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

REVISED AGENDA FOR FEBRUARY 10, 2020

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

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

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of January 27, 2020

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

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

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

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

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

A. SCHEDULED PUBLIC HEARINGS

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE ON GENERAL SERVICES

a. Community Funding; Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women's Clubs "Let's Talk About It" Community (PEND-1473)

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

a. SLU-3-2019; Setting a Public Hearing, 1315 Massachusetts Avenue, Parking Lot in the "B" Residential Zoning District (PEND-1443, 1445)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

a. Z-9-2019; 3440 N. East Street, Conditional Rezoning from "F" Commercial District to "G-2" Wholesale District (PEND-1437, 1439)

F. ORDINANCES FOR PASSAGE

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

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

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

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

a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office

2. Letter(s) from the Mayor re:

a. Payment in Lieu of Taxes (PILOT), Porter Senior Apartments, 505 Townsend Street (PEND-1485,1487)

b. Brownfield Plan #79, 700 North Washington, Michigan Realtors Redevelopment Project (PEND-1477,1479)

c. SLU-1-2020, Special Land Use Permit, between 1220 and 1306 North Homer Street, Telecommunications Tower, Metro Fibernet, LLC (PEND-1481, 1483)

d. Obsolete Property Rehabilitation Act (OPRA) Certificate, 1611 East Kalamazoo Street, Allen Neighborhood Center (ANC) Holdings (PEND-1488,1489)

e. FY2020 Mid-Year Budget Amendment

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Notice from the Michigan Liquor Control Commission (RID #2002-02770), Transfer stock interest in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM) and Outdoor Service (1 area) located at Acapulco Mexican Grill, Inc., 300 N. Clippert St.

2. Affidavit of Disclosure, Hayden Erickson, Lansing Police Department

3. Claim Appeal #1757, Frank JaJou for $716.80 in trash fees at 4414 South Martin Luther King

4. Claim Appeal #1758, Jesus DelaTorre-Vavra for $4,271 in trash fees at 523 Cherry Street

5. Claim Appeal #1769, Sue Lover for $2,763 in trash fees at 3410 South Waverly Road

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

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

XX. ADJOURNMENT

CHRIS SWOPE, CITY CLERK

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

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

WHEREAS, Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women's Clubs, Inc. requested $500.00 to defray costs for facilities rental associated with their event, "Lets Talk About It" Community Conversation about S.A.F.E. Encounters with Law Enforcement to be held March 12, 2020; and

WHEREAS, the maximum total amount of Community Funding Account to be awarded to an organization in one fiscal year is $500.00; and

WHEREAS, the Committee on General Services met on January 28, 2020, reviewed the request and approved $675.00.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from the Community Funding Account to Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women's Clubs, Inc. in the amount of $675.00 to defray costs associated with facilities rental for their event "Lets Talk About It" Community Conversation about S.A.F.E. Encounters with Law Enforcement to be held March 12, 2020.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging $675.00 to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women's Clubs, Inc. shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

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 16, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-3-2019: 1315 Massachusetts Avenue, Special Land Use Permit, Parking lot in the "B" Residential zoning district

INTRODUCTION OF ORDINANCE

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

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2” Wholesale District, with a condition restricting the allowable uses

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

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 16, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2” Wholesale District, with a condition restricting the allowable uses

ORDINANCE # _____

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

The City of Lansing ordains:

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

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

Case Number:	Z-9-2019
Parcel Number's:	33-01-01-03-102-002
Address:	3440 N. East Street
Legal Descriptions:	Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from "F" Commercial District to "G-2" Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

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 _____, 2020, 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.

XV A.1.a

Chris Swope
Lansing City Clerk

February 7, 2020

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
Medical Marihuana Commission	January 10, 2020
Board of Water and Light Pension Fund Trustees	November 19, 2019
Board of Water and Light Board of Commissioners	November 19, 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

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for a Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APPARTMENTS, was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, _____, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APPARTMENTS.

ORDINANCE NO. _____

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

THE CITY OF LANSING ORDAINS:

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

884.___ THE PORTER SENIOR APARTMENTS

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

BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED 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.

(B) *DEFINITIONS.*

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

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

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

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

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

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

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

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

(9) "*MORTGAGE LOAN*" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY OR A LOAN INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE

FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING DEVELOPMENT.

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

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

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

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

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

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME

IDENTIFIED AS THE PORTER SENIOR APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR THIRTY (30) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2021.

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FIVE PERCENT (5%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE SAME PERIOD.

(4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL RESCIND AND REPLACE ANY PRIOR EXEMPTIONS AND SHALL COMMENCE EFFECTIVE AS OF JANUARY 1, 2021 WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415(a)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) 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, OR CAUSE TO BE FILED, 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.

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

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

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

C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY MATERIAL FORM, WITH THE EXCEPTION OF LIKE KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

(D) *LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE RENTAL HOUSING UNITS OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY RESIDENTS OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS 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.

(E) *PAYMENT OF ANNUAL SERVICE CHARGE.* THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, 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. COLLECTION PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).

(F) *CONTRACTUAL EFFECT.* 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 PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.

(G) *COMMENCEMENT AND DURATION.* THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT

REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40) YEARS., COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE, OF THE NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT TO SOMETHING OTHER THAN PROVIDING HOUSING FOR ELDERLY RESIDENTS OF LOW OR MODERATE INCOME WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

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, as contemplated herein.

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.

Approved as to form:

_____
James D. Smiertka, City Attorney
Dated: _____

City of Lansing
Notice of Public Hearing

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

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #79 – Michigan Realtors Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 700 N. Washington Avenue located in the City of Lansing, but more particularly described as:

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N ½ LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT

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

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

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

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 #79
MICHIGAN REALTORS REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 700 N Washington Ave located in the City of Lansing; and

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

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

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on **(INSERT DATE)** at 7:00 p.m. on Brownfield Plan #79 – Michigan Realtors Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N ½ LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT

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 #79 – Michigan Realtors Redevelopment Project and the scheduled public hearing.

_____

City Clerk

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #79
MICHIGAN REALTORS REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #79 – Michigan Realtors Redevelopment Project (the 'Plan'); and

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

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

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

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

3. the Project may result in new private investment of approximately $9,200,000,

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 February 7, 2020 unanimously recommended approval of the Plan, for this Project;

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

- The Plan constitutes a public purpose under the Act;

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

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

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

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

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #79 – Michigan Realtors Redevelopment Project'.

CITY OF LANSING BROWNFIELD PLAN #79, MICHIGAN REALTORS
PROPOSED BROWNFIELD PLAN APPROVAL PROCESS SCHEDULE

DATE	BOARD/ COMMITTEE	ACTION
By January 31, 2020	LEAP/LEDC	Final Brownfield Plan and Agreement is submitted to LEAP/LEDC for Review.
January 31, 2020	LEAP/LBRA	Final Draft Brownfield Plan Sent to LBRA Board.
Feb 7, 2020 3:00 P.M	Lansing Brownfield Redevelopment Authority	LBRA Approves Brownfield Plan #79.
Feb 10, 2020 7:00PM	Lansing City Council	Receives Brownfield Plan and refers it to the Committee on Development and Planning.
Feb 18, 2020 3:30 PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review and Approve Resolution to set Public Hearing.
Feb 24, 2020 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for 7:00PM on March 16, 2020. *Public Hearing Notice - 10 Days (Mail/Paper)*
March 16, 2020 7:00PM	Lansing City Council	Public hearing held at Council for Brownfield Plan. Referred back to the D&P Committee for approval.
March 17, 2020 3:30 PM	Committee on Development and Planning	D&P Committee passes resolution to approve the Brownfield Plan.
March 23, 2020 7:00PM	City Council Meeting	City Council Approves Brownfield Plan.

Revised 1/23/2020

DRAFT

Lansing Brownfield Redevelopment Authority

Lansing Brownfield Redevelopment Authority
Michigan Realtors Redevelopment Project

Brownfield Plan #79

700 N. Washington Avenue
Lansing, Michigan 48906

PREPARED BY:

Triterra
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REVIEWED BY:

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January 28, 2020

Approved by the LBRA on _____
Adopted by the Lansing City Council on _____

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1. Project Summary Sheet

The purpose of this Brownfield Plan (the "Plan") is to identify eligible activities and cost estimates for redevelopment of the property located at 700 N. Washington Avenue in the City of Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.

Project Name:	Michigan Realtors Redevelopment Project (the "Project")
Developer:	Michigan Realtors® (the "Developer") 700 N. Washington Avenue Lansing, MI 48906
Property Location:	700 N. Washington Avenue, Lansing, Michigan 48906 (the "Property")
Type of Eligible Property:	"Functionally Obsolete", and adjacent and contiguous
Project Description:	The Project includes the demolition of the existing, functionally obsolete building at 700 N. Washington Avenue and demolition of the building (known as 720 N. Washington Avenue) at 724 N. Washington Avenue. The entire 1.46-acre Property will be redeveloped to include a three-story, 19,443-square foot commercial office building with a roof deck and 72 paved parking spaces. When the new building is complete the existing building (720 N. Washington) will be demolished and the remainder of the Project will be completed. The development will be constructed to provide space designed for the Michigan Realtors®, a Lansing based association. Brownfield Eligible activities include asbestos and lead surveys and abatement, demolition, site preparation, infrastructure improvements, and preparation of the Brownfield Plan.
Total Capital Investment:	Property and Building Improvements: Estimated at $9,200,000 million (not including acquisition) of which there is $536,276 in eligible activities associated with the proposed Project.

Estimated Job Creation/Retention: The redevelopment will create approximately 25-30 temporary construction related jobs. The completed project will retain 30 existing Michigan Realtors® staff with room for projected creation of new jobs.

Duration of Plan: 9 years (starting in 2021)

Total New Taxes Generated by Development: $1,092,984		**% of New Taxes**
Uses		
Portion Passed Through to Saginaw Street Corridor Improvement Authority	$55,115	5%
Passed Through to: (CADL, School, Debt)	$442,007	40%
Portion Captured by LBRA to Reimburse Developer	$536,276	49%
Portion Captured for LBRA Plan Administration / Local Brownfield Revolving Fund (LBRF)	$59,586	6%
TOTAL NEW TAXES GENERATED	**$1,092,984**	**100%**

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

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

The Plan will allow the LBRA to use tax increment financing to reimburse **Michigan Realtors®** (the "Developer") for the costs of eligible activities required to redevelop the eligible property located at 700 N. Washington Avenue in the City of Lansing, Michigan, (the "Property"). Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

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

Eligible Property		
Address	**Tax ID**	**Basis of Eligibility**
700 N. Washington Avenue	33-01-01-09-453-061	Functionally Obsolete
724 N. Washington Avenue	33-01-01-09-453-023	Adjacent and Contiguous
730 N. Washington Avenue	33-01-01-09-453-011	Adjacent and Contiguous
732 N. Washington Avenue	33-01-01-09-453-001	Adjacent and Contiguous
0 N. Washington Avenue	33-01-01-09-453-051	Adjacent and Contiguous
104 E. Madison Street	33-01-01-09-453-111	Adjacent and Contiguous

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

The Property consists of a total of 1.46-acres and comprised of six contiguous parcels. One vacant two-story commercial office building totaling approximately 5,186-square feet and built in 1969 exists on the south end of the Property; and one occupied single-story commercial office building totaling approximately 4,898-square feet exists on the west-central portion of the Property. The remainder of the Property is comprised of grass lots and paved parking. The buildings have been used for commercial purposes.

The Property is considered an "eligible property" as defined by Act 381, Section 2 because: (a) the

Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); and (c) the parcel located at 700 N. Washington Avenue has been determined to be "functionally obsolete" as defined in Section 2(s) of Act 381, and the parcels located at 724, 730, 732, 0 N. Washington Avenue and 104 E. Madison Avenue are adjacent and contiguous to 700 N. Washington Avenue. Refer to Attachment B, Letter of Functional Obsolescence.

3. Brownfield Project Description

The Project includes the demolition of the existing, functionally obsolete building at 700 N. Washington Avenue and demolition of the building (known as 720 N. Washington Avenue) at 724 N. Washington Avenue. The entire 1.46-acre Property will be redeveloped to include a three-story, 19,443-square foot commercial office building with a roof deck and 72 paved parking spaces. When the new building is complete the existing building (720 N. Washington) will be demolished and the remainder of the Project will be completed. The development will be constructed to provide space designed for the Michigan Realtors® headquarters with over 30,000 members statewide.

The new building will provide space designed for hosting programs including workplace and conference space for Michigan Realtors® staff and training/meeting space to host dinners, continuing education seminars, committee meetings, and other events for members, stakeholders, and partners from around the State. The event space and video production facilities will also be used by other organizations, most likely groups from around the state with a need for a presence in Lansing.

The first and second floors will support Michigan Realtors® staff with a high-performance workplace that fuels efficiency, collaboration, and productivity. The third-floor engagement center and roof deck will provide diverse spaces for up to 226 people to learn socialize, network, and work together.

Improved landscaping, sidewalks, and parking will create a more inviting, clean appearance allowing for easier access to the site and to Durant Park. Enhanced lighting onsite will allow for greater safety. The Project includes streetscape improvements with expanded tree lawns and corner bump-outs with decorative paving at the southeast and southwest corners of Washington Avenue and Saginaw Street. Additional landscaping and decorative paving at the southeast corner will provide a transition to the Project site. The plan was developed in cooperation with the Public Service Department to extend streetscape improvements on both sides of Washington Avenue north to Madison Street at the time sanitary sewers are replaced. These improvements will enhance the aesthetics and curb appeal for Saginaw Street and Washington Avenue, create a better connection to Durant Park, and a safer intersection for both pedestrian and vehicles.

Total capital investment is estimated at $9,200,000, not including acquisition. This Project will result in the retention of 30 existing Michigan Realtors® staff with room for projected creation of new jobs. The Project is also projected to create/leverage 25 to 30 temporary construction related jobs.

4. Developer Eligible Activities

The Developer will fund the improvements being made to the site including the public infrastructure improvements. Once the development project is complete a portion of the resulting increase in Property taxes will be used to reimburse the Developer for their extraordinary brownfield costs to redevelop the Property. The activities that are intended to be carried out at the Property are considered "eligible activities" as defined by Sec 2 of Act 381 and include asbestos and lead surveys and abatement, (building and site) demolition, site preparation, infrastructure improvements, and preparation of the Brownfield Plan.

The costs of eligible activities included in this Plan can be reimbursed with the new local increment tax revenues generated by the Property redevelopment and captured by the LBRA, subject to any limitations and conditions described in this Plan and the terms of a Reimbursement Agreement between the Developer and the Authority (the "Reimbursement Agreement").

The total estimated eligible activity costs estimated for Developer reimbursement is $536,276.

ELIGIBLE ACTIVITIES

NON-ENVIRONMENTAL

Asbestos and Lead Activities	$61,252.00
Demolition	$77,126.00
Site Preparation	$97,357.00
Infrastructure Improvements	$222,257.00
(Estimated cost for public way improvements is $163,000)	
Total Non-Environmental Costs	**$457,992.00**
Contingency (15%) *	$68,284.00
Brownfield Plan Preparation	$10,000.00
Interest (0%, simple)	$0.00
Total Anticipated TIR Available for Reimbursement	**$536,276.00**
State Brownfield Redevelopment Fund	$0.00
LBRA Plan Administration / LBRF	$59,586.00
Total Local TIR Capture	**$595,862.00**

* Asbestos/Lead Surveys, Brownfield Plan preparation are excluded from contingency calculation.

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property.

5. Captured Taxable Value and Tax Increment Revenues

The costs of eligible activities included in, and authorized by, this Plan can be reimbursed with incremental local only tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2022.

The taxable value of the Property according to the city assessor was $476,518 which is the initial taxable value for this Plan. The new projected taxable value for 2021 was estimated at $2,000,000. Estimated taxable values were based on estimates determined by the Project's development team. The actual taxable value will be determined by the City's Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2021 through 2029 to reimburse the Developer and the LBRA for the cost of eligible activities, pay for the LBRA's administration of the Plan and make deposits into the LBRA's Local Brownfield Revolving Fund (LBRF). Ninety percent of the new local taxes will be captured by the LBRA. This Plan will pass through 10% of new local taxes captured per year for the duration of the Plan for deposit into the Saginaw Street Corridor Improvement Authority (SSCIA). After the Plan expires, the SSCIA will capture 100% of the new local taxes for the duration of the SSCIA plan.

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

6. Method of Brownfield Plan Financing

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. However, the City will be using the LBRA's LBRF to finance a portion of the infrastructure improvements (i.e. streetscape). These LBRF funds will be recovered by the LBRA from tax increment revenues.

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

Annually, the LBRA will capture 10% of the available new local taxes for LBRA Plan administration and/or deposits into the LBRF.

7. Amount of Note or Bonded Indebtedness Incurred

None.

8. Duration of the Brownfield Plan

The duration of this Plan shall not exceed 10 years total tax capture after the first year of tax capture anticipated as 2021.

9. Estimated Impact on Taxing Jurisdictions

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

Projected Impact to Taxing Jurisdictions					
Taxing Unit	**Current Base Taxes**	**New Taxes to Saginaw Street Corridor Improvement Authority**	**New Taxes to Taxing Units***	**New Taxes for BRA Admin/ LBRF Deposits and Developer Reimbursement**	**Total New Taxes**
Lansing Operating	$9,264	$27,980		$251,820	$279,800
Ingham County	$1,968	$5,944		$53,499	$59,443
Ingham County Sum	$3,240	$9,787		$88,085	$97,872
Airport Authority	$333	$1,006		$9,055	$10,061
CATA	$1,433	$4,328		$38,952	$43,280
Potter Park Zoo	$195	$590		$5,311	$5,901
Lansing Community College	$1,814	$5,480		$49,317	$54,797
Ingham Inter. School District	$2,243		$6,774	$60,963	$67,736
Lansing School Sinking Fund	$1,430		$4,318	$38,861	$43,179
Lansing School District Operating	$8,472		$255,896		$255,896
State Education Tax (6 mills)	$2,859		$86,358		$86,358
Capital Area District Library	$743		$22,453		$22,453
City Debt	$2,192		$66,208		$66,208
Total	**$36,186**	**$55,115**	**$442,007**	**$595,862**	**$1,092,984**

* Increased by investment, but not captured by the LBRA

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

10. Legal Description & Site Map

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

11. Personal Property

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

12. Displacement of Persons

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

13. Local Brownfield Revolving Fund

The City will be using the LBRA's accelerated reimbursement program to finance a portion of the infrastructure improvements.

The LBRA will capture all available tax increment revenues for deposit to the LBRF as permitted by Act 381.

14. Other Information

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

FIGURES

Figure 1: Property Location Map

Figure 2: Eligible Property Map

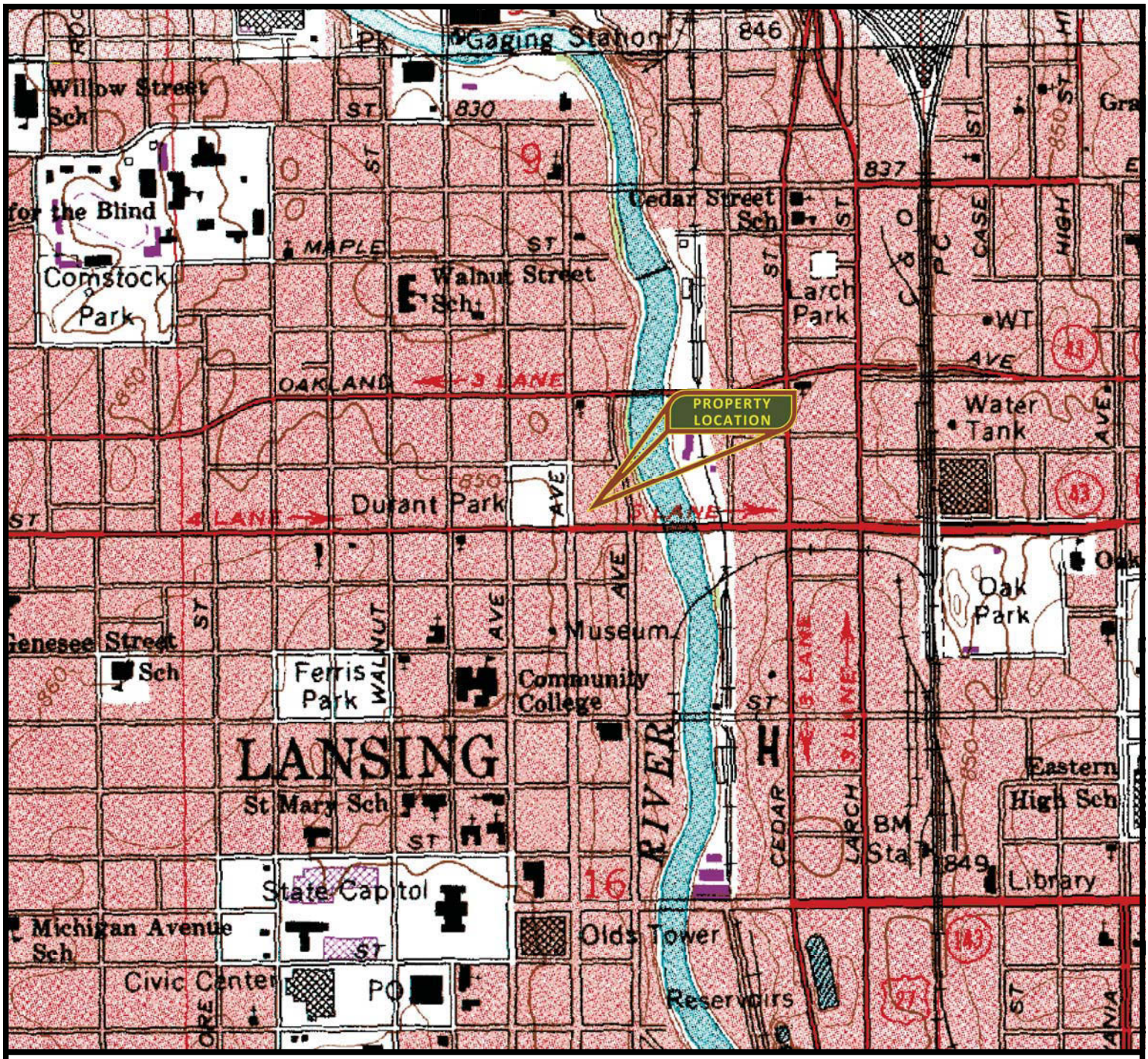


FIGURE 1
PROPERTY LOCATION

TRI TERRA

700 N. WASHINGTON AVENUE
LANSING, MICHIGAN 48906

INGHAM COUNTY
T4N, R2W, SECTION 9

PROJECT NUMBER: 19-2147

500 0 500 1000 1500 ft

1:12000

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG

TRI TERRA

FIGURE 2

PROPERTY ORIENTATION DIAGRAM

PROJECT NUMBER: 19-2147

700 N. WASHINGTON AVENUE
LANSING, MICHIGAN 48906

DIAGRAM CREATED BY: AL DATE: 11/26/2019

TABLES

Table 1: Brownfield Eligible Activities

Table 2: Tax Increment Revenue Capture Estimates

Table 3: Tax Increment Revenue Reimbursement Allocation Table

Table 1
Brownfield Eligible Activities
700 N. Washington Avenue
Lansing, MI

ELIGIBLE ACTIVITIES	NO. OF UNITS	UNIT TYPE	UNIT RATE	ESTIMATED TOTAL COST	REIMBURSEMENT ALLOCATION: DEQ ACTIVITIES	REIMBURSEMENT ALLOCATION: MSF ACTIVITIES	REIMBURSEMENT ALLOCATION: LOCAL-ONLY ACTIVITIES
MSF ELIGIBLE ACTIVITIES							
Asbestos and Lead Activities							
Subtotal Asbestos and Lead Activities				***$ 61,252***		***$ -***	***$ 61,252***
Demolition							
Subtotal Demolition Activities				***$ 77,126***	***$ -***	***$ -***	***$ 77,126***
Site Preparation							
Subtotal Site Preparation Activities				***$ 97,357***	***$ -***	***$ -***	***$ 97,357***
Infrastructure Improvements							
Subtotal Infrastructure Improvement Activities				***$ 222,257***			***$ 222,257***
MSF ELIGIBLE ACTIVITIES SUB-TOTAL				**$ 457,992**	**$ -**	**$ -**	**$ 457,992**
MSF AND EGLE ELIGIBLE ACTIVITIES SUB-TOTAL				**$ 457,992**	**$ -**	**$ -**	**$ 457,992**
Contingency (15%)				$ 68,284			$ 68,284
Brownfield Plan	1	LS	$ 10,000	$ 10,000			$ 10,000
Interest (0%, simple)			$ -	$ -			
TOTAL ELIGIBLE COST FOR REIMBURSEMENT				**$ 536,276**	**$ -**	**$ -**	**$ 536,276**
State Brownfield Revolving Fund				$ -			
BRA Administrative Fees/LBRF				$ 59,586			
GRAND TOTAL				**$ 595,862**			
					0.00%	*0.00%*	*100.00%*

NOTES:
These costs and revenue projections should be considered approximate estimates based on expected conditions and available information.
It cannot be guaranteed that the costs and revenue projections will not vary from these estimates.
Costs for Asbestos/Lead Surveys and Brownfield Plan are excluded from contigency calculation.

