when I didn't know i had a spoter and my home was red tagged. I had no time or understanding that the Yard letter was sent. If i had I would have cleaned it up promptly like any others I have gotten in the past. I relize more then a few Items were debris But all my French door wood frams where on the wood Rile racks, I had some but a new slider door But the day I went to get it, in the house it was taken. as one of the items. also this is a Big Bill when I'm allready looking at a huge remodel Bill.

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

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

Nuisance Fee Billing Statement

RECEIVED DEC 0 3 2018

Due Date: 12/28/18
Pay Invoice In Full

PREMO NICHOLAS
1126 FARRAND ST
LANSING MI 48906-5409
Re: 1126 FARRAND ST

Enf Number: E18-10111
Parcel: 33-01-01-10-328-
Address: 1126 FARRAND ST

Signature of Owner/Owner's Agent

Date

Please detach and return with payment

Bill Detail

Invoice Number	Enforcement Numbe	Address	Amount Due
00124033	E18-10111	1126 FARRAND ST	$3,065.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash - Admin Fee	$ 265.00
	2800.000	Trash - Contractor Charge	$ 2,800.00

Total Amount Due $ 3,065.00

Questions? Contact CODE ENFORCEMENT at 483-4361

Note:

1. Payment in full may be made within 30 days from billing date.
2. Any unpaid balance remains as a lein against this property, and will be added to the next property tax bill, (JULY TAXES).
3. July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
4. In order to assure proper credit, please send in the top portion of this bill along with your payment.
5. Fees not paid within 30 days are subject to a 5% penalty, which will be applied on the 31st day.

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 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, 5th Floor, City Hall, 124 West Michigan Ave, Lansing, MI 48933

Please make checks payable to:Lansing City Treasurer
124 W. Michigan Avenue
1st Floor
Lansing, MI 48933

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

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

PREMO NICHOLAS
1126 FARRAND ST
LANSING, MI 48906-5409

Violation Date:	11/01/2018
Violation Location:	1126 FARRAND ST
Parcel No:	33-01-01-10-328-061
Compliance Due Date:	November 08, 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: Carpeting/Carpet Padding debris

Violation: Deteriorated electronic equipment

Violation: Indoor type furniture In the outdoors

Violation: Junk tire debris

Violation: Deteriorated building materials

Violation: Motor vehicle parts debris

Violation: Brush & Tree Limb debris

Violation: Clothing/Cloth Products

Violation: Plastic Container(s) debris

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: Everett Coates (517) 483 7621 **Everett.Coates@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy

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

Nuisance Fee Billing Statement

Date Created: 11/28/2018
Due Date: 12/28/2018
Pay Invoice In Full

PREMO NICHOLAS
1126 FARRAND ST
LANSING MI 48906-5409

Inv Number: 00124033
Parcel: 33-01-01-10-328-061
Address: 1126 FARRAND ST

Parcel: 33-01-01-10-328-061 **Bill Detail**

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00124033		E18-10111	1126 FARRAND ST	$3,065.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash - Admin Fee	$ 265.00
	2800.000	Trash - Contractor Charge	$ 2,800.00

Total Amount Due $ 3,065.00

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

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

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

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

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

Eric's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericsrefuse@hotmail.com

INVOICE

BILL TO

Economic Development &
Planning Code
Enforcement Office
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 2345
DATE 11/27/2018

PROPERTY ADDRES
1126 Farrand ST

PARCEL NUMBER
33-01-01-10-328-061

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	10	150.00	1,500.00
city:add cy any after 3	27	22.00	594.00
city:class 2 construction material after 3	20	26.00	520.00
city:tire tire removal	2	5.50	11.00

11/21/18
20 yards
scattered materials all over the property.

BALANCE DUE **$2,800.00**

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

PREMO NICHOLAS
1126 FARRAND ST
LANSING, MI 48906-5409

Violation Date:	11/01/2018
Violation Location:	1126 FARRAND ST
Parcel No:	33-01-01-10-328-061
Compliance Due Date:	November 08, 2018

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Violation: Deteriorated electronic equipment

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Deteriorated building materials

Violation: Motor vehicle parts debris

Violation: Brush & Tree Limb debris

Violation: Clothing/Cloth Products

Violation: Plastic Container(s) debris

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: Everett Coates (517) 483 7621 **Everett.Coates@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 11/20/2018

TAXPAYER: PREMO NICHOLAS, 1126 FARRAND ST LANSING, MI 48906-5409

Location of Work:

Enf Num: E18-10111

Address: 1126 FARRAND ST
Lot No:
Description:
Parcel No: 33-01-01-10-328-061

Remove Trash and Debris

Work Authorized:
Violation: Carpeting/Carpet Padding debris

Violation: Deteriorated electronic equipment

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Deteriorated building materials

Violation: Motor vehicle parts debris

Violation: Brush & Tree Limb debris

Violation: Clothing/Cloth Products

Violation: Plastic Container(s) debris

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

This action is authorized by the Manager of Code Compliance

Authorized Time required to complete work: 10
Authorized Cubic Yards: 35

Warning Comment:
Vacant tagged property

Submitted By: Everett Coates (517) 483 7621

This action is authorized by the Manager of Code Compliance

Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING
CODE ENFORCEMENT OFFICE

EC 11-13-18 Front porch was cleaned but back yard has hardly been touched. Will give a 1 wk ext to see if progress will continue.

18-T094

12/03/2018-owner called he just stated he was aware of the trash removal he stated he had a squatter there he thinks they took the trash notice out of the mail box/ I told him if this is an issue he should change the mailing address to where he lives he stated no he does not want to do that he wants the mail to go there/he wants to file a claim and he believes that he will win because the notice was stold from his mail box/I told him he has had multiple trash notice in the past he knows he cannot leave items outside/ I told him in the future he should get a dumpster or have a plan to remove them and not just

pile items outside/he was upset at the amount of the bill he was trying to sell the home but due to the interior conditions he could only get $6,000.00 for the home/he states he goes by the home just about every day but how he did not know he had a squatter is a question if he is there everyday/lmp

**spoke with officer driver regarding safety and he stated the claimant has been going back and forth about the squatter he told zach it was a friend who was to be doing work on the home however he wasn't working so the police were called to remove him when the police came no one was there to remove but the house was tagged due to the interior conditions then he told zach it was a squatter but officer driver also told him prior to the trash violaton the owner should update his address and he said he did not want to/the premise officer and code officer both believe he did receive the notice because the front porch was full of debris and the porch was cleaned and the premise officer gave him an extension because progress was made but came by to recheck nothing else had been done per sos NICHOLAS JOHN PREMO 03/30/1979 M 6-00 180 HAZ IMAGE

1126 FARRAND ST R-OPER 03/03/2016 03/30/2020
LANSING MI 48906-5409 33 ***-**-**** he lists this as his address/police were confused upon their arrival as well/ owner first told me he sold it on land contract and had to get occupants out has told this office multiple stories/lmp

12/3/18 EC Had just received the enforcement back in the mail. it states "Return to sender. Not deliverable as addressed. Unable to forward."

OFFICE OF THE CITY ATTORNEY

MEMORANDUM

To: **CHRIS SWOPE, Clerks Office**

From: **VENUS KUMAR, Paralegal**

Subject: **SPECIAL ASSESSMENTS CLAIM; Nicholas Premo**
Date of Incident: November 1, 2018

Date: **February 26, 2019**

Attached is a Claim Form received by this office from Nicholas Premo for $3,065.00 due to Trash violations at 1126 Farrand.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds $2,500.00.

Thank you for your assistance.

/vmk
Attachments

CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK DATE: February 5, 2019

I Brent Sorg 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 Police Officer in the Lansing Police Department
	☐	☑	I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department
	☐	☑	I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.
2.	☐	☑	I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)
	☐	☑	I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]
	☐	☑	I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]
	☐	☑	I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:
☑ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. ***PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.***

No conflict will exist with this supplemental employment. I will serve as the men's assistant soccer coach at Spring Arbor University.

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 5 **day of** February, **20** 19.

Signed

State of Michigan, County of [illegible]

Subscribed and sworn to before me this 5th **day of** February, **20** 19

Notary Public/or Deputy Clerk

County, Michigan

My Commission Expires:

MICHELLE R REBOISE
Notary Public - Michigan
Ingham County
My Commission Expires Oct 3, 2019
Acting in the County of _____

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 <u>each</u> business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? Collegiate athletics; 0 %
- Are you self-employed? No
- Who is your employer, if applicable? Spring Arbor University
- What are the things you actually do in the business? Men's soccer assistant coach.
- Who are your clients and who receives your goods or services? Student athletes.
- How and where are your services performed? Spring Arbor campus.

- How often do you do outside work? Varies from month to month.

- Does your business or employer contract with the City? No.