Table 2
Tax Increment Revenue Capture Estimates
700 N. Washington Avenue
Lansing, MI

Estimated Taxable Value (TV) Increase Rate: 1% per year

			2021	2022	2023	2024	2025	2026	2027	2028	2029			
	Plan Year		**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**			
Base Taxable Value (TV)			$ 476,518	$ 476,518	$ 476,518	$ 476,518	$ 476,518	$ 476,518	$ 476,518	$ 476,518	$ 476,518			
Estimated New TV			$ 2,000,000	$ 2,020,000	$ 2,040,200	$ 2,060,602	$ 2,081,208	$ 2,102,020	$ 2,123,040	$ 2,144,271	$ 2,165,713			
Incremental Difference (New TV - Base TV)			$ 1,523,482	$ 1,543,482	$ 1,563,682	$ 1,584,084	$ 1,604,690	$ 1,625,502	$ 1,646,522	$ 1,667,753	$ 1,689,195			
Total Incremental Difference			$ 1,523,482	$ 1,543,482	$ 1,563,682	$ 1,584,084	$ 1,604,690	$ 1,625,502	$ 1,646,522	$ 1,667,753	$ 1,633,800			
School Capture	**Millage Rate**											**Total**	**Pass-Through**	**Captured**
School Operating	17.7792		$ 27,086	$ 27,442	$ 27,801	$ 28,164	$ 28,530	$ 28,900	$ 29,274	$ 29,651	$ 29,048	$ 255,896	$ 255,896	$ -
State Education Tax (SET)	6.0000		$ 9,141	$ 9,261	$ 9,382	$ 9,505	$ 9,628	$ 9,753	$ 9,879	$ 10,007	$ 9,803	$ 86,358	$ 86,358	$ -
School Total:	23.7792	*34.08%*	**$ 36,227**	**$ 36,703**	**$ 37,183**	**$ 37,668**	**$ 38,158**	**$ 38,653**	**$ 39,153**	**$ 39,658**	**$ 38,850**	$ 342,254	$ 342,254	$ -
Local Capture	**Millage Rate**													
Lansing Operating	19.4400		$ 29,616	$ 30,005	$ 30,398	$ 30,795	$ 31,195	$ 31,600	$ 32,008	$ 32,421	$ 31,761	$ 279,800	$ 27,980	$ 251,820
Ingham County	4.1300		$ 6,292	$ 6,375	$ 6,458	$ 6,542	$ 6,627	$ 6,713	$ 6,800	$ 6,888	$ 6,748	$ 59,443	$ 5,944	$ 53,499
Ingham County Sum	6.8000		$ 10,360	$ 10,496	$ 10,633	$ 10,772	$ 10,912	$ 11,053	$ 11,196	$ 11,341	$ 11,110	$ 97,872	$ 9,787	$ 88,085
Airport Authority	0.6990		$ 1,065	$ 1,079	$ 1,093	$ 1,107	$ 1,122	$ 1,136	$ 1,151	$ 1,166	$ 1,142	$ 10,061	$ 1,006	$ 9,055
CATA	3.0070		$ 4,581	$ 4,641	$ 4,702	$ 4,763	$ 4,825	$ 4,888	$ 4,951	$ 5,015	$ 4,913	$ 43,280	$ 4,328	$ 38,952
Potter Park Zoo	0.4100		$ 625	$ 633	$ 641	$ 649	$ 658	$ 666	$ 675	$ 684	$ 670	$ 5,901	$ 590	$ 5,311
Lansing Community College	3.8072		$ 5,800	$ 5,876	$ 5,953	$ 6,031	$ 6,109	$ 6,189	$ 6,269	$ 6,349	$ 6,220	$ 54,797	$ 5,480	$ 49,317
Ingham Intermediate School District	4.7062		$ 7,170	$ 7,264	$ 7,359	$ 7,455	$ 7,552	$ 7,650	$ 7,749	$ 7,849	$ 7,689	$ 67,736	$ 6,774	$ 60,963
Lansing School Sinking	3.0000		$ 4,570	$ 4,630	$ 4,691	$ 4,752	$ 4,814	$ 4,877	$ 4,940	$ 5,003	$ 4,901	$ 43,179	$ 4,318	$ 38,861
Local Total:	45.9994	*65.92%*	**$ 70,079**	**$ 70,999**	**$ 71,928**	**$ 72,867**	**$ 73,815**	**$ 74,772**	**$ 75,739**	**$ 76,716**	**$ 75,154**	$ 662,069	$ 66,207	$ 595,862
Total Capturable Taxes:	69.7786	*100.00%*	**$ 106,306**	**$ 107,702**	**$ 109,112**	**$ 110,535**	**$ 111,973**	**$ 113,425**	**$ 114,892**	**$ 116,373**	**$ 114,004**	**$ 1,004,323**	**$ 408,461**	**$ 595,862**
Non-Capturable Millages	**Millage Rate**													
School Debt	4.6000		$ 7,008	$ 7,100	$ 7,193	$ 7,287	$ 7,382	$ 7,477	$ 7,574	$ 7,672	$ 7,515	$ 66,208	$ 66,208	$ -
Capital Area District Library	1.5600		$ 2,377	$ 2,408	$ 2,439	$ 2,471	$ 2,503	$ 2,536	$ 2,569	$ 2,602	$ 2,549	$ 22,453	$ 22,453	$ -
Total Non-Capturable Taxes:	6.1600											**$ 88,661**	**$ 88,661**	**$ -**
												$ 1,092,984	**$ 497,122**	**$ 595,862**

Notes:

Table 3
Tax Increment Revenue Reimbursement Allocation Table
700 N. Washington Avenue
Lansing, MI

Developer/City Projected Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	0.0%	$ -		**$ -**
Local	100.0%	$ -	$ 536,276	**$ 536,276**
TOTAL		**$ -**	**$ 536,276**	**$ 536,276**
EGLE	0.0%	$ -		
MSF	0.0%	$ -		

Estimated Total Years of Plan:	9

Administrative Fees & Loan Funds*	
State Brownfield Revolving Fund	$ -
BRA Administrative Fees / LBRF	$ 59,586

* During the life of the Plan

		2021 1	2022 2	2023 3	2024 4	2025 5	2026 6	2027 7	2028 8	2029 9	2030 10	2031 11	2032 12	2033 13	TOTALS
Available Tax Increment Revenue (TIR)															
Total State Tax Capture Available		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
State TIR Available for Reimbursement to Developer		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
Total Local Tax Capture Available		$ 70,079	$ 70,999	$ 71,928	$ 72,867	$ 73,815	$ 74,772	$ 75,739	$ 76,716	$ 75,154	$ -	$ -	$ -	$ -	
Capture for Saginaw Street Corridor Improvement Authority (10%)		$ 7,008	$ 7,100	$ 7,193	$ 7,287	$ 7,381	$ 7,477	$ 7,574	$ 7,672	$ 7,515	$ -	$ -	$ -	$ -	**$ 66,207**
Capture for BRA Administrative Fees and/or Local Brownfield Revolving Fund (10% of available Local TIR)		$ 6,307	$ 6,390	$ 6,474	$ 6,558	$ 6,643	$ 6,729	$ 6,817	$ 6,904	$ 6,764	$ -	$ -	$ -	$ -	**$ 59,586**
Local TIR Available for Reimbursement to Developer		$ 56,764	$ 57,509	$ 58,262	$ 59,022	$ 59,790	$ 60,565	$ 61,349	$ 62,140	$ 60,875	$ -	$ -	$ -	$ -	
Total State & Local TIR Available for Reimbursement to Developer		$ 56,764	$ 57,509	$ 58,262	$ 59,022	$ 59,790	$ 60,565	$ 61,349	$ 62,140	$ 60,875	$ -	$ -	$ -	$ -	
DEVELOPER	Beginning Balance														
	$ 536,276	**$ 479,512**	**$ 422,002**	**$ 363,740**	**$ 304,718**	**$ 244,928**	**$ 184,363**	**$ 123,014**	**$ 60,875**	**$ (0)**	**$ (0)**	**$ (0)**	**$ (0)**	**$ (0)**	
MSF Eligible Activities	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
State Tax Reimbursement	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
Local Tax Reimbursement	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
EGLE Eligible Activities	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	
State Tax Reimbursement	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
Local Tax Reimbursement	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
LOCAL-ONLY Activities	$ 536,276	$ 479,512	$ 422,002	$ 363,740	$ 304,718	$ 244,928	$ 184,363	$ 123,014	$ 60,875	$ (0)	$ (0)	$ (0)	$ (0)	$ (0)	
Local-Only Tax Reimbursement	$ 536,276	$ 56,764	$ 57,509	$ 58,262	$ 59,022	$ 59,790	$ 60,565	$ 61,349	$ 62,140	$ 60,875	$ -	$ -	$ -	$ -	**$ 536,276**
TOTAL ANNUAL DEVELOPER REIMBURSEMENT		**$ 56,764**	**$ 57,509**	**$ 58,262**	**$ 59,022**	**$ 59,790**	**$ 60,565**	**$ 61,349**	**$ 62,140**	**$ 60,875**	**$ -**	**$ -**	**$ -**	**$ -**	
															$ 662,069

Attachment A

Legal Description of the Property

ATTACHMENT A

Legal Description
700 N. Washington Avenue
Lansing, Michigan 48906

---

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N ½ LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

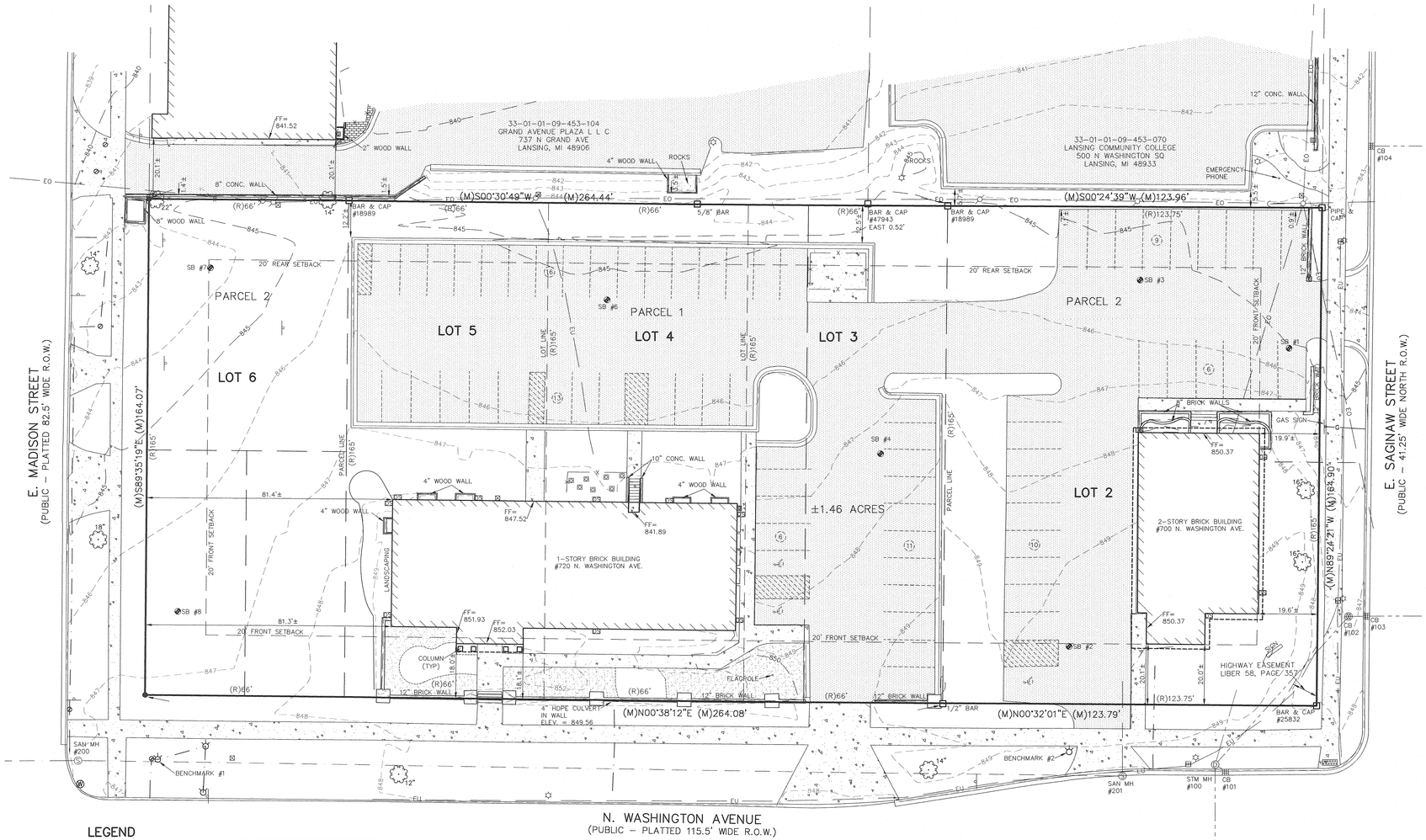
730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT

ALTA/NSPS LAND TITLE SURVEY

"700, 720, 730, 732, & VACANT N. WASHINGTON AVENUE & 104 E. MADISON STREET, LANSING, MI 48906"



SCALE 1" = 20'

0' 20' 40' 60'

LEGEND

- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEED LINE
- = DISTANCE NOT TO SCALE
- = FENCE
- = ASPHALT
- = CONCRETE
- = GRAVEL
- = BRICK
- = ADA PLATE
- = EXISTING CONTOUR ELEVATION
- = BUILDING OVERHANG
- = SANITARY SEWER
- = STORM SEWER
- = WATER LINE
- = GAS LINE
- = UNDERGROUND ELECTRIC
- = OVERHEAD WIRES
- = DECIDUOUS TREE
- = CONIFEROUS TREE
- = SANITARY MANHOLE
- = DRAINAGE MANHOLE
- = CATCHBASIN
- = SANITARY CLEANOUT
- = FIRE HYDRANT
- = VALVE
- = UTILITY POLE
- = LIGHT POLE
- = GUY WIRE
- = UTILITY PEDESTAL
- = TRANSFORMER
- = HANDHOLE
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = SOIL BORING
- = SIGN
- = POST
- = WATER MANHOLE
- = AIR CONDITIONING UNIT

BENCHMARKS

BENCHMARK #1 ELEV. = 849.08 (NAVD88)
NORTHEAST FLANGE BOLT, UNDER "N" IN "OPEN", FIRE HYDRANT, SOUTHEAST QUADRANT OF WASHINGTON AVE. AND MADISON ST.

BENCHMARK #2 ELEV. = 850.21 (NAVD88)
NORTHEAST FLANGE BOLT, UNDER RIGHT ARROW IN "OPEN", FIRE HYDRANT, NORTHEAST QUADRANT OF WASHINGTON AVE. AND SAGINAW ST.

LEGAL DESCRIPTION:

(As provided by Transnation Title Agency, Title Search Summary No. 261760LANS, dated November 30, 2018)

PARCEL 1:
Lots 3, 4 and 5, Block 53, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36.

PARCEL 2:
Lots 2 and 6, Block 53, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36.

SCHEDULE B, SECTION II, EXCEPTIONS:

(As provided by Transnation Title Agency, Title Search Summary No. 261760LANS, dated November 30, 2018)

9. Highway Easement Release recorded in Liber 58, Page 357, crosses parcel, is plottable and shown hereon.

CERTIFICATION:

To Michigan Realtors; and Transnation Title Agency:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6a, 6b, 8, 9, 11, 13, 16, 17, 19, and 20 of Table A thereof. The fieldwork was completed on November 13, 2018.

12/18/18

Erick R. Friestrom Date of Plat or Map
Professional Surveyor No. 53497
efriestrom@kebs.com

STATE OF MICHIGAN
ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR
NO. 53497
LICENSED PROFESSIONAL SURVEYOR

SEWER INVENTORIES

STORM MANHOLE #100
RIM ELEV. = 848.30
12" RCP E INV. = 842.74
12" RCP SE INV. = 840.86
12" RCP SW INV. = 844.94
12" RCP W INV. = 840.86
SUMP ELEV. = 840.10

CATCH BASIN #101
RIM ELEV. = 847.80
12" RCP NE INV. = 845.14
SUMP ELEV. = 845.00

CATCH BASIN #102
RIM ELEV. = 846.74
12" RCP S INV. = 841.03
12" RCP NW INV. = 840.80
SUMP ELEV. = 840.74

CATCH BASIN #103
RIM ELEV. = 846.75
12" RCP N INV. = 840.91
12" RCP S INV. = 840.79
SUMP ELEV. = 840.75

CATCH BASIN #104
RIM ELEV. = 842.23
12" RCP S INV. = 838.19
SUMP ELEV. = 837.83

SANITARY MANHOLE #200
RIM ELEV. = 847.27
8" VCP N INV. = 837.62
8" VCP S INV. = 837.67

SANITARY MANHOLE #201
RIM ELEV. = 847.86
8" VCP N INV. = 841.32
8" VCP E INV. = 841.56

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in November 2018.

2. All bearings and distances on the survey are record and measured unless otherwise noted. All bearings are Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

3. All dimensions are in feet and decimals thereof.

4. All elevations are North American Vertical Datum of 1988 (NAVD88).

5. No building tie dimensions are to be used for establishing the property lines.

6. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.

7. Parcel has direct access to public N Washington Avenue, public E. Madison Street, and public E. Saginaw Street (M-43).

ALTA/NSPS LAND TITLE SURVEY – TABLE "A" REQUIREMENTS:

Item 1: Shown on the survey map.

Item 2: Addresses of the surveyed property: 700, 720/724*, 730, 732, & Vacant N. Washington Avenue & 104 E. Madison Street, Lansing, MI 48906.
*Building is placarded as #720 N. Washington, but assessing data and title search summary have property listed as #724.

Item 3: By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of Lansing, Ingham County, Michigan, Community Panel No. 260090 0131 D, dated August 16, 2011.

Item 4: 1.46 Acres (63,841 square feet)

Item 5: Shown on the survey map.

Item 6a: Zoned: D-1: Professional Office District (Per City of Lansing Zoning Map):
Current building setback requirements (Per City of Lansing Zoning Ordinance):
Front Setback: 20'
Side yard Setback: Determined by the Planning Division
Rear yard Setback: 20'
Maximum Building Height: 45'
Zoning and setback information was not provided by the insurer as required, therefore the information listed hereon must be verified by the local governing agency.

Item 6b: Shown on the survey map.

Item 8: Shown on the survey map.

Item 9: Parking:
Regular Parking Spaces: 68
Disabled Parking Spaces: 3
Total on-site Parking Spaces: 71

Item 11: Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. This parcel was marked by MISS DIG Ticket Nos. A83041314, B83041742, B83041743, B83041744, and B83041747. MISS DIG positive response shows markings were completed by Consumers Energy for gas, Comcast for cable and fiber optic, Lansing Board of Water & Light for electric and water, and Midwest Fiber Networks for communication. Utilities found on site that were located by MISS DIG were: gas, electric, and water.

Item 13: Shown on the survey map.

Item 16: There is no observable evidence of earth moving work, building construction, or building additions within recent months.

Item 17: There is no observable evidence of proposed changes in street right of way lines, or recent street or sidewalk construction or repairs.

Item 19: There are no offsite easements or restrictions of record for this parcel. No offsite easement or servitudes that benefit the subject property were provided to this surveyor or observed in the process of conducting this survey.

REVISIONS	COMMENTS
12/18/2018	ORIGINAL

KEBS, INC. ENGINEERING AND LAND SURVEYING
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX 517-339-8047
WWW.KEBS.COM
Marshall Office – Ph. 269-781-9800

DRAWN BY SSF	SECTION 9, T4N, R2W
FIELD WORK BY RR	JOB NUMBER: 94495.ALT
SHEET 1 OF 1	

Attachment B

Letter of Functional Obsolescence

Andy Schor, Mayor

CITY ASSESSORS OFFICE

Sharon Frischman, MMAO
City Assessor
3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-7624
FAX: (517) 483-4101
www.lansingmi.gov/City-Assessor

September 17, 2019

Functional Obsolescence Determination
700 N. Washington St
Parcel 33-01-01-09-453-061

This building was originally constructed in 1969 as a split entry, single occupant office building. Because of the split entry, there is no access to the building that does not include stairs. There is no ground level entry. There is no elevator. The design as a split entry office building is obsolete.

The heating and cooling systems are currently obsolete. The heating and cooling system is accessed through a port in the ceiling and not easily accessible.

The restrooms are not handicap accessible because of the small size and narrow doorways.

The windows are fixed and do not open. There is no sprinkler system.

For these reasons, I have determined that the building at 700 N. Washington Ave. suffers from functional obsolescence.

Sharon Frischman, MMAO
City Assessor

Attachment C

Renderings

NEW HEADQUARTERS BUILDING

MICHIGAN REALTORS®

progressive|ae

Pioneer CONSTRUCTION

Project Information

PROJECT LOCATION - LANSING, MI.

PROJECT STATISTICS

BUILDING AREA:

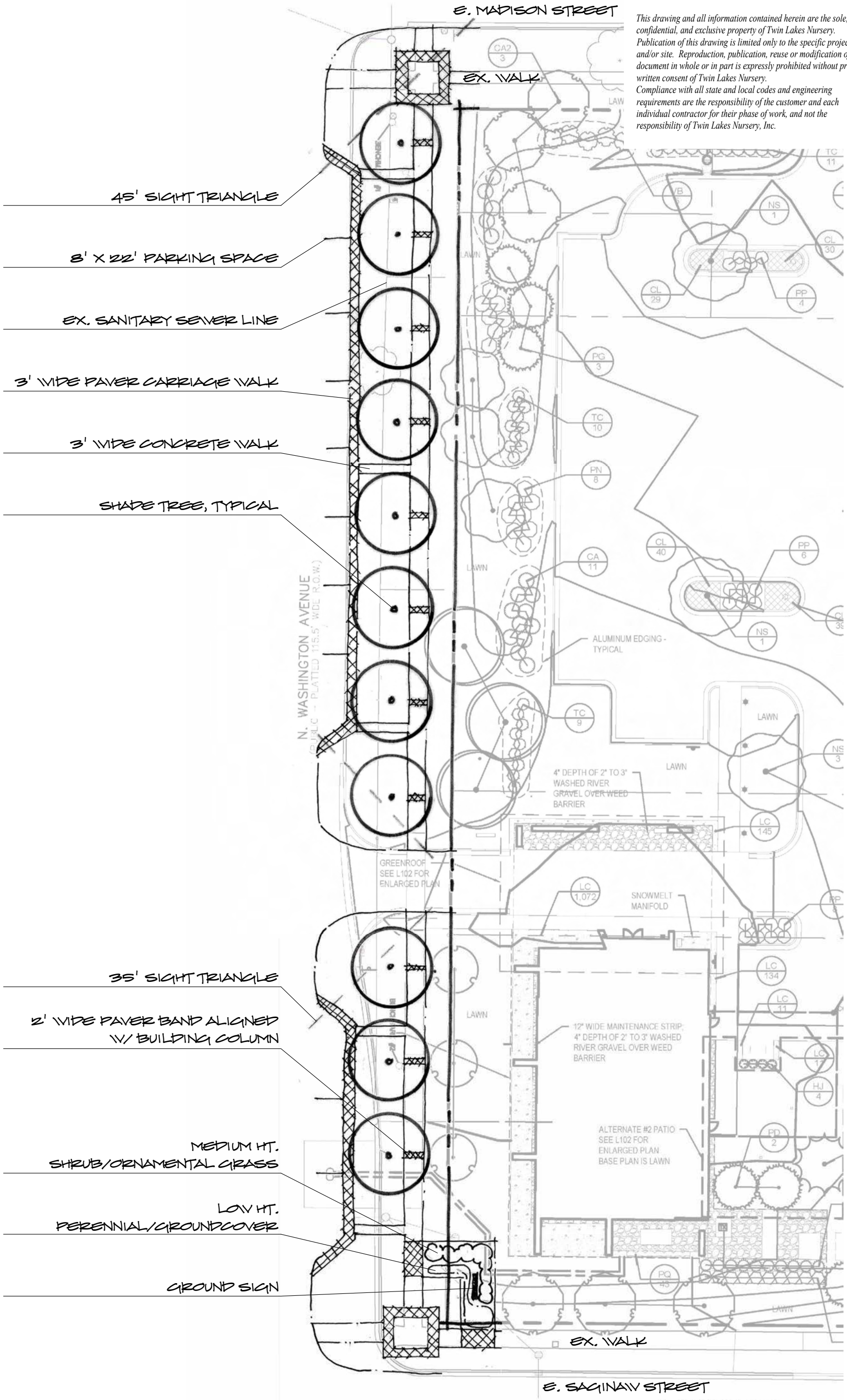
First Floor:	4,855 SF
Second Floor:	8,778 SF
Third Floor:	5,810 SF
Total:	19,443 SF
Roof Deck:	2,840 SF

SITE AREA AND FACTS

Site Area:	1.46 acres
Parking:	72 spaces

BUILDING FACTS:

- New building on property currently owned by Michigan Realtors reaffirms the organizations commitment to Lansing.
- Programs include workplace and conference space for Michigan Realtors staff and training / meeting space to host dinners, continuing education seminars, and other events for members, stakeholders, and partners.
- The building will focus on advancing the credibility of Michigan Realtors as the top advocacy group and a leader in member service through a building that reflects the organizations brand and culture.
- The first and second floors will support Michigan Realtors staff of between 35 and 40 in a high performance workplace that fuels efficiency, collaboration, and productivity.
- The third floor engagement center and roof deck will provide diverse spaces for up to 266 people to learn, socialize, network, and work together.
- The site and roof deck design creates opportunities for staff to work and collaborate outdoors using plants and materials indigenous to Michigan while not increasing impervious surface or storm water discharge.



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Compliance with all state and local codes and engineering requirements are the responsibility of the customer and each individual contractor for their phase of work, and not the responsibility of Twin Lakes Nursery, Inc.

ELEMENTS | STUDIO inc
LANDSCAPE ARCHITECTURE
907 Britten Ave., Lansing, MI 48910
www.ElementsStudio.net | P: (517) 599-7152

Twin Lakes Nursery, Inc.
LANDSCAPE DESIGN AND CONSTRUCTION
3680 MICHIGAN RD. N.E.
GRAND RAPIDS, MI 49525
PH. 949-5230
FAX. 949-1751
www.twinlakesnursery.com

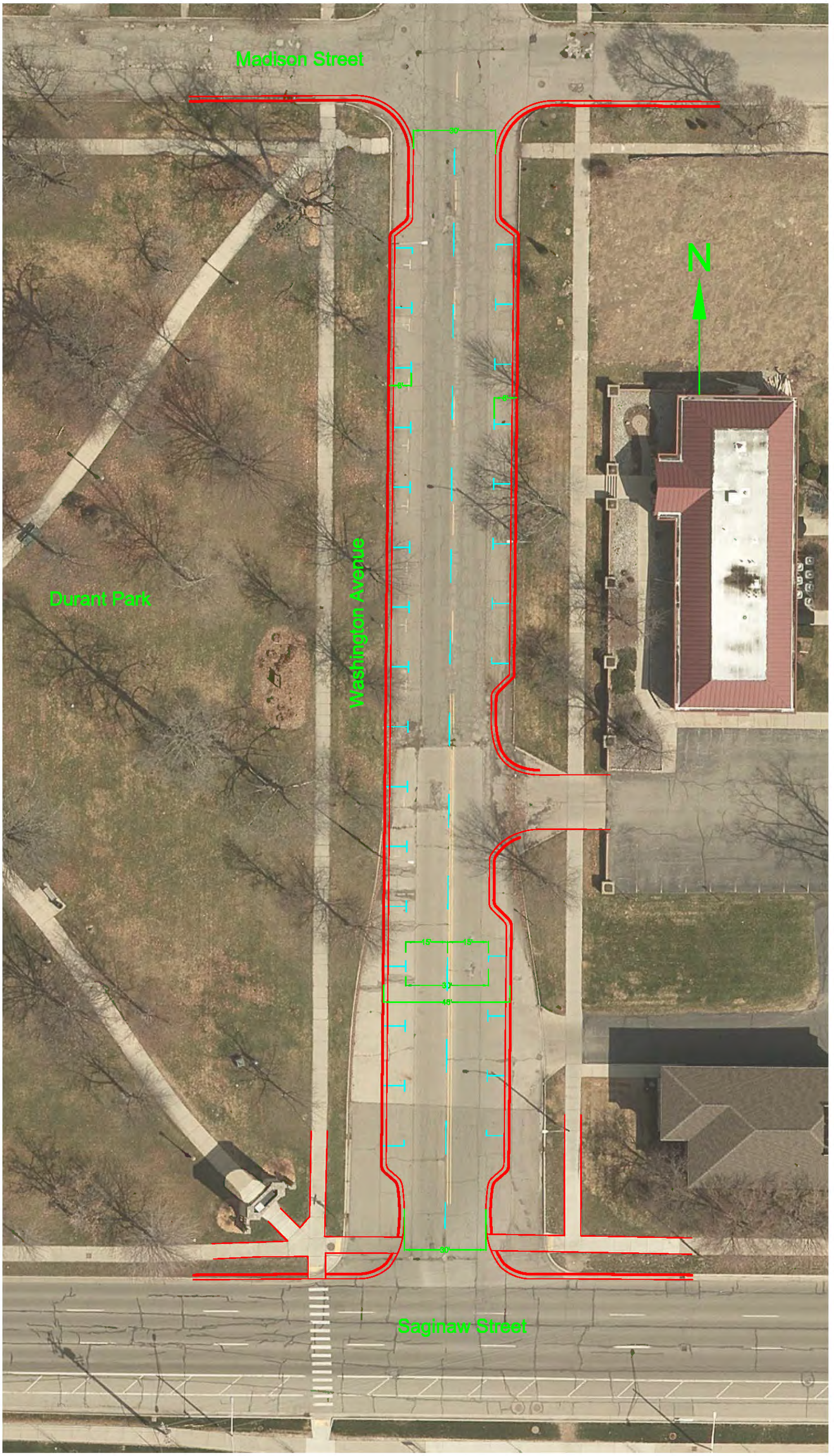
CONCEPT STREETSCAPE PLAN FOR:

MICHIGAN REALTORS

SCALE: 1"=30' 0' 15' 30'

1 OF 1

Designer: J. Faasse
Date: 11/13/19


Madison Street
Durant Park
Washington Avenue
Saginaw Street
N
80'
8'
8'
15'
15'
31'
48'
80'

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-1-2020, N. Homer Street
Special Land Use Permit – Telecommunications Tower/Equipment Shelter

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-1-2020. This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street. Telecommunication towers are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, , 2020 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

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

SLU-1-2020
Telecommunications Tower in the "A" Residential District
N. Homer Street, Parcel #: 33-01-01-11-251-281

WHEREAS, Metro Fibernet, L.L.C. has requested a special land use permit to allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281); and

WHEREAS, the property is zoned "A" Residential District, where telecommunication towers are permitted subject to obtaining a Special Land Use permit; and

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

WHEREAS, the Planning Board held a public hearing on February 4, 2020 at which two individuals representing the applicant spoke in favor of the request and one area resident asked questions about the proposal; and

WHEREAS, the Planning Board, at its February 4, 2020 meeting, voted (6-0) to recommend approval of SLU-1-2020 for a special land use permit allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281) with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2020 on 2020 and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2020 for a special land use permit allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281) with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south.

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

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

1. Through proper landscape, screening and buffering, the proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the intent and purpose of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use requires a height variance by the Board of Zoning Appeals and setback/separation distance waivers by the City Council. The site plan demonstrates compliance with all other requirements of the Zoning Ordinance and the Wireless Communication Tower Ordinance which is a component thereof. .

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, , 2020, 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 Resolution for Special Land Use Permit:

SLU-1-2020: N. Homer Street (Parcel #: 33-01-01-11-251-281), Special Land Use Permit, Telecommunications Tower in the "A" Residential Zoning District

GENERAL INFORMATION

APPLICANT:	Metro Fibernet, LLC 3701 Communications Way Evansville, IN 47715
OWNER:	Lansing Board of Water & Light P. O. Box 13007 Lansing, MI 48901
STATUS OF APPLICANT:	The applicant has a license agreement with the owner
REQUESTED ACTION:	Special Land Use permit for a telecommunications tower in the "A" Residential zoning district
EXISTING LAND USE:	Board of Water & Light pump house
EXISTING ZONING:	"A" Residential District
PROPERTY SIZE & SHAPE:	Entire site: 300' x 267.9' = 80,370 square feet Licensed are: 75.3' x 80' = 6,024 square feet
SURROUNDING LAND USE:	N: Single Family Residential S: Duplex E: Freeway W: Single Family Residential
SURROUNDING ZONING:	N: "A" Residential District S: "DM-3" Residential District E: "A" Residential District W: "A" Residential District
MASTER PLAN DESIGNATION:	The Design Lansing Comprehensive Plan designates the subject property for low density residential use. N. Homer Street is designated as a local road.

APPLICANT'S PROPOSAL:

This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street. The purpose of the tower/shelters is to provide fiber optic internet and streaming television services to business and residential customers in the City of Lansing and surrounding communities. Telecommunication towers with related structures/equipment are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

Assessing:	No comments.
BWL:	
Building Safety:	The BSO has no objections. Project will be subject to the requirements of the site plan and building plan reviews.
Parks & Recreation:	No comments.
Public Service/Transportation:	No issue from a Public Service or Transportation perspective. The City's non-motorized plan shows a future bridge over US-127 in this area, though an exact location has not been identified nor has funding. Any project is a minimum of 3-5 years out and any structure proposed on this parcel would not adversely affect a future non-motorized bridge, even if it connected to this parcel.

ANALYSIS

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

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

   The proposed tower/shelter will not generate noise, odors, vibrations, light glare, etc. that would negatively impact the surrounding residential area. Furthermore, traffic to the site will be limited to 1 or 2 vehicles trips per day and the gravel access drive will have to be maintained in a dust-free condition. The issue with regard to this request is the appearance of the tower/compound area since it will be located directly adjacent to a residential property to its south. In order for the tower/compound area to be compatible with the adjoining residential uses, it will have to be effectively screened with dense evergreen plant materials and, if necessary, a screen fence as well.

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

   The proposed tower/compound area will not change the essential character of the surrounding area in general as it adjoins the freeway to the east and will be located more than 200 feet from the residential properties to the north and west. The mature trees on the site, which are to be preserved to the greatest extent possible, should be adequate to obscure the view of the tower and compound area from the north, east and west. A significant amount of

landscape, screening and buffering, however, will be necessary to screen the tower and compound area from the adjoining residential property to the south. The applicant is proposing a row of evergreen trees along the entire length of the south property line that will have a starting size of 6 feet in height and will be planted 8-12 feet apart to allow room for growth. If the landscaping shown on the plan does not prove to be adequate, however, staff would like to be given the authority, as a condition of approval, to require additional landscaping and possibly even a screen fence along all or part of the south property line.

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

The proposed tower/shelters are not anticipated to interfere with the "enjoyment" of adjacent properties. There will be no noise, odors, vibrations, traffic, etc. associated with the use that would have a detrimental effect on the adjoining residential properties. The applicant will be required to maintain the gravel access drive in a dust-free condition. The only effect that the project should have on the adjoining property, particularly the one to the south, is the appearance of the tower and the fenced compound area which can be mitigated through substantial landscape, screening and buffering.

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

The applicant is proposing a crushed stone/gravel surface for both the driveway (with the exception of the approach at N. Homer Street) and the fenced compound area. The permeable surface will have to be approved by the City Engineer and if approved, will need to be maintained in a dust-free condition. The proposal includes two 322 square foot shelters and a couple of very small (approximately 30 square feet) concrete pads for a propane tank and an antenna lighting arrestor cabinet. Given the very small amount of impervious surface that would be added to the site, the proposal will have virtually no impact its natural environment.

The applicant's proposal cannot necessarily be considered an "improvement" to the use or character of the site since, with the exception of a very small BWL pump station building, it is completely vacant (green space). This particular criterion is far more applicable to a site that is currently developed where an "improvement" would, for example, involve storm-water management improvements or conversion of the use to one which is less intensive, thus making it more compatible with adjoining/surrounding land uses.

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

The proposed telecommunications facility will not generate any smoke, fumes, noise, odors or glare. With regard to traffic, one technician will be stationed in the shelter for a few hours daily to install new customer service and to perform testing and repairs. There will be no other traffic associated with this proposal.

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

No negative comments have been received from any of the reviewing departments or agencies regarding the ability to provide the public services and facilities necessary to accommodate the proposed tower/shelters. The project will have to be approved through the City's administrative site plan review process prior to issuance of any permits for the project.

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

The proposed tower/shelters will not place and demands on public services or facilities in excess of current capacity.

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

The subject property is zoned "A" Single Family Residential and is designated for low density residential use in the Design Lansing Comprehensive Plan. The City's wireless communication tower ordinance allows telecommunication towers in the "A" Residential zoning district, if a special land use permit is approved by the City Council. The purpose of requiring a special land use permit is so that it can be determined, through an analysis of the criteria listed in Section 1282.03(f)(1)-(9) of the Zoning Ordinance, if the proposed location is appropriate for the requested use. The special land use permit process also allows the City to place conditions on the approval to ensure that the proposed project will not negatively impact other properties in the area. The intent of zoning and master planning in large part is to ensure compatibility of land uses in order to protect property values and preserve a quality residential living environment. In this case, the only property that is directly impacted by the proposed project is the residential duplex to the south. Through proper screening with the use of a dense row of evergreens along the south property line and by controlling the dust from the gravel access drive, the proposed project could be consistent the intent and purpose of the zoning and master plan. To further ensure that the property to the south is not negatively impacted by the proposal, as a condition of approval it is recommended that the Zoning Administrator be given the authority to require additional landscaping and/or an opaque fence along the south property line, if the landscaping shown on the site plan proves to be insufficient to create an effective buffer between the two uses.

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

The property is zoned "A" Residential which has a 35 foot height limitation. The proposed tower is approximately 85 feet in height from ground level to the top of the "spline ball

lighting terminals) as shown on the attachment labeled "Galv. Steel Utility Pole". The applicant will need to request a variance from the Board of Zoning Appeals of approximately 50 feet to the height limitation.

In addition, the proposed project does not comply with the following provisions of the City's Wireless Communications Tower Ordinance:

> Section 1298.07 (B) (4) (I) requires that towers must be setback a distance equal to at least 75% of the height of the tower from any adjoining lot line. Based on the 85 foot tower height, the required setback is 63.75 feet. The site plan shows a setback of 3.3 feet from the tower to the east property line and approximately 40 feet to the south property line.
>
> Section 1298.07 (B) (5) (I) (B) requires a separation distance of 122 feet (150% of the height of the tower) from the tower to the residential property to the south. The proposed setback is approximately 40 feet.

Sections 1298.07 (B) (4) & (5) authorizes the City Council, through the Special Land Use permit process, to reduce the setback and separation distance requirements "if the goals of this Chapter would be better served thereby.".

Staff is recommending approval of the height variance and reducing the setback/separation distance requirements, only if there is a condition of approval that staff is authorized to require additional landscaping and/or screen fencing between the tower and the adjoining residential property to the south if the proposed row of evergreen trees is not sufficient to provide an effective screen.

SUMMARY

This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street. The purpose of the tower/shelters is to provide fiber optic internet and streaming television services to business and residential customers in the City of Lansing and surrounding communities. Telecommunication towers with related structures/equipment are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings contained in this staff report, the proposal complies with or could be granted the required height variance and reductions to the setback and separation distance requirements in order to comply with the criteria of Section 1282.03(f)(1)-(9) of the *Zoning Code* for evaluating Special Land Use permits.

1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the designations of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will need to be granted a height variance by the Board of Zoning Appeals and setback/separation distance waivers by the City Council. The site plan demonstrates compliance with all other requirements of the Zoning Ordinance and the Wireless Communication Tower Ordinance which is a component thereof. .

RECOMMENDATION

Staff recommends approval of SLU-1-2020, a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street as depicted on the site plan dated 12/13/2019 with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south, based upon the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator

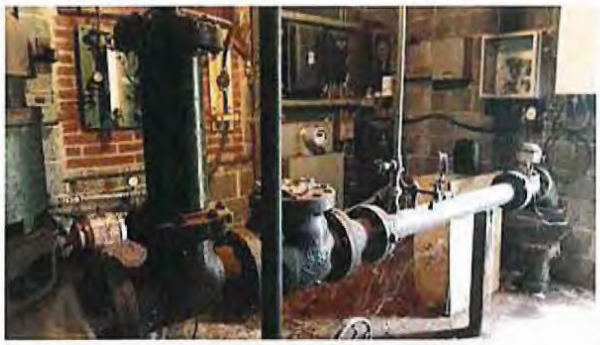
PID: 33-01-01-11-251-281 North Homer Street, Lansing, Ingham County, Michigan
Photographs taken by: Jessica Trainer November 26, 2019

View of Site facing southeast.

View of Site facing northwest.