- In performing your business or outside employment, do you use any City facilities or equipment? No If so, describe:

- Is any of your business or employment conducted in the City? No If so, describe:

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? No If so, please describe:

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

Jackson, Brian

From: maxmdonovan@yahoo.com
Sent: Saturday, February 23, 2019 6:59 PM
To: Clerk, City
Cc: Wood, Carol
Subject: Ranked Choice Voting Ballot Measure
Attachments: RCV-Bill-Lansing-City-Council-2.0.docx

Mr. Swope,

Please find enclosed a bill written by a resident of Lansing and supported by a group of voters who will be present to speak at the City Council meeting this Monday. it is our hope that this bill will be referred that night to committee and that it will be met with firm support from our city council. Council President wood is also CC'd, to ensure she is given proper notice of the addition to your correspondence discussion and also to make sure our city's leaders are not taken by surprise by the proposed legislation.

We welcome a healthy discussion and look forward to seeing the council at work on Monday evening.

Thank you for your time and your consideration,

Max Donovan and the citizen members of Rank MI Vote.

WHEREAS, it is required that a method of election of elective officers be provided for by Charter; and

WHEREAS, it has been determined that the current methods of election codified by Charter contribute to insufficient choice and participation for residents; and

WHEREAS, it has been determined that other methods of election may be more efficient while providing citizens with a superior range of options.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing, pursuant to the authority of the Home Rule Cities Act (MCL 117.1, et. seq.), and by a three-fifths (3/5) vote of its members elect, hereby proposes that the following amendment to Article 2, Chapter 2 of the Lansing City Charter be submitted to the electors of the City for adoption or rejection at the election to be held on November 5, 2019:

Chapter 2 ELECTION OF OFFICERS

2-201 Time Of Elections

~~The primary and general~~ Elections for all City offices shall be held ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER. ~~at the time provided by State law.~~

2-202 Non-Partisan, INSTANT RUNNOFF Ballot

The Clerk shall prepare ballots which shall conform to the provisions of law. No party vignette or emblem or other designation shall appear on the ballot in regard to City officers. ALL ELECTIONS FOR CITY OFFICERS SHALL BE BY BALLOT, USING A SYSTEM OF INSTANT RUNOFF VOTING WITHOUT A SEPARATE RUNOFF ELECTION. THE CITY CLERK SHALL IMPLEMENT AN INSTANT RUNOFF VOTING PROTOCOL FOR CITY ELECTIONS ACCORDING TO THESE GUIDELINES:

.1 THE BALLOT SHALL ALLOW VOTERS TO RANK CANDIDATES FOR CITY OFFICE IN ORDER OF CHOICE.
.2 IF A CANDIDATE IN AN ELECTION SHICH SHALL HAVE A SINGLE WINNER RECEIVES A MAJORITY OF “FIRST CHOICE” VOTES, THAT CANDIDATE IS ELECTED.
.3 IN AN ELECTION WHICH SHALL HAVE MULTIPLE WINNERS, THE SHARE OF THE VOTE REQUIRED TO BE ELECTED SHALL BE EQUAL TO 100 PERCENT DIVIDED BY THE NUMBER OF WINNERS THE RACE IS INTENDED TO HAVE, PLUS ONE ADDITIONAL VOTE.
.3a IN AN ELECTION WHICH SHALL HAVE MULTIPLE WINNERS, AFTER THE SELECTION OF THE FIRST WINNER THE VOTES CAST FOR THE SELECTED CANDIDATE WHICH SURPASS THE AMOUNT OF THE VOTE REQUIRED TO WIN SHALL BE SPLIT INTO SHARES. THESE FRACTIONS OF VOTES SHALL BE DIVIDED EQUALLY AMONG ALL PERSNOS WHO VOTED FOR THE WINNING CANDIDATE AND RE-ALLOCATED TO EACH OF THOSE VOTER’S NEXT CHOICE.
.4 IF NO CANDIDATES OR AN INSUFFICIENT NUMBER OF CANDIDATES HAVE BEEN ELECTED FOLLOWING THESE PROCEDURES AS STATED, AN INSTANT RUNOFF RETABULATION SHALL BE PERFORMED BY THE ELECTION COMMISSION, OR ITS DESIGNEE, WITHIN FIVE BUSINESS DAYS OF THE ELECTION. THE INSTANT RUNOFF RETABULATION SHALL BE CONDUCTED IN ROUNDS WITH THE CANDIDATE HAVING THE FEWEST VOTES AFTER EACH ROUND BEING ELIMINATED. IN EACH ROUND, EACH VOTER’S BALLOT SHALL COUNT AS A SINGLE VOTE FOR WHICHEVER CONTINUING CANDIDATE THE VOTER HAS RANKED HIGHEST, EXCEPT IN THE CASE OF VOTES DIVIDED INTO SHARES AS PROVIDED FOR IN SECTION 3A. THE ELIMINATION OF CANDIDATES WITH THE FEWEST VOTES AFTER EACH ROUND SHALL CONTINUE UNTIL TWO UNELECTED CANDIDATES REMAIN, AT WHICH POINT THE CANDIDATE WHICH THEN HAS THE GREATEST NUMBER OF VOTES SHALL BE ELECTED.
.5 ELECTIVE OFFICERS MAY ADOPT ADDITIONAL REGULATIONS CONSISTENT WITH THIS SUBSECTION TO IMPLEMENT THESE STANDARDS.