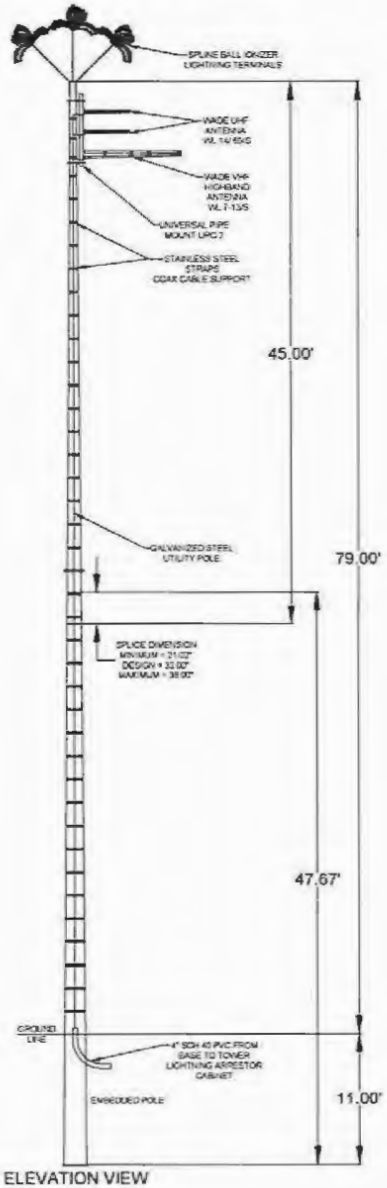
View of on Site municipal well pump house facing northeast.

View of interior of pump house.

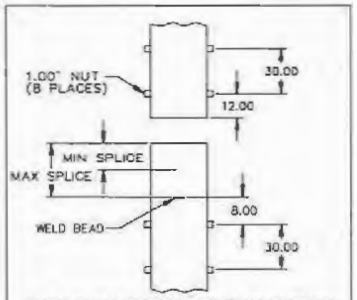


View of interior of pump house.

View of interior of pump house, note the pump is not in operation or currently connected.

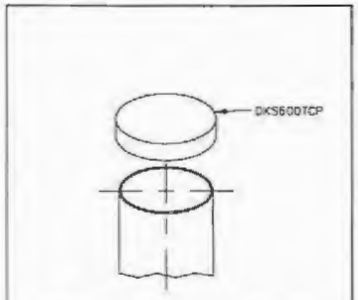


ELEVATION VIEW



REFER TO ELEVATION VIEW FOR MINIMUM AND MAXIMUM SPLICE VALUES

SPLICE DETAIL

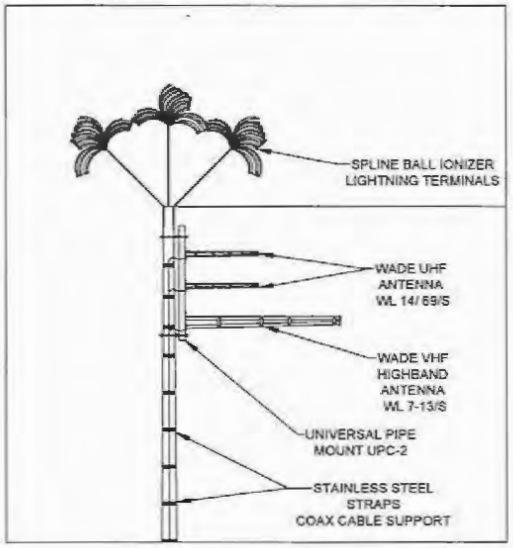


NOTE: INSTALL CAP BEFORE SHIPPING

POLE CAP

NOTES:

1. POLE SHAFT-GOVERNING REACTIONS.
   MOMENT = 173FT-KIPS
2. COMPONENT IDENTIFICATION: TAG LOCATIONS INDICATED BY CALLOUTS ON DRAWING. SUBSEQUENT DIGITS WILL INDICATE SEQUENCE OF MANUFACTURE.
3. ASSEMBLY AND ERECTION GUIDELINES: SEE VALMONT TRANSMISSION INSTALLATION GUIDELINE 1002.
4. SLIP JOINT JACKING FORCE:
   MINIMUM - 25000#
   MAXIMUM-90000#
5. STRUCTURES WHICH UTILIZE EMBEDDED BASE INSTALLATION. TYPICALLY THE BOTTOM (EMBEDDED) SECTION OF THE POLE IS INSTALLED IN THE GROUND FIRST. THE SPECIFIED EMBEDMENT DEPTH IS SHOWN ON THE VALMONT NEWMARK ERECTION DRAWING.



BILL OF MATERIAL
(SHIPPING SEQ.=1 FOR ALL)

VALMONT PART NUMBER	DESCRIPTION	UNIT WEIGHT (LBS)	QTY PER STR
ACC706A	SECTION ASSEMBLY	958	1
ACF606B	SECTION ASSEMBLY	686	1

ITEM NO.	VALMONT PART NUMBER	DESCRIPTION							QTY PER STR
		HARDWARE SIZE (IN)				GENERAL	FINISH	ASTM SPEC	
		BOLT		NUT	WSHR				
		DIA	LONG						
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									

SW CATALOG NUMBER:
R090-0173

ORDER	PROJECT	FILE ID	SCALE	DATE	E
		001_90C2	NONE	11/25/19	BY

DESCRIPTION
90' C2 Round, Slip Joint, SWR

SECTION INFORMATION

ITEM ID	LENGTH	BASE OD	TOP OD	THK	MATL
1	47' - 8.00"	22.30"	13.53"	0.133"	A5 2 65 KSI
2	45' - 0.00"	14.28"	6.00"	0.133"	A5 2 65 KSI

DUPLICATE DRAWING DISTRIBUTION: TULSA
PED395554 90' GAL STEEL POLE T2R
DWG SIZE B CLASS CODE (1) J CLASS NO. (3)450

REV ID	DATE	REV BY	CHK BY	REVISION DESCRIPTION

DRAWN KDWG | ENGR | DATE 07-11-19 | SCALE NONE
P.A. CHK | SHOP CHK 7/01/19 ERJG | 7/01/19 KAWG
OTHER SPECIFICATIONS
MATERIAL | THICKNESS | WEIGHT 1654

valmont UTILITY

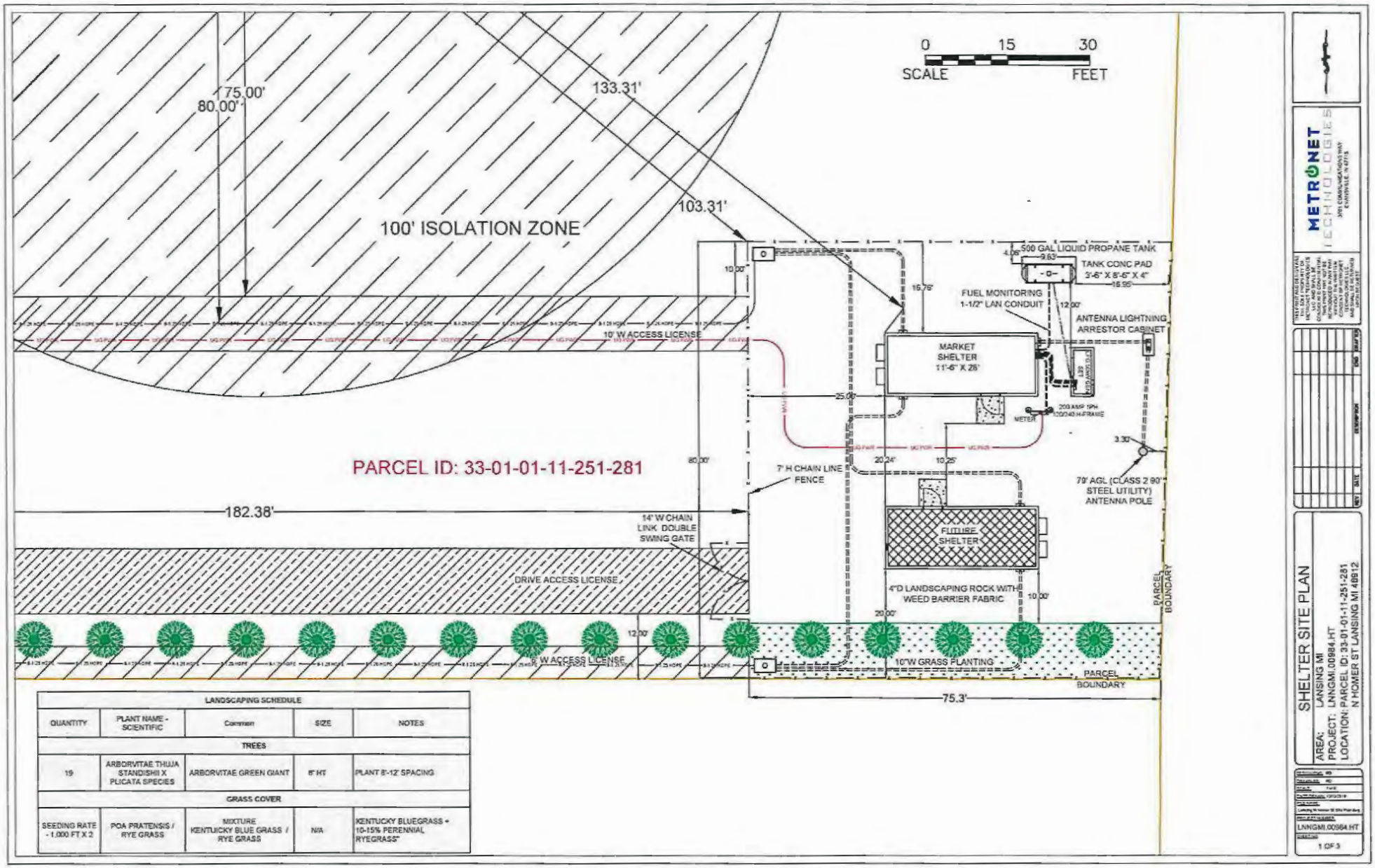
ORDER NO. 395554 | CUSTOMER METRONET | DESCRIPTION 90' T2 | DWG NO. ACC7062

METRONET TECHNOLOGIES
3761 COMMUNICATIONS WAY
EVANSVILLE IN 47715

REV	DATE	DESCRIPTION	BY

GALV. STEEL UTILITY POLE
AREA: LANSING MI
PROJECT: METRONET NETWORK SHELTER
LOCATION: 3424 W ST JOSEPH ST

1 OF 1



LANDSCAPING SCHEDULE				
QUANTITY	PLANT NAME - SCIENTIFIC	Common	SIZE	NOTES
TREES				
19	ARBORVITAE THUJA STANDISHII X PLICATA SPECIES	ARBORVITAE GREEN GIANT	8' HT	PLANT 8'-12' SPACING
GRASS COVER				
SEEDING RATE - 1,000 FT X 2	POA PRATENSIS / RYE GRASS	MIXTURE KENTUICKY BLUE GRASS / RYE GRASS	N/A	KENTUCKY BLUEGRASS + 10-15% PERENNIAL RYEGRASS"

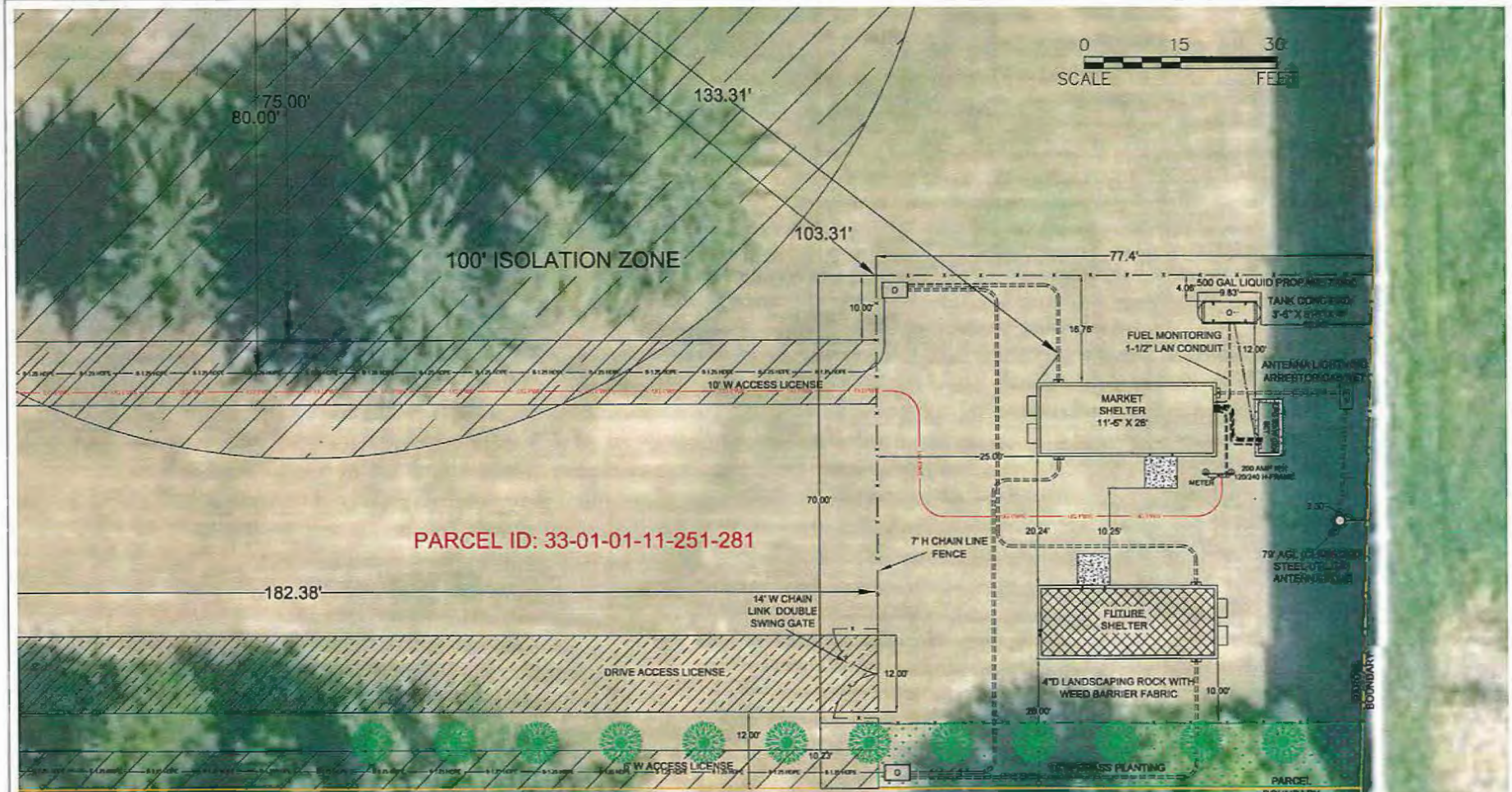
SHELTER SITE PLAN

AREA: LANSING MI
PROJECT: LNNGMI.00984.HT
LOCATION: PARCEL ID: 33-01-01-11-251-281
N HOMER ST LANSING MI 48912

REV	DATE	DESCRIPTION	INIT	APPVD

METRONET TECHNOLOGIES
2101 COMMUNICATIONS WAY
EVANSVILLE, IN 47715

LNNGMI 00984.HT
3 OF 3



LANDSCAPING SCHEDULE				
QUANTITY	PLANT NAME - SCIENTIFIC	Common	SIZE	NOTES
TREES				
12	ARBORVITAE THUJA STANDISHII X PLICATA SPECIES	ARBORVITAE GREEN GIANT	6' HT	PLANT 8'-12' SPACING
GRASS COVER				
SEEDING RATE - 1,000 FT X 2	POA PRATENSIS / RYE GRASS	MIXTURE KENTUICKY BLUE GRASS / RYE GRASS	N/A	KENTUCKY BLUEGRASS + 10-15% PERENNIAL RYEGRASS*

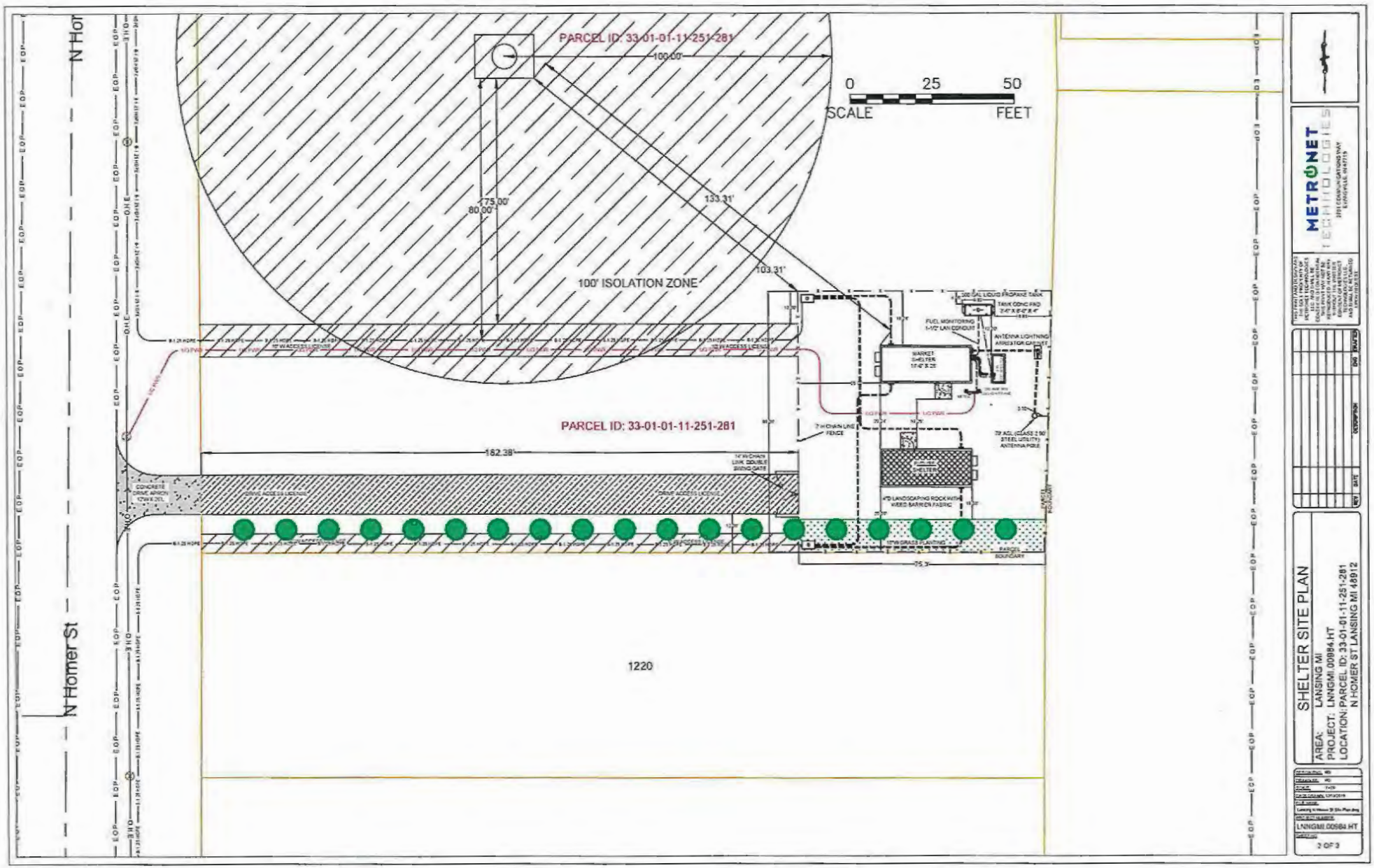
METRONET TECHNOLOGIES

SHELTER SITE PLAN

AREA: LANSING MI
PROJECT: LNNGMI.00984.HT
LOCATION: PARCEL ID: 33-01-01-11-251-281
N HOMER ST LANSING MI 48912

LNNGMI.00984.HT

1 OF 3


N Homer St
PARCEL ID: 33-01-01-11-251-281
100.00'
0 25 50
SCALE FEET
175.00'
80.00'
133.31'
103.31'
100' ISOLATION ZONE
PARCEL ID: 33-01-01-11-251-281
182.38'
1220
SHELTER
SHELTER SITE PLAN
AREA: LANSING MI
PROJECT: LNNGMI 00984 HT
LOCATION: PARCEL ID: 33-01-11-251-281
N HOMER ST LANSING MI 48912
METRONET
TECHNOLOGIES
LNNGMI 00984 HT
2 OF 3

SHELTER SITE PLAN

AREA: LANSING MI
PROJECT: LNNGMI.00984.HT
LOCATION: PARCEL ID: 33-01-01-11-251-281
N HOMER ST LANSING MI 48912

LANGMI-00984.HT

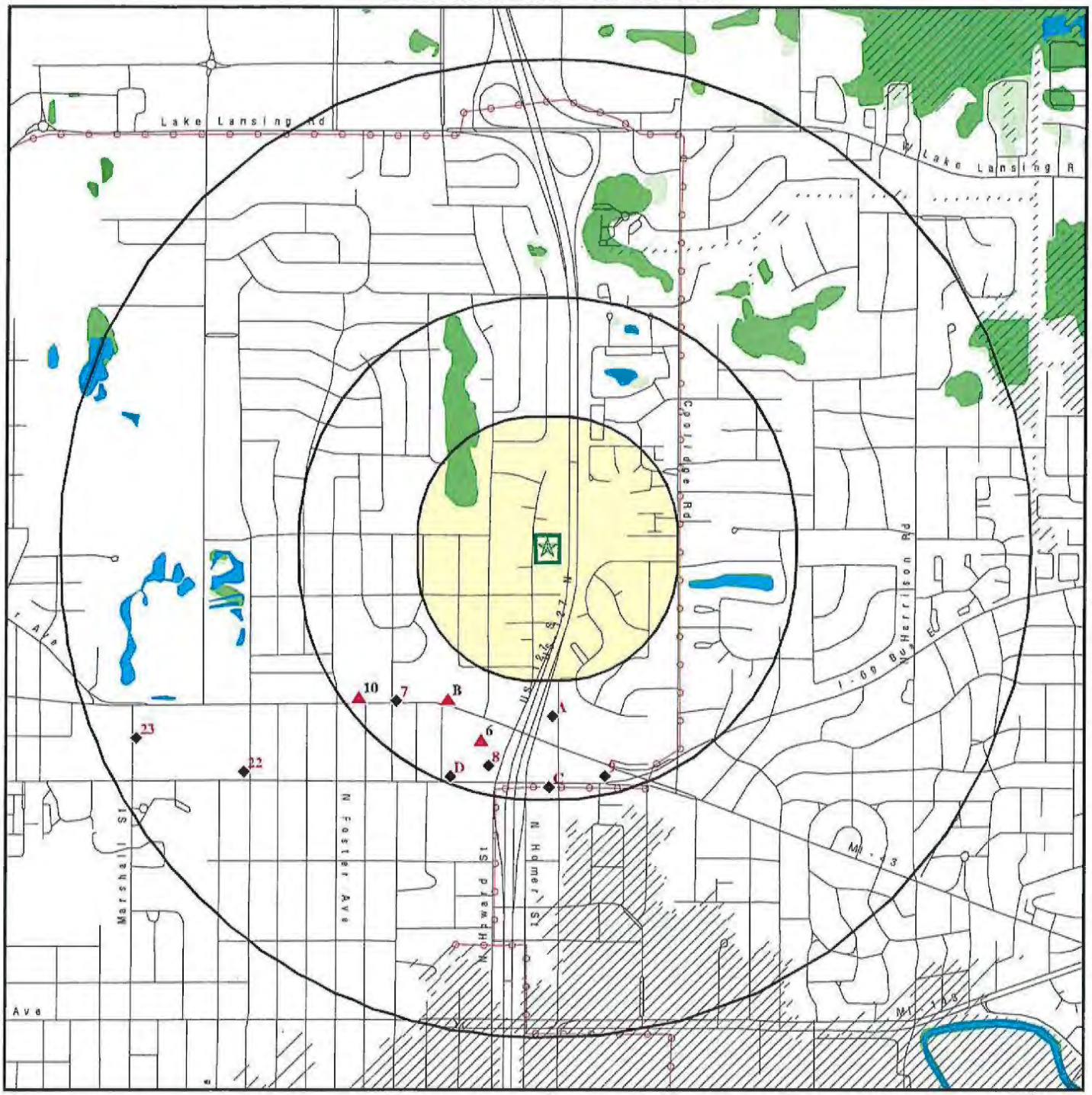
3 OF 3

REV	DATE	DESCRIPTION	DWG	SHEET NO

METRONET TECHNOLOGIES

3101 COMMUNICATIONS WAY
EVANSVILLE 47715

OVERVIEW MAP - 5871264.2S



0 1/4 1/2 1 Miles

- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Power transmission lines
- Special Flood Hazard Area (1%)
- 0.2% Annual Chance Flood Hazard
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: N HOMER ST ADDRESS: N HOMER ST LANSING MI 48912 LAT/LONG: 42.748003 / 84.508843	CLIENT: The Mannik & Smith Group CONTACT: Jessica INQUIRY #: 5871264.2s DATE: November 15, 2019 11:01 am

1306
3010
3015
0
1209
1220
1212
2914

1306
3010
3015
0
N Homer St
1220
1242
1206
127
127
0
0
Zoning District
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
North

City of Lansing
Notice of Public Hearing

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

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation Certificate (the "Certificate"), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 1611 East Kalamazoo St., Lansing, Michigan, but more particularly described as follows:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16

PARCEL NUMBER: 33-01-01-15-427-302

Approval of this Certificate will provide the owner or potentially the developer of property an abatement of certain property taxes for the improvements to the property noted above. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

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

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

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

Resolution to Set a Public Hearing Regarding the Granting of an
Obsolete Property Rehabilitation Act Certificate
1611 East Kalamazoo Street

WHEREAS, Allen Neighborhood Center Support Corp, owner of the property located at 1611 East Kalamazoo St. in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16, Parcel Number: 33-01-01-15-427-302, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

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 Monday, **(Insert Date)** at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

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

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
1611 East Kalamazoo Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Allen Neighborhood Center Support Corp has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1611 East Kalamazoo St., Lansing, Michigan (Obsolete Property); and

WHEREAS, Allen Neighborhood Center Support Corp (the Applicant) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted October 28, 2019, after a public hearing was held on October 14, 2019, as provided by section 3 of PA 146 of 2000; and

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

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

WHEREAS, Allen Neighborhood Center Support Corp has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 12 years and under no circumstances or criteria will an extension of the exemption be considered; and

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

WHEREAS, the applicant Allen Neighborhood Center Support Corp has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2021; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 1611 East Kalamazoo St., Lansing, Michigan, legally described as LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16, Parcel Number: 33-01-01-15-427-302.

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

CITY OF LANSING OPRA CERTIFICATE
ALLEN PLACE REDEVELOPMENT PROJECT
PROPOSED APPROVAL PROCESS SCHEDULE

DATE	BOARD/ COMMITTEE	ACTION	ATTENDANCE BY APPLICANT
By February 5, 2020	LEAP/LEDC	Ready for submission to Lansing City Council: 1) OPRA Certificate Resolution to Set Public Hearing 2) OPRA Certificate Pubic Hearing Notice 3) OPRA Certificate Resolution of Approval	
February 10, 2020 7:00PM	Lansing City Council	Council Receives Resolution to Approve Certificate and refers it to the Committee on Development and Planning	
February 18, 2020 3:30PM	Committee on Development and Planning	Applicant Presents Project to the D&P Committee to review OPRA Certificate Application. Committee approves Resolution to set Public Hearings	YES
February 24, 2020 7:00PM	Lansing City Council	Council passes resolution setting the Public Hearing for 7:00PM on March 16, 2020. *Public Hearing Notice-10 Days (Mail/Paper)*	YES
March 16, 2020 7:00PM	Lansing City Council	Public Hearing held at Council for OPRA Certificate. Resolution to approve Certificate referred back to the Committee on Development and Planning	YES
March 17, 2020 3:30PM	Committee on Development and Planning	D&P Committee approves resolution to approve the OPRA Certificate	YES
March 23, 2020 7:00PM	City Council Meeting	City Council Approves OPRA Certificate	YES
	LEAP/LEDC	Submit Application Package to the State Tax Commission for Review and Approval	

REV-02/04/2020

Michigan Department of Treasury
3674 (Rev. 05-19)

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) Allen Neighborhood Center Support Corp		
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 1611 East Kalamazoo Street, Lansing, MI, 48912		
Location of obsolete facility (No. and street, City, State, ZIP Code) 1600 Block of East Kalamazoo Street, Lansing, MI, 48912		
City, Township, Village (indicate which) City of Lansing	County Ingham	
Date of Commencement of Rehabilitation (mm/dd/yyyy) 2/12/2020	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 12/31/2021	School District where facility is located (include school code) Lansing School District, 33020
Estimated Cost of Rehabilitation $6,815,558.00	Number of years exemption requested 12	Attach Legal description of Obsolete Property on separate sheet

Expected project likelihood (check all that apply):

- [x] Increase Commercial activity
- [x] Retain employment
- [x] Revitalize urban areas
- [x] Create employment
- [ ] Prevent a loss of employment
- [x] Increase number of residents in the community in which the facility is situated

Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment 71

Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. [x]

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Joan Nelson	Telephone Number (571) 999-3912	Fax Number (517) 367-0158
Mailing Address 1611 E. Kalamazoo Street, Lansing, MI 48912		Email Address joann@allenneighborhoodcenter.org
Signature of Company Officer (no authorized agents)		Title Executive Director

RECEIVED
2020 FEB -5 PM 2:41
LANSING CITY CLERK

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received

FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date:_____

☐ Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)

☐ Denied

Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit.

A statement that the O bsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.

A statement indicating w hether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.

A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.

A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.

A statement that the applicant is not delinquent in any taxes related to the facility.

If it exceeds 5% (see above), a statement that ex ceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.

A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.

A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.

A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.

A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated w ithin an Obsolete Property Rehabilitation District established in a Q ualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.

A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employ ment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement shoul d indicate which of these the rehabilitation is likely to result in.

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

A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.

PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

	Taxable Value	State Equalized Value (SEV)	
Building(s)			
Name of Governmental Unit		Date of Action on application	Date of Statement of Obsolescence

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature		Date	
Clerk's Mailing Address	City		State	ZIP Code
	Telephone Number	Fax Number	Email Address	

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call 517- 335-7491.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

Andy Schor, Mayor

CITY ASSESSORS OFFICE

Sharon Frischman, MMAO
City Assessor
3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-7624
FAX: (517) 483-4101
www.lansingmi.gov/City-Assessor

August 19, 2019

Functional Obsolescence Determination
1611 E Kalamazoo St.
33-01-01-15-427-302

This building is comprised of various additions from 1932 to 1970. There are varying ceiling heights, the floor plan is convoluted.

The heating and cooling systems are currently obsolete. There is no working system for parts of the building.

Tri Terra Environmental performed a Phase I Environmental Assessment in May 2019. Review of historic uses reveals that there have been gas station uses, dry cleaner uses, lawnmower repair, auto repair and glass/paint shops on this site. All of these uses indicate property contamination.

For these reasons, I have determined that the building at 1611 E Kalamazoo St. suffers from functional obsolescence.

Sharon Frischman, MMAO
City Assessor

1611 E. Kalamazoo St., Lansing, MI 48912 517-367-2460
www.allenneighborhoodcenter.org

Tuesday, February 4th, 2020

Lansing City Clerk's Office
124 W Michigan Avenue, 9th Floor
Lansing, MI 48933

Re: Requesting an OPRA Certificate for 1611 East Kalamazoo St., Lansing

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act - Act 146 of 2000 (OPRA), ANC Holdings, a wholly owned, non-profit subsidiary of Allen Neighborhood Center and 100% owner of the property commonly known as 1611 East Kalamazoo St., Lansing 48912 (Property), legal description attached, is requesting an OPRA Certificate be granted by the City of Lansing on the Property. The Property has recently been determined to be obsolete by the City of Lansing Assessor (determination of obsolescence attached).

General Description of the Obsolete Facility

The building was constructed in stages, with the first section built in 1932. The complex has served as home to many small businesses over the years including the Allen Neighborhood Center and the Allen Farmers Market. In the past several years, several of the commercial tenants have moved out, leaving only Allen Neighborhood Center and Happendance Studio in the complex. The unoccupied portions, including the entire second floor and much of the first floor, have been vacant for up to 15 years.

Proposed use of the Rehabilitated Facility

The project proposes rehabilitating the two-story complex, adding a third floor to the 2-story building along E. Kalamazoo and constructing three-story additions on the east and west ends of the building. The proposed development will provide 29 units of mixed income housing for a total of 30,000 square feet of residential space, and over 20,000 square feet of commercial space, totaling 49,164 square feet. Project amenities will include active programming from ANC, a community room, computer center, on-site exercise/dance studio, outdoor picnic areas and 'green spaces', an on-site farmers market, nutrition education and cooking classes and other events in our commercial kitchen.

Detailed Description of Rehabilitation

Construction Hard Costs – **$5,965,558** (See attached itemized table for detail)
Brownfield Remediation (Demolition, Abatement, Due Care) - **$850,000**
Total Hard Costs (Does not include acquisition or soft costs) - **$6,815,558**

Time Schedule for Rehabilitation

Commencement of construction is scheduled for late spring 2020 with completion of the project expected by the fall of 2021. Environmental remediation and demolition of part of the Property will begin beforehand.

Expected Economic Advantages

We expect this project to create 70 construction jobs during the build, and 20 FTE jobs after construction is complete. The commercial aspect of the project will bring commercial enterprise and vibrancy to a formerly vacant space, and inspire comparable efforts along the E. Kalamazoo Street corridor. The project will increase density in the area and provide usable green space for residents and the broader community.

We appreciate your consideration of our request for certification by City Council of this designated OPRA District, and look forward to working with the City of Lansing to redevelop this important property.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Joan Nelson
ANC Holdings, LLC
(517) 999-3912

LEGAL DESCRIPTION AND PROPERTY TAXABLE VALUE

The District will be for the property commonly known as 1611 East Kalamazoo St. and legally described as follows:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16

PARCEL NUMBER: 33-01-01-15-427-302

Taxable Value (2019): $10,000

State Equalized Value (2019): $10,000

Owners Name: Allen Neighborhood Center Support Corp.

RESOLUTION #2019-286
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Establish an Obsolete Property Rehabilitation Act District at 1611 East Kalamazoo St.

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the "Act"), the City of Lansing has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Lansing, and

WHEREAS, ANC Holdings, LLC, hereinafter called the "Developer" has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by the Act, for the property commonly known as 1611 East Kalamazoo St. located in the City of Lansing hereinafter described, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on October 14, 2019;

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16 - PARCEL NUMBER: 33-01-01-15-427-302, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

Chris Swope

Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true and is a complete copy of the action adopted by the Lansing City Council.

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

WHEREAS, adjustments are needed in the fiscal year 2019/2020 budget to reflect current year revenue estimates; and

WHEREAS, adjustments to appropriations are required to reflect anticipated changes in General Fund operations; and

WHEREAS, the most recent Actuarial Funding Valuation recommends an increased contribution to the Police and Fire Retirement System than was previously budgeted; and

WHEREAS, adjustments are required to account for additional cart and bag demand in the Refuse Fund including the purchase of additional carts; and

WHEREAS, the delayed opening of the Emterra Material Recovery Facility requires continued contractual expenditures for Recycling Fund services through the end of the fiscal year;

THEREFORE, BE IT RESOLVED that the attached FY 2019/2020 mid-year budget amendment be approved:

GENERAL FUND ESTIMATED REVENUES

Property Taxes adjusted up **$485,000** to reflect tax revenues and PA 425 payments to date. Property taxes remain subject to adjustments and chargebacks, with a worst-case scenario of $217,917 in revenue subject to MI Tax Tribunal cases in contention ($11,209,732 in taxable value at 19.44 mills) remaining budgeted.

Income Taxes adjusted down **($2,400,000)** in response to updated projections provided by the City Treasurer.

State Revenues adjusted down **($70,000)** to reflect updated state appropriations for statutory revenue sharing and fire protection facilities grants, balanced against better than projected constitutional revenue sharing payments.

GENERAL FUND DEPARTMENTAL APPROPRIATIONS

Appropriation for a Chief Strategy Officer transferred from the **Mayor's Office** to the **Finance Operations** department. This is also being reclassified from contractual services to personnel. This change has no impact on overall budget.

Neighborhood & Citizen Engagement includes transfers between the NCE Department and Office of Financial Empowerment. This includes transfers from salaries and fringes offset by temporary help and contracted services.

Economic Development and Planning adjusted down **($250,000)** due to a negotiated decrease in LEPFA subsidy payments.

Human Resources adjusted up **$66,000** for NEOGOV training and to include temporary contracted payroll services following a retirement.

Police & Fire Departments adjusted up a total of **$560,000** to reflect updated retirement contribution costs resulting from the most recent pension plan valuation.

Public Services includes transfers from personnel expenditures to fund contractual services.

Human Relations and Customer Service adjusted up **$80,000** to include contracted positions for Acting Director and Deputy Director.

GENERAL FUND NON-DEPARTMENTAL APPROPRIATIONS

Vacancy Factor has been reduced **$500,000**. This is to account for the fund balance policy, requiring restorative payments if the fund balance falls below 12% of expenditures. This policy will be in full effect for the FY 2020/2021 Proposed Budget.

Net Transfers have been increased by **$268,145**. This includes a transfer to the stadium fund to cover net operating loss for last year and a contingency amount for the CDBG fund if administrative costs exceed the allowable threshold for the grant funds.

GENERAL FUND SUMMARY

Overall, the adjustments to projected revenues and expenditures will decrease fund balance by (**$3,209,145)** to an ending balance of $6,822,346 or 4.9% of total expenditures. The majority of this decrease can be attributed to overestimated revenue projections and underestimated retirement estimates.

OTHER FUNDS

Stadium Fund includes a transfer from the general fund to restore the previous year operating loss.

Community Block Development Grant (CDBG) Fund includes carryforwards for previous year grant funds and expenditures. A general fund transfer is included as a contingency in the event administrative costs exceed the allowable threshold for federal funding.

Refuse Fund includes continued trash bag revenue that was not budgeted for the current year and additional refuse cart revenue. This is offset by additional appropriations required by the above higher demand for new refuse carts and higher landfill costs.

Recycling Fund includes additional costs related to the delayed opening of the Emterra Material Recovery Facility (MRF). As a result, recycling services will continue to incur costs to contracted services for processing in Detroit. This is expected to be resolved for Summer 2020.

FY 2019/2020 Budget Amendment

February 10, 2020/February 24, 2020

Revenues	FY 2019 Actuals	FY 2020 Adopted Budget	FY 2020 Dec. 31 Actuals	Proposed Adjustment	FY 2020 Proposed Amendment
Property Taxes	40,594,677	42,875,000	43,422,167	485,000	43,360,000
Income Taxes	37,021,436	39,400,000	13,684,696	(2,400,000)	37,000,000
Return on Equity	21,110,884	23,100,000	11,769,291	-	23,100,000
State Revenues	18,330,556	19,817,000	9,399,517	(70,000)	19,747,000
Charges for Services	9,089,169	9,351,800	3,226,098	-	9,351,800
Fines & Forfeitures	2,050,717	2,149,200	776,470	-	2,149,200
Licenses & Permits	1,407,477	1,889,000	772,169	-	1,889,000
Interest & Rent	226,344	415,000	53,783	-	415,000
Other Revenue	531,597	403,000	72,742	-	403,000
Total Revenues	130,362,856	139,400,000	83,176,932	(1,985,000)	137,415,000

Expenditures	FY 2019 Actuals	FY 2020 Adopted Budget	FY 2020 Dec. 31 Actuals	Proposed Adjustment	FY 2020 Proposed Amendment
Council					
Personnel	501,914	498,516	229,449	-	498,516
Operating	194,071	228,461	75,841	-	228,461
Total	695,985	726,977	305,289	-	726,977
Internal Audit					
Personnel	183,170	182,115	84,581	-	182,115
Operating	9,485	13,885	5,505	-	13,885
Total	192,654	196,000	90,085	-	196,000
Courts					
Personnel	4,886,798	5,121,945	2,298,069	-	5,121,945
Operating	1,388,609	1,395,007	422,117	-	1,395,007
Total	6,275,406	6,516,952	2,720,186	-	6,516,952
Mayor's Office					
Personnel	1,079,301	1,059,636	536,281	-	1,059,636
Operating	176,813	361,399	98,222	(134,700)	226,699
Total	1,256,114	1,421,035	634,503	(134,700)	1,286,335
Media Center					
Personnel	384,827	438,347	210,588	-	438,347
Operating	37,752	39,653	8,988	-	39,653
Total	422,578	478,000	219,576	-	478,000
Clerk's Office					
Personnel	992,581	990,367	510,557	-	990,367
Operating	363,572	411,819	155,248	-	411,819
Total	1,356,153	1,402,186	665,805	-	1,402,186
Neighborhood & Citizen Engagement					
Personnel	463,609	832,604	332,781	(61,000)	771,604
Operating	351,562	333,396	81,753	61,000	394,396
Total	815,171	1,166,000	414,534	-	1,166,000
Economic Development & Planning					
Personnel	2,614,263	3,278,728	1,405,825	-	3,278,728
Operating	2,289,507	2,455,591	1,377,213	(250,000)	2,205,591
Total	4,903,770	5,734,319	2,783,038	(250,000)	5,484,319
Finance/Operations					
Personnel	1,474,294	1,046,216	644,111	134,700	1,180,916
Operating	712,221	548,881	185,452	-	548,881
Total	2,186,515	1,595,097	829,563	134,700	1,729,797
Assessing					
Personnel	1,336,820	1,559,864	620,831	-	1,559,864
Operating	207,331	240,838	88,092	-	240,838
Total	1,544,151	1,800,702	708,922	-	1,800,702

Expenditures	FY 2019 Actuals	FY 2020 Adopted Budget	FY 2020 Dec. 31 Actuals	Proposed Adjustment	FY 2020 Proposed Amendment
Treasury					
Personnel	1,397,830	1,848,306	718,264	-	1,848,306
Operating	457,585	429,698	94,180	-	429,698
Total	1,855,415	2,278,004	812,444	-	2,278,004
Human Resources					
Personnel	1,205,246	1,333,106	601,168	-	1,333,106
Operating	915,856	892,521	334,069	66,000	958,521
Total	2,121,101	2,225,627	935,238	66,000	2,291,627
Attorney's Office					
Personnel	1,643,584	1,941,252	813,586	-	1,941,252
Operating	232,280	239,631	102,332	-	239,631
Total	1,875,864	2,180,883	915,919	-	2,180,883
Police					
Personnel	36,465,408	37,802,547	18,434,385	310,269	38,112,816
Operating	6,367,172	7,057,235	3,078,120	-	7,057,235
Total	42,832,579	44,859,782	21,512,506	310,269	45,170,051
Fire					
Personnel	28,897,214	30,772,490	14,469,493	249,731	31,022,221
Operating	5,045,972	5,278,088	2,566,968	-	5,278,088
Total	33,943,186	36,050,578	17,036,461	249,731	36,300,309
Public Service					
Personnel	1,874,600	2,855,553	1,231,294	(300,000)	2,555,553
Operating	9,741,013	9,307,133	3,102,846	300,000	9,607,133
Total	11,615,613	12,162,686	4,334,140	-	12,162,686
Human Relations & Community Service					
Personnel	1,297,133	1,460,296	655,906	80,000	1,540,296
Operating	196,422	196,615	65,454	-	196,615
Total	1,493,555	1,656,911	721,361	80,000	1,736,911
Parks & Recreation					
Personnel	4,851,422	5,246,923	2,010,683	-	5,246,923
Operating	3,286,949	3,354,838	1,328,733	-	3,354,838
Total	8,138,371	8,601,761	3,339,416	-	8,601,761
Human Services					
Operating	1,638,162	1,725,000	704,371	-	1,725,000
Total	1,638,162	1,725,000	704,371	-	1,725,000
City Supported Agencies					
Operating	324,392	316,500	109,100	-	316,500
Total	324,392	316,500	109,100	-	316,500
Non-Departmental					
Vacancy Factor	-	(700,000)	-	500,000	(200,000)
Library Lease	151,845	150,000	46,812	-	150,000
Debt Service	2,595,828	1,265,000	300	-	1,265,000
Net Transfers	5,617,466	5,590,000	-	268,145	5,858,145
Penalties & Claims	3,806,000	-	-	-	-
Total	12,171,139	6,305,000	47,112	768,145	7,073,145
Total Expenditures	137,657,877	139,400,000	59,839,568	1,224,145	140,624,145
Beginning Fund Balance	17,326,512	10,031,491			10,031,491
Ending Fund Balance	10,031,491	10,031,491			6,822,346
	7.3%	7.2%			4.9%