2-203 Wards

.1 The City of Lansing shall be divided into four wards, from each of which a member of the City Council shall be nominated and elected.
.2 Each ward shall have the same boundaries as shall exist on the effective date of this Charter until changed in accord with law.
.3 The Election Commission shall revise the boundaries of the wards within 60 days after the figures from the Federal decennial census becomes available. New ward boundaries created within 120 days of a City primary election shall become effective after the general election.
.4 The Election Commission shall, to the greatest extent possible, establish wards that are compact, contiguous and of equal population.

2-204 Method Of Nomination

.1 The method of nomination for all elective offices in the City shall be by petition, or by a candidate submitting a filing fee. ~~A primary election shall be held on those occasions when the number of persons submitting valid nominating petitions or filing fees exceeds twice the number of positions to be filled in the office.~~
.2 Nominating petitions submitted by candidates for offices to be filled by voters of a ward shall be signed by at least

one hundred (100), but no more than one hundred fifty (150), of the persons registered to vote in the ward in which the election is to be held.
.3 Nominating petitions submitted by candidates for offices to~~,~~ be filled by the voters of the City at large shall be signed by at least four hundred (400), but no more than six hundred (600), of the registered electors of the City. .4 In lieu of submitting nominating petitions, a candidate may nominate himself or herself for City office by submitting a filing fee of one hundred dollars ($100.00). The filing fee shall be nonrefundable.
.5 The City Clerk shall assist members of the public by providing information regarding the requirements for candidacy, and in the preparation of petitions.
.6 Neither nominating petitions, nor filing fees shall be accepted unless accompanied by an affidavit sworn to or affirmed by the candidate, stating that the candidate possesses the legal qualifications for the office and requesting that the candidate's name be printed on the ballot.

2-205 Election Commission
.1 The conduct of City elections shall be the responsibility of the Election Commission consisting of the City Clerk, the City Attorney and the Assessor. The City Clerk shall preside.
.2 The Election Commission shall prescribe the procedures to be followed in the conduct of City elections in accord with state law.

2-206 State Law
To Apply The general election laws of the state as supplemented by the provisions of this Charter and relevant ordinances shall apply to the qualifications and registration of voters, the filing for office by candidates, and the conduct and canvass of City elections.

BE IT FURTHER RESOLVED that in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), the question shall be captioned and stated on the ballot as follows:

CITY OF LANSING CHARTER AMENDMENT
INSTALLMENT OF RANKED-CHOICE (AUTOMATIC RUNOFF) VOTING

It is proposed that the Lansing City Charter be amended to update Sections 2.201, 2.202, and 2.204 to replace existing election procedures with a democratic structure that allows voters to rank candidates by order of preference and which uses these assigned rankings to replace primary elections with automatic runoff elections.

Shall this amendment be adopted?

____ YES
____ NO

BE IT FURTHER RESOLVED that the Charter amendment would take effect on January 1, 2020.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed and authorized to, in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), transmit a copy of this resolution and roll call vote on it, along with a copy of the proposed amendment to the Governor of the State of Michigan for approval and a copy to the Attorney General of the State of Michigan for approval as to the form in which the proposal shall be presented to the electors.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on November 5, 2019.

BE IT FURTHER RESOLVED that the ballot wording is hereby certified to the City Clerk for submission to the City's electors at the election to be held on November 5, 2019.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the ballot proposal to the vote of the electors as required by law.

BE IT FURTHER RESOLVED that in accordance with law, the City Clerk shall post the proposed Charter amendment in full at each polling place.

BE IT FINALLY RESOLVED that the canvass and determination of the votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Lansing.