Special Revenue Funds

	FY 2019 Actuals	FY 2020 Adopted Budget	FY 2020 Dec. 31 Actuals	Proposed Adjustment	FY 2020 Proposed Amendment
STADIUM FUND					
Revenues					
Operating Revenues	373,268	400,000	67,973	-	400,000
Stadium Naming Rights	125,000	125,000	125,000	-	125,000
Reimbursements	117,209	120,000	-	-	120,000
Transfers In	512,000	697,000	-	168,145	865,145
Use of/(Contribution to) Fund Balance	168,145	-	-	(168,145)	(168,145)
Total	1,295,622	1,342,000	192,973	-	1,342,000
Expenditures					
Debt Service	1,295,622	1,342,000	1,341,873	-	1,342,000
Total	1,295,622	1,342,000	1,341,873	-	1,342,000
CDBG FUND					
Revenues					
Federal Grants	2,410,092	2,204,648	485,628	778,215	2,982,863
General Fund Transfer	-	-	-	100,000	100,000
Total	2,410,092	2,204,648	485,628	878,215	3,082,863
Expenditures					
Personnel	805,577	1,015,744	259,320	-	1,015,744
Operating	1,604,515	1,188,904	962,669	878,215	1,967,119
Total	2,410,092	2,204,648	1,221,990	878,215	2,982,863
REFUSE FUND					
Revenues					
Operating Income	2,254,910	2,225,000	65,483	128,000	2,353,000
Interest Income	2,503	7,000	620	-	7,000
Use of/(Contribution to) Fund Balance	(1,222,150)	(7,000)	-	52,000	45,000
Total	1,035,263	2,225,000	66,103	180,000	2,405,000
Expenditures					
Personnel	168,869	1,365,848	548,909	-	1,365,848
Operating	851,304	859,152	335,723	180,000	1,039,152
Capital	15,090	-	-	-	-
Total	1,035,263	2,225,000	884,633	180,000	2,405,000
RECYCLING FUND					
Revenues					
Operating Income	4,082,075	4,423,950	4,214,899	-	4,423,950
Sale of Recycled Materials	-	-	-	-	-
Interest Income	36,805	-	-	-	-
Use of/(Contribution to) Fund Balance	(262,116)	428,050	-	250,000	678,050
Total	3,856,764	4,852,000	4,214,899	250,000	5,102,000
Expenditures					
Personnel	1,711,631	2,591,962	1,036,477	-	2,591,962
Operating	1,901,772	1,804,452	558,937	250,000	2,054,452
Debt Service	228,127	455,586	120,163	-	455,586
Capital	15,234	-	-	-	-
Total	3,856,764	4,852,000	1,715,577	250,000	5,102,000

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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

February 6, 2020

Acapulco Mexican Grill, Inc.
c/o Attorney Michael Brown
(email; mbrown@cebhlaw.com)

RID #2002-02770

Reference/Transaction: Transfer stock interest by adding new stockholders Jorge Vera and Raul Avila; and as a result, existing stockholder Lorenzo Vera will hold 50 shares of stock, existing stockholder Juan Carlos Vera-Mendoza will hold 100 shares of stock and new stockholders Jorge Vera and Raul Avila will each hold 100 shares of stock; and transfer stock interest by dropping existing stockholder Lorenzo Vera; and as a result, existing stockholder Carmelo Vera will hold 300 shares of stock, in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM) and Outdoor Service (1 area) located at 300 N. Clippert St., Lansing, MI. 48912, Ingham County.

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

Applicant/Licensee: Acapulco Mexican Grill, Inc.

Business address and phone number: 300 N. Clippert St., Ste. 17, Lansing, MI. 48917 (B) 773-263-6161

Home address and phone number of partner(s)/subordinates: Jorge Vera, 244 Church Hill Downs Blvd., Williamston, MI. 48895 (B) 517-203-0096 (C) 517-775-0313; Raul Avila, 4521 Stillwell Ave., Lansing, MI. 48911 (C) 517-897-8113

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

Lansing District Office (866) 813-0011

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

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

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

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

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

jmm

cc: Lansing City Council

RECEIVED
2020 JAN 29 PM 3:03
LANSING CITY CLERK

CITY OF LANSING AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK DATE: 12-22-2019

I Hayden Erickson 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 Patrol Officer in the 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(l) 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(l) 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.***

A conflict should not exist between the duties of my secondary employment and my primary job. I am submitting this disclosure as it is required by LPD policy. I will not be serving any alcohol, strictly providing DJ services to clients.

Name of Business: Capital Prime Entertainment

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 13 day of January, 20 20.

State of Michigan, County of Ingham

Subscribed and sworn to before me this 13th gned day of January, 20 20

Lynsay Lee

Notary Public/or Deputy Clerk

Ingham County, Michigan

My Commission Expires: 5-18-2021

Lynsay Lee
Notary Public of Michigan
Ingham County
Expires 05/18/2021
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: DJ Services / Photography 50%
- Are you self-employed? Yes
- Who is your employer, if applicable? _____
- What are the things you actually do in the business? Assist with providing DJ services and photography to clients
- Who are your clients and who receives your goods or services? Anybody could be a client.
- How and where are your services performed? Primarily in the City of Lansing with other requested locations in the State.
- How often do you do outside work? 1-2 per week

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:

  Certain clients are located in the City.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe:

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.

XV B 3

RECEIVED NOV 25 2019

City of Lansing

OFFICE OF THE CITY ATTORNEY

1757

Claims Review Committee Form

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

NAME: AAA Properties Inc DATE: 11-2019

MAILING ADDRESS: 4414 S. MLK JR BLVD EMAIL: 8195888@gmail.com

CITY: Lansing STATE: MI ZIP CODE: 48910

TELEPHONE: Home (517-819-5888 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: 1722 W. Miller Rd PARCEL NO. 33-01-05-05-377-096

DATE OF INCIDENT: 10/29/19 AMOUNT YOU WERE BILLED: 716.80

TOTAL AMOUNT YOU ARE CONTESTING:

TYPE OF ASSESMENT: Boardup

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.

hello my name is Frank JAJoy I Am Sending this letter to you guys to see if you can Help me out with the Boardup Fee For this Rental this is the 1st time this Happened to me No one contacted me About this Boardup charge. Once i Found out About proble I called inspector M. Johnson and worked with her to vacate people From house and to get Cleaning Done Risk Away I have been working on getting Everything Done Fast and took care of Red Tag Right away please help with Fees

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

Thank you

517-819-5888

CITY OF LANSING

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

DUE DATE: 11/28/2019

Bill To:

AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

INVOICE
11/04/2019

TOTAL AMOUNT DUE
$ 716.80

Invoice Number	Record No.	Address	Amount Due
00143096	E19-21682	1722 W MILLER RD	$716.80

10/29/2019
Title Search/Board-Up (Res) Ad
Title Search/Board-Up (Res) Co

TOTAL DUE: $716.80

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

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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

City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

RECEIVED
2020 FEB -5 AM 10:40
LANSING CITY CLERK

January 29, 2020

AAA Properties
4414 S. MLK Jr. Blvd.
Lansing, MI 48910

Re: Claim – 1722 W. Miller Rd.

Dear AAA Properties:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of $716.80 for a board-up violation for property located at 1722 W. Miller Rd., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

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

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

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Claim: 1757

I want to Appeal I got No phone call to the property About this matter or About board up No one Ever called I would of secured property my self if someone call me.-

1-31-2020 517-819-5888

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@ci.lansing.mi.us

City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

January 29, 2020

AAA Properties
4414 S. MLK Jr. Blvd.
Lansing, MI 48910

Re: Claim – 1722 W. Miller Rd.

Dear AAA Properties:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of $716.80 for a board-up violation for property located at 1722 W. Miller Rd., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

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

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

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Claim: 1757

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@ci.lansing.mi.us

RECEIVED DEC 20 REC'D

DATE: 12/18/2019

1757

PPN:	**33-01-05-05-377-096**
DATE SUBMITTED:	**11/25/2019**
ADDRESS OF VIOLATION:	**1722 W. Miller Road**
LISTED TAXPAYER OF RECORD:	**AAA Properties Inc.**
OTHER TAXPAYER OF RECORD:	
CLAIMANT:	**AAA Properties Inc.**
CLAIMANT'S ADDRESS:	**4414 S. MLK Jr. Blvd Lansing, MI 48910**
TYPE OF ACTIONS CONTESTED:	**Board Up**
VIOLATION DATE:	**10/27/2019**
NOTIFICATION DATE:	**10/27/2019**
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	**$716.80**
CONTRACTOR NAME - INVOICE NO. - DATE:	**Pro-Soil PS-2289 10/27/2019**
AMOUNT OF CLAIM:	**$716.80**

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

HISTORY:	Grass Violation 5/03/2019	Safety (Red Tagged) 10/27/2019	Board up 10/27/2019	Trash Violation 11/08/2019

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: **See Attached**

CODE OFFICER'S NOTES: The on call Code Enforcement Officer was called to this property by the Lansing Police Department due to the property being open and accessible. This property was the site of a large party with well over 200 people in attendance. There was a fatal shooting at this party and per Code Enforcement Officer Johnson her understanding was that LPD did try to contact the owner however due to the ongoing crime scene investigation being conducted due to the death of one of the attendees LPD requested that the property be boarded. The tenant at the time did call our office and ask about the invoice as they stated the landlord passed the bill onto them. The claimant is ultimately responsible for the tenants and the property this bill should not be passed along to the taxpayers of the City of Lansing.

RECEIVED NOV 25 2019

City of Lansing

OFFICE OF THE CITY ATTORNEY

1757

Claims Review Committee Form

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

NAME: AAA Properties Inc DATE: 11-2019

MAILING ADDRESS: 4414 S. MLK JR BLVD EMAIL: 8195888@gmail.com

CITY: Lansing STATE: MI ZIP CODE: 48910

TELEPHONE: Home (517-819-5888 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: 1722 W. Miller RD PARCEL NO. 33-01-05-05-377-096

DATE OF INCIDENT: 10/29/19 AMOUNT YOU WERE BILLED: 716.80

TOTAL AMOUNT YOU ARE CONTESTING:

TYPE OF ASSESMENT: Boardup

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.

hello my name is Frank JAJoy I Am Sending this letter to you guys to see if you can Help me out with the Boardup Fee For this Rental this is the 1st time this Happened to me no one contacted me About this Boardup charge. Once i Found out About proble I called inspector M. Johnson and worked with her to vacate people From house and to get cleaning Done Risk Away I have been working on getting Everything Done Fast and took care of Red Tag Right away please help with Fees

Thank you

517-819-5888

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

CITY OF LANSING

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

DUE DATE: 11/28/2019

INVOICE
11/04/2019

TOTAL AMOUNT DUE
$ 716.80

Bill To:
AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

Invoice Number	Record No.	Address	Amount Due
00143096	E19-21682	1722 W MILLER RD	$716.80

10/29/2019
Title Search/Board-Up (Res) Ad
Title Search/Board-Up (Res) Co

TOTAL DUE: $716.80

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

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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

Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING
CODE ENFORCEMENT OFFICE

PS-2289

owner called on 11/21/2019 tried to have him speak with officer he stated we were to call first and I said LPD does try to call when they get no response they call us out these are done on an emergency basis and we do not have to call but they do try this is the house were there was a fatal shooting and over 200 people were in attendance at the party Officer Johnson has already spoken to the owner and both her and I have spoke with the tenant due to the landlord passing the bill along to the tenant given the circumstances LPD might not have called however it is my understanding LPD was in contact with the owner the night of the shooting/lmp

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

Nuisance Fee Billing Statement

Date Created: 10/29/2019
Due Date: 11/28/2019
Pay Invoice In Full

AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING MI 48910

Inv Number: 00143096
Parcel: 33-01-05-05-377-096
Address: 1722 W MILLER RD

Parcel: 33-01-05-05-377-096

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00143096		E19-21682	1722 W MILLER RD	$716.80

Fee Details:	Quantity	Description	Balance
	1.000	Title Search/Board-Up (Res) Admi	$ 265.00
	451.800	Title Search/Board-Up (Res) Cont	$ 451.80

Total Amount Due $ 716.80

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

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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

PRO-SOIL SITE SERVICES INC.
PO Box 12217 Lansing, MI 48901
PHN: 517.267.8767 FAX: 517.2678767 www.ProSoil.us

BOARD-UP SERVICES, WORKER PAYSHEET

VENDOR ID V009180

INVOICE	DATE	TOTAL	TIME	PAY
#2289	10/29/2019	$ 3,200.70		

SERVICE DATE	SERVICE LOCATION	SUPPLIES*	LABOR	LINE TOTAL	TIME	WORKER	PAY
[redacted]							
10/27/2019	1722 W. MILLER	$ 316.80	$ 135.00	$ 451.80			
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Andy Schor, Mayor

Economic Development & Planning
Code Enforcement Office
316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 10/27/2019

Emergency Board-Up Notice

Inspection Type:	Safety
Inspection Date:	10/27/2019
Compliance Due Date:	10/27/2019

AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

Warning: ***Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)***

Violation Location:	1722 W MILLER RD
Parcel No:	33-01-05-05-377-096

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108. The following is a list of openings that were not able to be secured at time of inspection. All openings found at time of board up by the contractors were secured.

Emergency Board Up

INSPECTOR COMMENTS: *At the request of LPD an emergency board up was done on this dwelling.*

Side door Rear door

INSPECTOR COMMENTS: *Secured damaged side and rear doors.*

Due to the condition of the structure this dwelling has been declared an **UNSAFE STRUCTURE,** and was boarded under section 109.2 of the Lansing Housing and Premises Code, Section 109 Emergency Measures.

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.

This dwelling has been declared, UNSAFE AND DANGEROUS as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - **DO NOT ENTER, UNSAFE TO OCCUPY**. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.
If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.
Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

Andy Schor, Mayor

Economic Development & Planning
Code Enforcement Office
316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 10/27/2019

Emergency Board-Up Notice

Inspection Type:	Safety
Inspection Date:	10/27/2019
Compliance Due Date:	10/27/2019

AAA PROPERTIES INC
4414 S. MARTIN LUTHER KING JR. BLVD
Lansing, MI 48910

Warning: ***Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)***

Violation Location:	1722 W MILLER RD
Parcel No:	33-01-05-05-377-096

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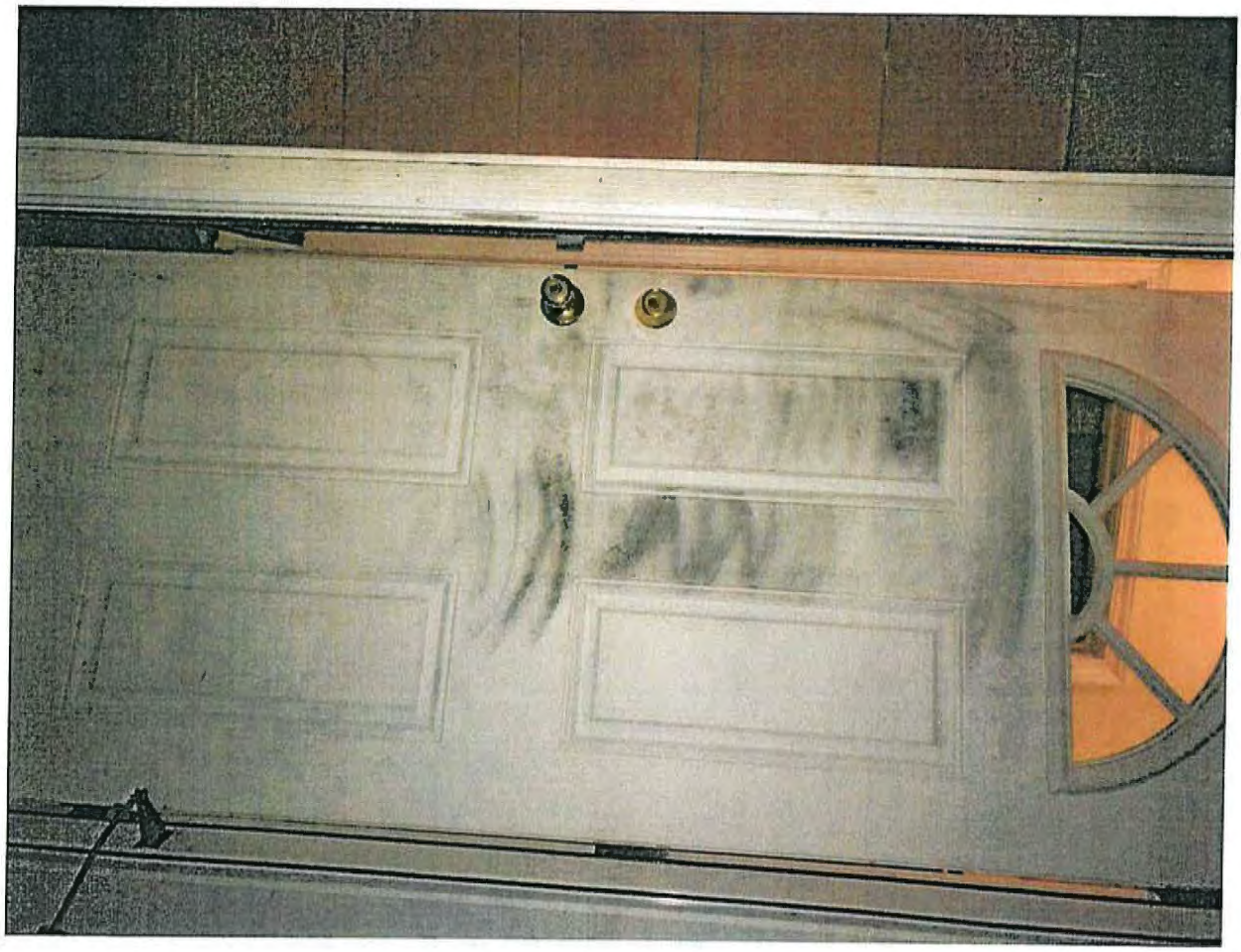
Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

IMG_0490 10/27/2019 22:48 MDJohnson

IMG_0479 10/27/2019 22:46 MDJohnson



11/26/19
Sent to Lynne

RECEIVED NOV 25 2019

City of Lansing

OFFICE OF THE CITY ATTORNEY

1757

Claims Review Committee Form

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

NAME: AAA Properties Inc DATE: 11-2019

MAILING ADDRESS: 4414 S. MLK JR BLVD EMAIL: 8195888@gmail.com

CITY: Lansing STATE: MI ZIP CODE: 48910

TELEPHONE: Home (517-819-5888 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: 1722 W. Miller Rd PARCEL NO. 33-01-05-05-377-096

DATE OF INCIDENT: 10/29/19 AMOUNT YOU WERE BILLED: 716.80

TOTAL AMOUNT YOU ARE CONTESTING:

TYPE OF ASSESMENT: Boardup

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.

hello my name is Frank JAJoy I Am Sending this letter to you guys to see if you can Help me out with the Board up Fee For this Rental this is the 1st time this Happened to me no one contacted me About this Board up charge. Once I Found out About proble I called inspector M. Johnson and worked with her to vacate people From house and to get Cleaning Done Right Away I have been working on getting Everything Done Fast and took care of Red Tag Right away please help with Fees

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

Thank you

517-819-5888

SCANNED

CITY OF LANSING

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

DUE DATE: 11/28/2019

Bill To:

AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

INVOICE
11/04/2019

TOTAL AMOUNT DUE
$ 716.80

Invoice Number	Record No.	Address	Amount Due
00143096	E19-21682	1722 W MILLER RD	$716.80
10/29/2019			
Title Search/Board-Up (Res) Ad			
Title Search/Board-Up (Res) Co			
		TOTAL DUE:	**$716.80**

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

Payment Information:

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

Appeals Process:

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

Other Information:

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

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

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

RECEIVED DEC 06 2019

City of Lansing

OFFICE OF THE CITY ATTORNEY

1758

Claims Review Committee Form

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

NAME: Jesus De la Torre-Vavra **DATE:** 10/6/19

MAILING ADDRESS: 3608 Bristol Oaks St **EMAIL:**

CITY: Dowling **STATE:** MI **ZIP CODE:** 49050

TELEPHONE: Home ( ) 269 986-1423 **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: 523 Cherry St **PARCEL NO.**

DATE OF INCIDENT: 8/28/19 **AMOUNT YOU WERE BILLED:** $4,271.00

TOTAL AMOUNT YOU ARE CONTESTING: $4,271.00

TYPE OF ASSESMENT: Trash Found in Bags

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

I am renovating my home at 523 Cherry St. and have been bagging trash and organizing it outside behind the house out of sight. I was bagging untill I had a rolloff worth to be removed. I work as an emergency responder and was called out west for the last 4 months. I came back home to find all my bagged debri gone with no notices or bills at the home or in the mail. A roll off that is 40 yards costs $450. Im contesting some of this bill to make it more reasonable. I understand that bagged debri is not allowed, but am just trying to make my home livable. Im hoping something can be done.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

OFFICE OF THE CITY ATTORNEY

MEMORANDUM

To: **CHRIS SWOPE, Clerks Office**

From: **VENUS KUMAR, Paralegal**

Subject: **SPECIAL ASSESSMENTS CLAIM; Jesus Delatorre-Vivra**
Date of Incident: August 28, 2019

Date: **January 29, 2020**

Attached is a Claim Form received by this office from Jesus Delatorre-Vivra for $4,271.00 due to Trash violations at 523 Cherry St.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds $2,500.00.

Thank you for your assistance.

/vmk
Attachments

RECEIVED JAN 28 2020

DATE: 1/24/2020

1758

PPN:	33-01-01-16-457-051
DATE SUBMITTED:	12/06/2019
ADDRESS OF VIOLATION:	523 Cherry Street
LISTED TAXPAYER OF RECORD:	Delatorre-Vivra, Jesus
OTHER TAXPAYER OF RECORD:	
CLAIMANT:	Delatorre-Vivra, Jesus
CLAIMANT'S ADDRESS:	3608 Bristol Oaks Street Dowling, MI 49050
TYPE OF ACTIONS CONTESTED:	Trash Removal
VIOLATION DATE:	8/28/2019
NOTIFICATION DATE:	8/28/2019
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	$4,271.00
CONTRACTOR NAME - INVOICE NO. - DATE:	Crutcher 19-T033 9/20/2019
AMOUNT OF CLAIM:	$4,271.00

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:	Grass Mowing 8/18/19 (City of Lansing mowed)	Trash Violation 8/28/2019
CITATIONS IN PREVIOUS YEAR:	Grass Mowing 6/18/2018	Grass Mowing 9/20/2018 (City of Lansing mowed)

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 8/28/2019 with a compliance due date of 9/04/2019. The Premise Officer rechecked the debris on 9/05/2019 the violations were still present and they were submitted to the contractor for removal. The owner of this property purchased the home back in 2016 we have mowed the property twice and have written the property for trash. The claimant even states in their appeal they left the debris for months. The claimant also lists this property as his mailing address but on the claim for he states he lives in Dowling, MI. The claimant should contact the City Assessor to update their mailing address so he can get letters in a timelier manner. This notice was not returned to us however the building inspector states several of the steps to the front of the home are missing and the ones that are there are unsafe to walk on making delivery of the mail impossible. The claimant stated to our office on the phone that he had plenty of debris to fill a 40 yard dumpster but states in the claim he was waiting to accumulate enough debris to fill the dumpster. Proper actions were taken by the City of Lansing pictures clearly show this was a very large cleanup. When our office spoke with the claimant he stated he works in the oil fields and was out of town for several months this was not an emergency but a routine part of his job. The claimant should make arrangements for lawn mowing and when working on the property have a dumpster available instead of storing debris in the yard. This office recommends denial of the claim.

RECEIVED DEC 0 6 2019

City of Lansing

OFFICE OF THE CITY ATTORNEY

1758

Claims Review Committee Form

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

NAME: Jesus De la Torre-Navera DATE: 10/6/19

MAILING ADDRESS: 3608 Bristol Oaks St EMAIL:

CITY: Dowling STATE: MI ZIP CODE: 49050

TELEPHONE: Home( ) 269 986-1423 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: 523 Cherry St PARCEL NO.

DATE OF INCIDENT: 8/28/19 AMOUNT YOU WERE BILLED: $4,271.00

TOTAL AMOUNT YOU ARE CONTESTING: $4,271.00

TYPE OF ASSESMENT: Trash found in Bags

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

I am renovating my home at 523 Cherry St. and have been bagging trash and organizing it outside behind the house out of sight. I was bagging untill I had a rolloff worth to be removed. I work as an emergency responder and was called out west for the last 4 months. I come back home to find all my bagged debri gone with no notices or bills at the home or in the mail. A roll off that is 40 yards costs $450. I'm contesting some of this bill to make it more reasonable. I understand that bagged debri is not allowed, but am just trying to make my home livable. I'm hoping something can be done.

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To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

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 # 3072
DATE 09/22/2019

PROPERTY ADDRES
523 Cherry ST

PARCEL NUMBER
33-01-01-16-457-051

DESCRIPTION	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	13	150.00	1,950.00
city:class 2 construction material after 3	57	33.00	1,881.00

9/20/19
authorized 57 yards
Everett coates
removed all debris behind the house

BALANCE DUE $4,006.00

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

Nuisance Fee Billing Statement

Date Created: 09/24/2019
Due Date: 10/24/2019
Pay Invoice In Full

DELATORRE-VAVRA JESUS
523 CHERRY ST
LANSING MI 48933

Inv Number: 00141220
Parcel: 33-01-01-16-457-051
Address: 523 CHERRY ST

Parcel: 33-01-01-16-457-051

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00141220		E19-19977	523 CHERRY ST	$4,271.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash - Admin Fee	$ 265.00
	4006.000	Trash - Contractor Charge	$ 4,006.00

Total Amount Due $ 4,271.00

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

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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

Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING

19-T033

12/06/2019-received call from Jessie from 269 986 1423 owner stated was renovating the home when I indicated he had no permits then he stated that he was doing minor repairs and that the trash was already in the home and he just took it outside in bags and left it until he could get a roll off container he works in the oil fields and was out of town for several months I told him we did mail a notice however he indicated that mail is unable to be delivered to this address I stated they are courtsey notices and that he was in violation which he agreed and also stated he had plenty of debris to complely fill a 40 yard dumpster and stated it would have taken him probably 6 hours of his time to fill the dumpster but he is going to file a claim to try to lower the fee/I checked the lising for the sale the home had no debris in the photos but the home is in poor condition inside and would be a complete gut and remodel the home was owned prior by one of our demo board members and I would be suprised if he was going to sell it in that condition I notified the building department there was major work going on without benefit of permit they are going to stop by the home and place a stop work order on the property/also noted in assessing owner has owned this property since 2016 this debris was made by the owner not the previous occupants/lmp

Andy Schor, Mayor

Economic Development & Planning
Code Enforcement Office
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

DELATORRE-VAVRA JESUS
523 CHERRY ST
LANSING, MI 48933

Violation Date: 08/28/2019
Violation Location: 523 CHERRY ST
Parcel No: 33-01-01-16-457-051
Compliance Due Date: September 04, 2019

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

Violation: Deteriorated Appliance(s)

INSPECTOR COMMENTS: ***Bath tub***

Violation: Trash found in bags/boxes

Violation: Deteriorated building materials

Violation: Barrel/Bucket/Crate debris

Violation: Paper/Glass/Plastic/Metal/Cardboard 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 09/05/2019

TAXPAYER: DELATORRE-VAVRA JESUS, 523 CHERRY ST LANSING, MI 48933

Location of Work: **Enf Num: E19-19977**

Address: 523 CHERRY ST
Lot No:
Description:
Parcel No: 33-01-01-16-457-051

Remove Trash and Debris

Work Authorized:
Violation: Deteriorated Appliance(s)

INSPECTOR COMMENTS: ***Bath tub***

Violation: Trash found in bags/boxes

Violation: Deteriorated building materials

Violation: Barrel/Bucket/Crate debris

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

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 6
Authorized Cubic Yards: 20

Warning Comment:
Behind house

This action is authorized by the Manager of Code Compliance

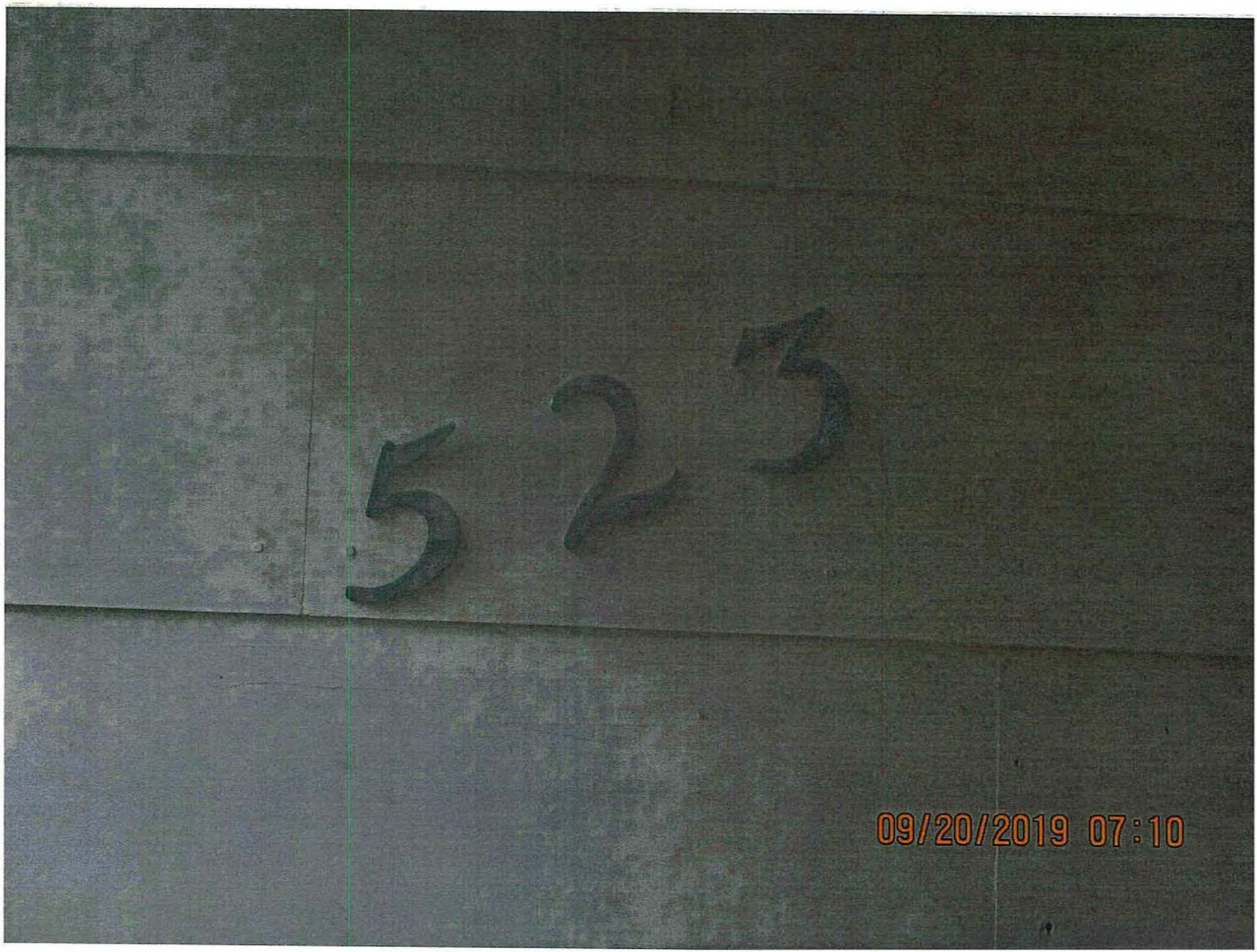
IMG_4408 08/28/2019 16:39 ECoates

IMG_4409 08/28/2019 16:39 ECoates

IMG_4410 08/28/2019 16:39 ECoates

IMG_4448 09/05/2019 12:29 ECoates

IMG_4449 09/05/2019 12:29 ECoates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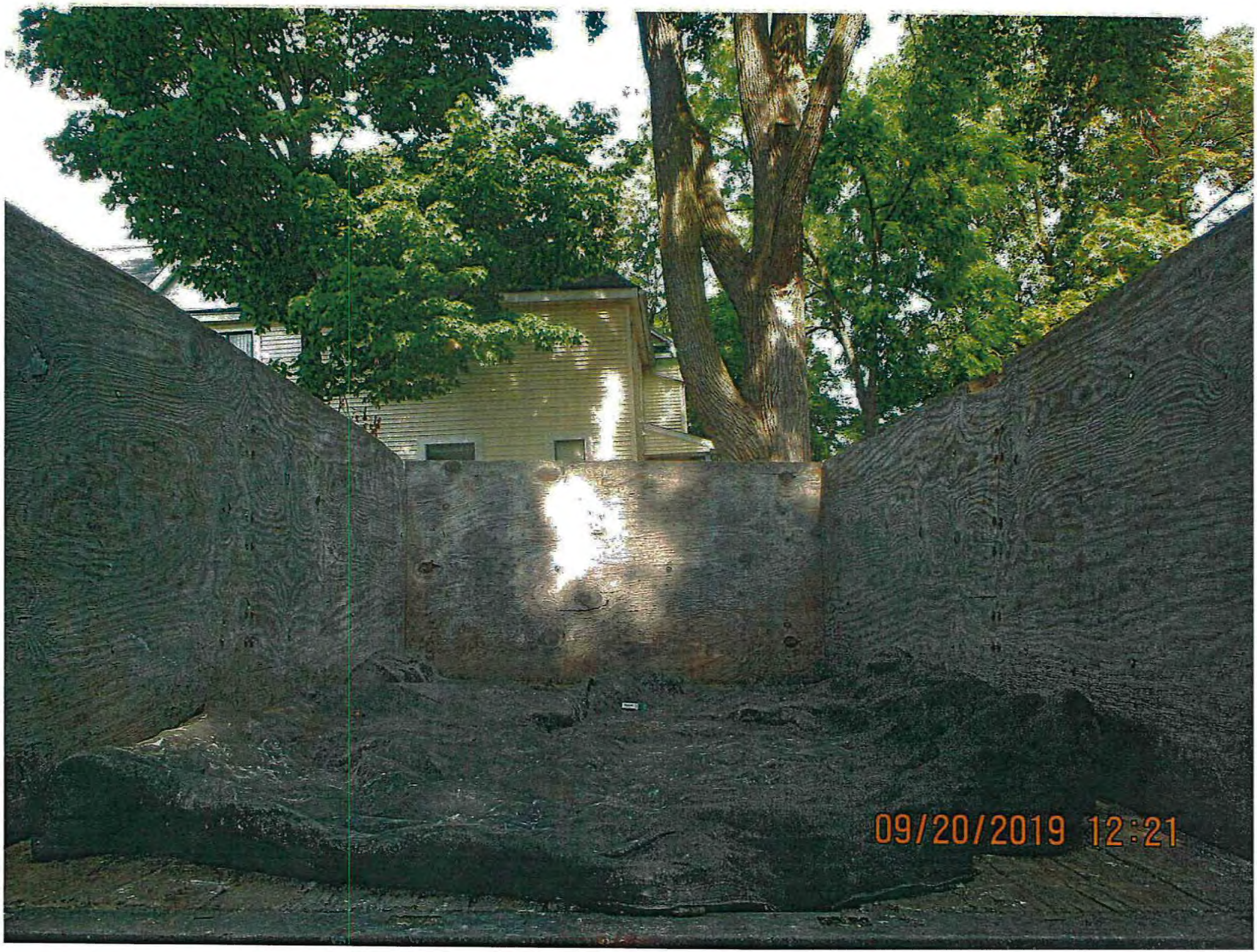
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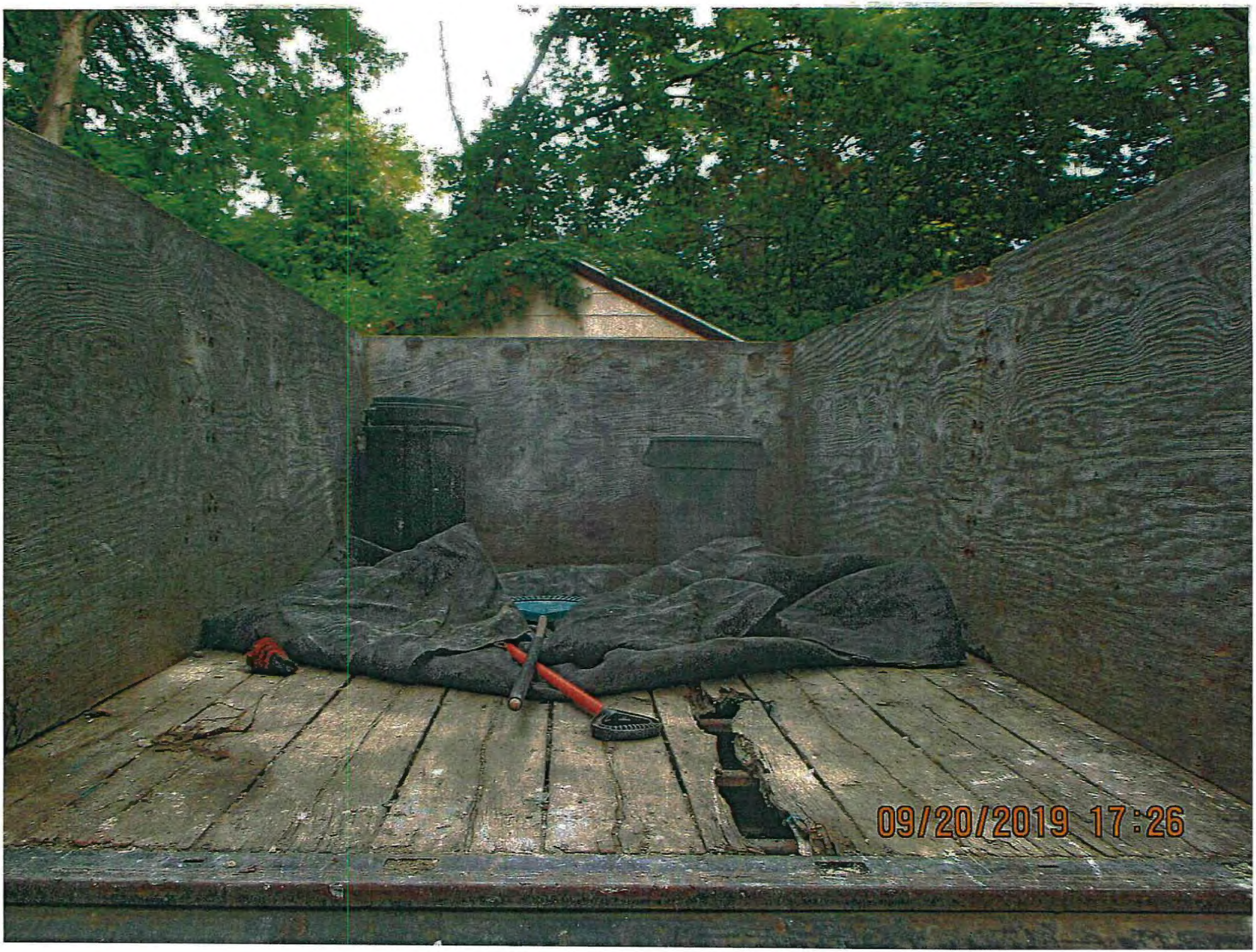
09/20/2019 17:26

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09/20/2019 20:39

RECEIVED JAN 17 2020

City of Lansing

OFFICE OF THE CITY ATTORNEY

1769

Claims Review Committee Form

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

NAME: Waverly LLC - Sue Lover, Sole Member DATE: 1/14/2020

MAILING ADDRESS: 36630 Heatherton Drive EMAIL: sue48114@gmail.com

CITY: Farmington STATE: Mi ZIP CODE: 48335

TELEPHONE: Home ( ) Work 248 417-1238

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: 3410 S. Waverly Rd PARCEL NO. 23-50-40-36-226-138

DATE OF INCIDENT: 12/17/2019 AMOUNT YOU WERE BILLED: $2,763.00

TOTAL AMOUNT YOU ARE CONTESTING: $2,763.00

TYPE OF ASSESMENT: Admin. Fee & Contractor Fee - trash

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

Please see attached documentation.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

1/14/2020

I, Sue Lover, am writing as the sole Member of Waverly LLC. I am contesting the Trash and Debris Notice, and the subsequent bill of $2,763.00, from the City of Lansing regarding the property at 3410 S Waverly Rd, Lansing, MI.

Please understand that I respect local codes and ordinances and do not want furniture and debris on my property. I take good care of my property and will continue to do so. But I also feel I was not notified and/or communicated with in a timely fashion or given even a reasonable number of business days to correct this situation and am not sure said furniture and debris was actually on my property.

Although this violation was written on 11/22, it was not mailed until 11/25 – based on the postmark. Due to the Thanksgiving holiday that week, I did not receive this notice in the mail until 12/4/19. Since the violation had a compliance date of 11/29/19, I was already out of compliance by the time I received this notice.

However, immediately upon receiving this notice, I called Tom Barry, the code officer, to discuss this matter. I called him once on 12/4 – leaving a voice mail. I called twice on 12/5 and left a voice mail the second time asking him to please call me. I then called the City Offices asking if there was someone else, I could speak to regarding this matter as I did not take this violation lightly. I was told Mr. Barry was busy and would call me back "eventually".

I then called my lawn maintenance company and explained the situation to the owner. He stated that he had seen the mattress, furniture and debris, but they were next to the dumpsters of the Admiral gas station and not on my property. He immediately went to the property to double check and called me from the lot, stating that everything had been cleaned up. This was on 12/5/19.

I immediately called Mr. Barry and left another message stating that my lawn maintenance company had previously seen the debris, but that it was not on my property.

I did receive a return call from Mr. Barry the following morning, on 12/6, stating that he was not sure where the property lines were exactly. He said he had not received an invoice from the contractor, so he was not sure if anything had been cleaned up yet or not. Apparently, Mr. Barry had already initiated the cleanup prior to 12/5 without giving me the courtesy of communication or the opportunity to rectify this situation myself, considering his delay in mailing the violation and the delay in mail delivery the previous week.

On 12/8, I walked the property and saw no evidence of any of the violations.

Then on 12/28/2019, I received a bill in the amount of $2,763.00 for the Administration Fee and Contractors Fee of cleaning up the property.

I do not feel I was given an appropriate amount of time and/or appropriate communication regarding this matter for me to even attempt to rectify this situation on my own. I tried to communicate with Mr. Barry four times within 2 business days of my receiving this notification and received no communication in return. Also, within 1 business day of receiving this notification – and getting no response from Mr. Barry - I had my maintenance company go check on the property, only to find things had been cleaned up already. This is an extremely large bill for something that I really have no proof existed and would have rectified myself if given a reasonable amount of time in which to do so. Based on the dates, I was given zero business days to rectify this situation. Is this standard operating procedure for the City of Lansing to give property owners no time to attempt to be in compliance?

I also find it curious that the bill indicates the property was cleaned up on 12/9/2019, yet when my Lawn Maintenance company owner went to check on the property on 12/5, things had been cleaned up already and when I walked the property 12/8, I saw no furniture, trash or debris. When exactly did the contractor go clean up the property? Why is the date not accurate on the bill?

Again, I fully respect city codes and ordinances and their enforcements, however, I feel I was not notified and/or communicated with in a timely fashion or given even a fair number of business days to correct this situation before being sent a bill for a very large amount of money.