3-7-2019

TO: Lansing city council

From: Harold J. Leeman Jr
1138 W maple (517)
Lansing mi 48915 [Ph: 5809624]

Re: Appeal to Lansing city council:

Claims Review committee decision - (Letter dated 2-14-19) - Reimbursement of Legal Fees:

— $1,703.00

RECEIVED
2019 MAR -7 PM 2:38
LANSING CITY CLERK

Thank you,

Harold J Leeman Jr

(cover page)

[Plus 2 pages for Background Info]

City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

February 14, 2019

Harold Leeman
1421 Turner Street
Lansing, MI 48906

Re: Claim for Legal Expenses

Dear Mr. Leeman:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of $1,703.00 for reimbursement of legal fees, and after due deliberation and consideration, has denied the claim you filed with the City of Lansing.

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

Sincerely,

James D. Smiertka
City Attorney

JDS/vmk

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@ci.lansing.mi.us

4-18-18

RECEIVED

2018 APR 18 PM 3:51

LANSING CITY CLERK

To: Lansing City Council

From: Harold J Leeman Jr.
1421 Turner Street
Lansing, Mi 48906

Re: Claim for Legal expenses- (2-28-17 to 1-24-18) $ 1,703.00

Reasons for filing claim:

1. City of Lansing Parks Department and the Gier Advisory Board did not follow Open meetings Act and Proper Notice to all members (6) for there July 2016 special meeting.

2. City Attorneys office did not follow "past practice" of sending a letter to Harold J Leeman Jr. (see Gier Advisory Minutes-08 to2016)

3. City of Lansing Parks employee (E. Stevens) did not return check #3525-$200.00 to Harold Leeman Jr. Check was dated 1-28-17 see copy.

4. City Attorneys office did not follow ~~up~~ in a "pro action" matter in regard to getting the Gier Advisory Board minutes (2008 - 2016) to Harold Leeman from the Parks Department.

In closing, please send this matter to the proper ~~Mayor~~ council committee, city attorney office and Mayors office for Payment of $1,703.00 .

Thank you- Harold J Leeman Jr

Note: Please respond by May 30th 2018

Harold Leeman Jr.
1421 Turner street
Lansing, Mi 48906
Ph: 580-9624

Station: 947

☑ Track your expenses...
☐ Clothing ☐ Food ☐ Transportation
☐ Credit Card ☐ Utilities ☐ Mortgage
☐ Entertainment ☐ Insurance ☐ Other

☐ TAX-DEDUCTIBLE ITEM

3525

1-28-2017

Gier Advisory Board

Two hundred and no/100

BALANCE FORWARD
THIS ITEM 200 00
BALANCE
DEPOSIT
OTHER
BALANCE FORWARD

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

XV B 5.

RECEIVED
2019 MAR -8 PM 12:58
CITY CLERK

CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 3-8-2019

I Thomas Dominic Cochran (Name) make the following disclosure under oath:

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 Director, Lansing Public Media Center in the Office of Community Media Department
	☐	☒	I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department
	☐	☒	I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.
2.	☐	☒	I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)
	☐	☒	I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]
	☒	☐	I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]
	☒	☐	I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. ***PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.***

The matter to be acted upon is a rezoning of 901 Cleveland St from "B" Residential to "F" Commercial. Even though the rezoning itself doesn't cause a direct financial benefit, I'm filing the form out of an abundance of caution since an indirect benefit could theoretically be realized in the future.

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 8th **day of** March, **20**19.

Signed

State of Michigan, County of Ingham

Subscribed and sworn to before me this 8th **day of** March, **20**19

Notary Public/or Deputy Clerk

Ingham **County, Michigan**

My Commission Expires: Nov 7, 2025

MONICA ZUCHOWSKI
NOTARY PUBLIC-STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires November 7, 2025
Acting in the 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? Ahptic Productions, LLC; 33 %
- Are you self-employed? No
- Who is your employer, if applicable? City of Lansing
- What are the things you actually do in the business? Produce TV commercials
- Who are your clients and who receives your goods or services? Advertising agencies
- How and where are your services performed? Production on location all over the midwest and post-production in Lansing(95% by employees and partners, not myself).

- How often do you do outside work? Personally, approximately once per month

- Does your business or employer contract with the City? No

- In performing your business or outside employment, do you use any City facilities or equipment? No If so, describe:

- Is any of your business or employment conducted in the City? Yes If so, describe: Post-production and editing of TV commercials

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? No If so, please describe:

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.