I look forward to hearing from you regarding this matter. If you need further information you may contact me at 248.417.238 or sue48114@gmail.com.

Sincerely,

Sue Lover

AGREEMENT BETWEEN WAVERLY LLC AND SUE ANN LOVER

SUE ANN LOVER ("**Member**") and Waverly LLC ("**Company**") have executed this Agreement as of April 15, 2015, and for valid consideration received agree as follows:

1. **Formation; Name; Purpose.** The Company has been formed pursuant to the provisions of the Michigan Limited Liability Company Act, as amended ("**Act**") by the execution and filing of its articles of organization (as the same may be amended, the "**Articles**") with the Michigan Department Licensing and Regulatory Affairs ("**Department**"). The name, purpose and duration of the Company are as set forth in the Articles, as the same may be changed from time to time in accordance with the Act.
2. **Offices.** The principal office and any additional office of the Company will be at such place or places inside or outside the State of Michigan as the Member may designate from time to time. The initial registered office of the Company and its resident agent are as set forth in the Articles and as may be changed from time to time in accordance with the provisions of the Act.
3. **Member.** The Company was formed as a limited liability company with one member. The name and address of the Member are set forth on the signature page. In the event the Company is to add any additional members, the Company and all of its members shall execute an operating agreement, as contemplated by the Act, before any such additional members shall have any rights as members of the Company.
4. **Management of Company.**
   (a) The Member will have management authority over the business of the Company, and will have all powers necessary or advisable to carry out the business of the Company. The Member shall have the authority to take any and all action on behalf of the Company to the fullest extent permitted by the Act. The Member may appoint, employ, or otherwise contract with any persons for the transaction of the business of the Company or the performance of services for or on behalf of the Company, and the Member may delegate to any such person (who may be designated an officer of the Company) such authority to act on behalf of the Company as the Member may from time to time deem appropriate.
   (b) If the Member dies or is unable to act, management of the business of the Company will pass to the person last designated in a writing signed by the Member and with specific reference to this subject matter. That person will have full authority to handle the affairs of the Company until the Member is able to act or a successor is appointed.
5. **Capital Contributions; Accounting.**
   (a) In exchange for the Member's interest, the Member will contribute certain real property and leases to the capital of the Company. The Member will have no obligation to make any further capital contributions to the Company. Any additional capital contributions must be so designated in writing by the Member. Any funds contributed to or advances made on behalf of the Company by the Member that are not designated as capital contributions will be loans payable by the Company to the Member on demand together with interest at the prime rate from the date of the contribution or advance until repaid in full. The Member will not be paid interest on any capital contribution. The Member will not have the right to withdraw, or receive a return of, the Member's capital contribution. The

Company shall reimburse the Member for all expenses of the activities of the Company reasonably incurred and paid for by the Member on behalf of the Company.

(b) The operations of the Company will be treated for federal tax purposes as the operations of the Member. The Company may obtain a tax identification number distinct from that of the Member.

(c) The fiscal year of the Company will be the fiscal year of the Member. The books and records of the Company will be maintained in accordance with consistent recognized accounting practices.

(d) Real and personal property owned by the Company will be held, and conveyance made, in the Company's name. Funds of the Company will be deposited in the name of the Company with the financial institutions and in the accounts as determined by the Member, subject to authorized signatures that the Member may determine.

6. **Assignments of Interest in the Company.** The Member may sell, assign, pledge, or otherwise transfer or encumber (collectively "**transfer**") all, but not less than all, of the Member's interest in the Company by written instrument signed by the transferring Member and the transferee. The Member may transfer a portion of the Member's interest in the Company, but only if the Articles are amended and an operating agreement is entered into that provides for voting rights, allocations of profit and loss, timing of distributions, designation of a tax matters member, and other matters customarily addressed in a limited liability company operating agreement. Except as provided hereafter, any proposed or attempted transfer of a portion of the Member's interest without amending the Articles and entering into such an operating agreement will be void. Upon Sue Ann Lovers death, her entire interest shall be transferred to Sue Ann Lover, Trustee of the Sue Ann Lover Trust dated November 9, 2009, as such trust may be amended, or her successor in trust.

7. **Withdrawal and Dissolution.**

(a) The Member will have the right to withdraw from the Company upon such terms and conditions as agreed between the Member and the Company. The Member may evidence withdrawal from the Company only by filing a certificate of dissolution with the Department as contemplated by the Act.

(b) The Company will be dissolved and its affairs wound up upon the Member filing a certificate of dissolution with the Department. Upon the winding up of the Company, the assets will be distributed as provided in the Act.

8. **Additional Members.** The Company may admit one or more additional Members upon such terms and conditions, and for such capital contributions, as may be determined by the Company and the Member. No additional members may be admitted unless the Articles are amended and an operating agreement is adopted as required in paragraph 6 above. Any proposed or attempted admission of an additional member without such actions will be void.

9. **Distributions.** Distributions of cash or other assets of the Company will be made at such times and in such amounts as the Member may determine; provided, however, that a distribution will not be made if such a distribution would be violative of the Act.

10. **Limitation on Liability.** Unless otherwise provided by law or expressly assumed, the Member is not liable for the acts, debts or obligations of the Company.

11. **Indemnification.** The monetary liability of the Member for breach of any duty established under Section 404 of the Act is limited to the fullest extent permitted by the Act. The Company will indemnify and hold harmless the Member from

and against any and all losses, expenses, claims, and demands sustained by reason of any acts or omissions or alleged acts or omissions of the Member, including judgments, settlements, penalties, fines, or expenses incurred in a proceeding to which the Member is a party or threatened to be made a party because the person is or was a member to the fullest extent permitted by law or contract and not subject to any restriction by this Agreement.

12. **Amendment.** This Agreement may be amended only in writing signed by the Member and the Company specifically stating that this Agreement is amended.

Member:

Sue Ann Lover

Company:

Waverly LLC, a Michigan limited liability company

By
Sue Ann Lover, Member

OFFICE OF THE CITY ATTORNEY

MEMORANDUM

To: **CHRIS SWOPE, Clerks Office**

From: **VENUS KUMAR, Paralegal**

Subject: **SPECIAL ASSESSMENTS CLAIM; Jesus Delatorre-Vivra**
Date of Incident: August 28, 2019

Date: **January 29, 2020**

Attached is a Claim Form received by this office from Jesus Delatorre-Vivra for $4,271.00 due to Trash violations at 523 Cherry St.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds $2,500.00.

Thank you for your assistance.

/vmk
Attachments

RECEIVED JAN 28 2020

DATE: 1/27/2020

1769

PPN:	23-50-40-36-226-138
DATE SUBMITTED:	1/17/2020
ADDRESS OF VIOLATION:	3410 S. Waverly Road
LISTED TAXPAYER OF RECORD:	Waverly LLC
OTHER TAXPAYER OF RECORD:	
CLAIMANT:	Lover, Sue
CLAIMANT'S ADDRESS:	36630 Heatherton Drive Farmington, MI 48335
TYPE OF ACTIONS CONTESTED:	Trash Violation
VIOLATION DATE:	11/22/2019
NOTIFICATION DATE:	11/22/2019
2ND NOTICE ASSESSMENT DATE:	
AMOUNT OF ASSESSMENT:	$2,763.00
CONTRACTOR NAME - INVOICE NO. - DATE:	Crutcher 19-T040 12/04/2019
AMOUNT OF CLAIM:	$2,763.00
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 11/22/2019
CITATIONS IN PREVIOUS YEAR:	
CLAIMANT'S CIRCUMSTANCES:	See Attached

CODE OFFICER'S NOTES: This property and the adjoining property at 3400 S. Waverly were cited for trash violations on their properties. The Premise Officer Tom Barry stated there were directly behind the gas station however the bulk of the violations were located in the wooded ditch area that belong to the claimant. The debris behind the gas station were removed however the violations into the woods remained and were removed by the contractor. This office recommends denial of the claim unless the claimant can show they do not own the ditch area located within the woodline.

RECEIVED JAN 17 2020

City of Lansing

OFFICE OF THE CITY ATTORNEY

1769

Claims Review Committee Form

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

NAME: Waverly LLC - Sue Lover, Sole Member DATE: 1/14/2020

MAILING ADDRESS: 36630 Heatherton Drive EMAIL: sue48114@gmail.com

CITY: Farmington STATE: Mi ZIP CODE: 48335

TELEPHONE: Home ( ) Work 248 417-1238

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: 3410 S. Waverly Rd PARCEL NO. 23-50-40-36-226-138

DATE OF INCIDENT: 12/17/2019 AMOUNT YOU WERE BILLED: $2,763.00

TOTAL AMOUNT YOU ARE CONTESTING: $2,763.00

TYPE OF ASSESMENT: Admin. Fee & Contractor Fee - trash

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

Please see attached documentation.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

1/14/2020

I, Sue Lover, am writing as the sole Member of Waverly LLC. I am contesting the Trash and Debris Notice, and the subsequent bill of $2,763.00, from the City of Lansing regarding the property at 3410 S Waverly Rd, Lansing, MI.

Please understand that I respect local codes and ordinances and do not want furniture and debris on my property. I take good care of my property and will continue to do so. But I also feel I was not notified and/or communicated with in a timely fashion or given even a reasonable number of business days to correct this situation and am not sure said furniture and debris was actually on my property.

Although this violation was written on 11/22, it was not mailed until 11/25 – based on the postmark. Due to the Thanksgiving holiday that week, I did not receive this notice in the mail until 12/4/19. Since the violation had a compliance date of 11/29/19, I was already out of compliance by the time I received this notice.

However, immediately upon receiving this notice, I called Tom Barry, the code officer, to discuss this matter. I called him once on 12/4 – leaving a voice mail. I called twice on 12/5 and left a voice mail the second time asking him to please call me. I then called the City Offices asking if there was someone else, I could speak to regarding this matter as I did not take this violation lightly. I was told Mr. Barry was busy and would call me back "eventually".

I then called my lawn maintenance company and explained the situation to the owner. He stated that he had seen the mattress, furniture and debris, but they were next to the dumpsters of the Admiral gas station and not on my property. He immediately went to the property to double check and called me from the lot, stating that everything had been cleaned up. This was on 12/5/19.

I immediately called Mr. Barry and left another message stating that my lawn maintenance company had previously seen the debris, but that it was not on my property.

I did receive a return call from Mr. Barry the following morning, on 12/6, stating that he was not sure where the property lines were exactly. He said he had not received an invoice from the contractor, so he was not sure if anything had been cleaned up yet or not. Apparently, Mr. Barry had already initiated the cleanup prior to 12/5 without giving me the courtesy of communication or the opportunity to rectify this situation myself, considering his delay in mailing the violation and the delay in mail delivery the previous week.

On 12/8, I walked the property and saw no evidence of any of the violations.

Then on 12/28/2019, I received a bill in the amount of $2,763.00 for the Administration Fee and Contractors Fee of cleaning up the property.

I do not feel I was given an appropriate amount of time and/or appropriate communication regarding this matter for me to even attempt to rectify this situation on my own. I tried to communicate with Mr. Barry four times within 2 business days of my receiving this notification and received no communication in return. Also, within 1 business day of receiving this notification – and getting no response from Mr. Barry - I had my maintenance company go check on the property, only to find things had been cleaned up already. This is an extremely large bill for something that I really have no proof existed and would have rectified myself if given a reasonable amount of time in which to do so. Based on the dates, I was given zero business days to rectify this situation. Is this standard operating procedure for the City of Lansing to give property owners no time to attempt to be in compliance?

I also find it curious that the bill indicates the property was cleaned up on 12/9/2019, yet when my Lawn Maintenance company owner went to check on the property on 12/5, things had been cleaned up already and when I walked the property 12/8, I saw no furniture, trash or debris. When exactly did the contractor go clean up the property? Why is the date not accurate on the bill?

Again, I fully respect city codes and ordinances and their enforcements, however, I feel I was not notified and/or communicated with in a timely fashion or given even a fair number of business days to correct this situation before being sent a bill for a very large amount of money.

I look forward to hearing from you regarding this matter. If you need further information you may contact me at 248.417.238 or sue48114@gmail.com.

Sincerely,

Sue Lover

AGREEMENT BETWEEN WAVERLY LLC AND SUE ANN LOVER

SUE ANN LOVER ("**Member**") and Waverly LLC ("**Company**") have executed this Agreement as of April 15, 2015, and for valid consideration received agree as follows:

1. **Formation; Name; Purpose.** The Company has been formed pursuant to the provisions of the Michigan Limited Liability Company Act, as amended ("**Act**") by the execution and filing of its articles of organization (as the same may be amended, the "**Articles**") with the Michigan Department Licensing and Regulatory Affairs ("**Department**"). The name, purpose and duration of the Company are as set forth in the Articles, as the same may be changed from time to time in accordance with the Act.
2. **Offices.** The principal office and any additional office of the Company will be at such place or places inside or outside the State of Michigan as the Member may designate from time to time. The initial registered office of the Company and its resident agent are as set forth in the Articles and as may be changed from time to time in accordance with the provisions of the Act.
3. **Member.** The Company was formed as a limited liability company with one member. The name and address of the Member are set forth on the signature page. In the event the Company is to add any additional members, the Company and all of its members shall execute an operating agreement, as contemplated by the Act, before any such additional members shall have any rights as members of the Company.
4. **Management of Company.**
   (a) The Member will have management authority over the business of the Company, and will have all powers necessary or advisable to carry out the business of the Company. The Member shall have the authority to take any and all action on behalf of the Company to the fullest extent permitted by the Act. The Member may appoint, employ, or otherwise contract with any persons for the transaction of the business of the Company or the performance of services for or on behalf of the Company, and the Member may delegate to any such person (who may be designated an officer of the Company) such authority to act on behalf of the Company as the Member may from time to time deem appropriate.
   (b) If the Member dies or is unable to act, management of the business of the Company will pass to the person last designated in a writing signed by the Member and with specific reference to this subject matter. That person will have full authority to handle the affairs of the Company until the Member is able to act or a successor is appointed.
5. **Capital Contributions; Accounting.**
   (a) In exchange for the Member's interest, the Member will contribute certain real property and leases to the capital of the Company. The Member will have no obligation to make any further capital contributions to the Company. Any additional capital contributions must be so designated in writing by the Member. Any funds contributed to or advances made on behalf of the Company by the Member that are not designated as capital contributions will be loans payable by the Company to the Member on demand together with interest at the prime rate from the date of the contribution or advance until repaid in full. The Member will not be paid interest on any capital contribution. The Member will not have the right to withdraw, or receive a return of, the Member's capital contribution. The

Company shall reimburse the Member for all expenses of the activities of the Company reasonably incurred and paid for by the Member on behalf of the Company.

(b) The operations of the Company will be treated for federal tax purposes as the operations of the Member. The Company may obtain a tax identification number distinct from that of the Member.

(c) The fiscal year of the Company will be the fiscal year of the Member. The books and records of the Company will be maintained in accordance with consistent recognized accounting practices.

(d) Real and personal property owned by the Company will be held, and conveyance made, in the Company's name. Funds of the Company will be deposited in the name of the Company with the financial institutions and in the accounts as determined by the Member, subject to authorized signatures that the Member may determine.

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12. **Amendment.** This Agreement may be amended only in writing signed by the Member and the Company specifically stating that this Agreement is amended.

Member:

Sue Ann Lover

Company:

Waverly LLC, a Michigan limited liability company

By
Sue Ann Lover, Member

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 # 3228
DATE 12/08/2019

PROPERTY ADDRES
3410 s Waverly RD

PARCEL NUMBER
23-50-40-36-226-138

DESCRIPTION	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	9	150.00	1,350.00
city:add cy any after 3	17	29.00	493.00
city:class 2 construction material after 3	10	33.00	330.00
city:tire tire removal	10	15.00	150.00
12/4/19 30 yards tom Barry			

BALANCE DUE **$2,498.00**

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

Nuisance Fee Billing Statement

Date Created: 12/09/2019
Due Date: 01/08/2020
Pay Invoice In Full

WAVERLY L L C
36630 HEATHERTON DR
FARMINGTON MI 48335

Inv Number: 00145698
Parcel: 23-50-40-36-226-138
Address: 3410 S WAVERLY RD

Parcel: 23-50-40-36-226-138

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00145698		E19-22296	3410 S WAVERLY RD	$2,763.00

Fee Details:	Quantity	Description	Balance
	1.000	Trash - Admin Fee	$ 265.00
	2498.000	Trash - Contractor Charge	$ 2,498.00

Total Amount Due $ 2,763.00

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

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

WAVERLY L L C
36630 HEATHERTON DR
FARMINGTON, MI 48335

Violation Date: 11/22/2019
Violation Location: 3410 S WAVERLY RD
Parcel No: 23-50-40-36-226-138
Compliance Due Date: November 29, 2019

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

Violation: Deteriorated furniture

Violation: Garbage

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

Sec 308.1 Deteriorated box spring and or mattress

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: Tom Barry (517) 483 4376 **Tom.Barry@lansingmi.gov**

"Equal Opportunity Employer"

Taxpayer's Copy

Andy Schor, Mayor

Economic Development & Planning
Code Enforcement Office

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

TRASH AND DEBRIS CORRECTION NOTICE

WAVERLY L L C
36630 HEATHERTON DR
FARMINGTON, MI 48335

Violation Date: 11/22/2019
Violation Location: 3410 S WAVERLY RD
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Code Officer: Tom Barry (517) 483 4376 **Tom.Barry@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 12/02/2019

TAXPAYER: WAVERLY L L C, 36630 HEATHERTON DR FARMINGTON, MI 48335

Location of Work: **Enf Num: E19-22296**

Address: 3410 S WAVERLY RD
Lot No:
Description:
Parcel No: 23-50-40-36-226-138

Remove Trash and Debris

Work Authorized:
Violation: Deteriorated furniture

Violation: Garbage

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

Sec 308.1 Deteriorated box spring and or mattress

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2
Authorized Cubic Yards: 4

Warning Comment:
This property is located adjacent to Admiral gas station Waverly south of Holmes. Debris around dumpster and in ditch behind the gas station

Submitted By: Tom Barry (517) 483 4376

This action is authorized by the Manager of Code Compliance

DSCN0031 11/22/2019 12:42 TBarry

DSCN0032 11/22/2019 12:42 TBarry

DSCN0033 11/22/2019 12:42 TBarry

DSCN0030 11/22/2019 12:42 TBarry

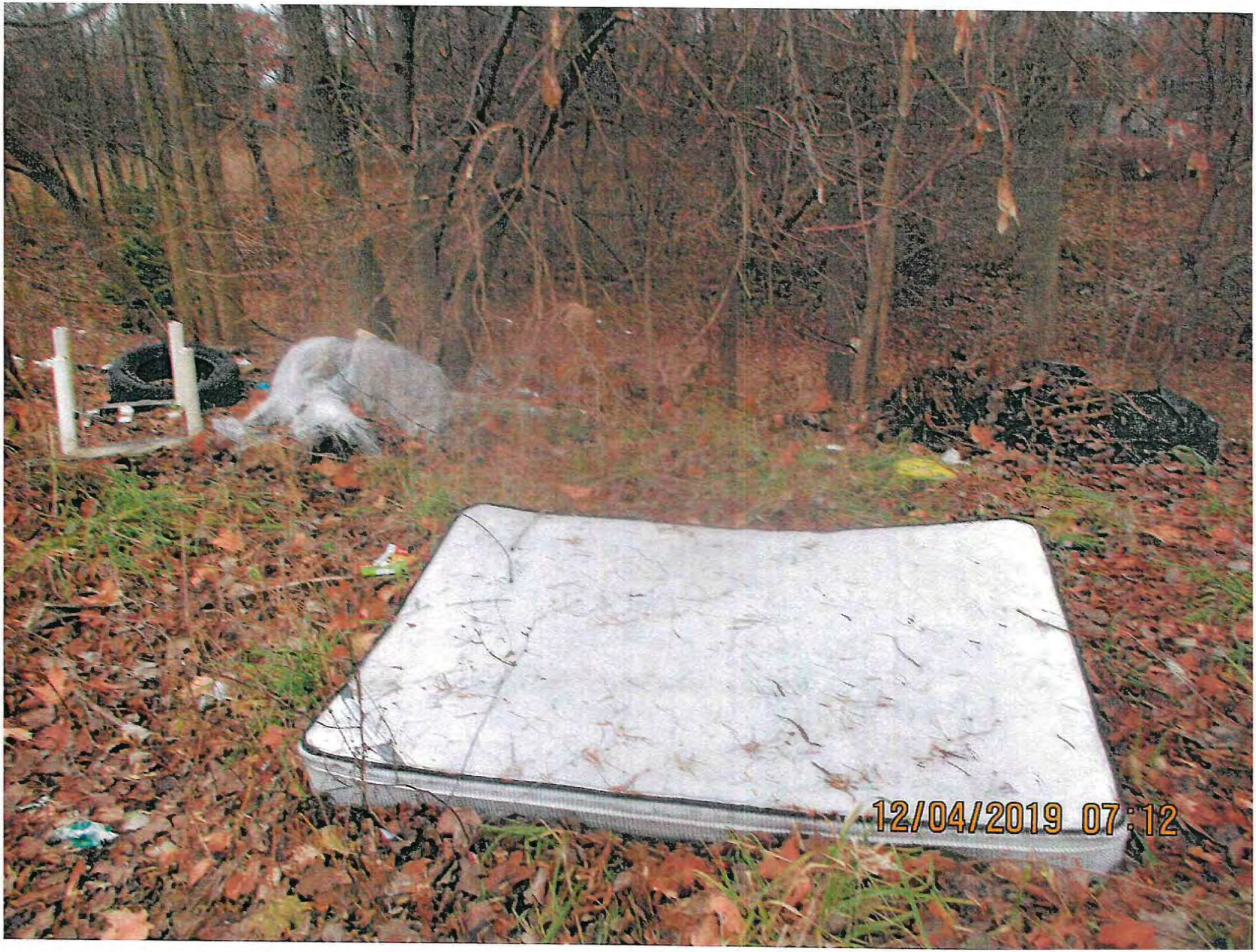
DSCN0034 11/22/2019 12:43 TBarry

MARAT
12/04/2019 07:11

12/04/2019 07:11

12/04/2019 07:11

12/04/2019 07:12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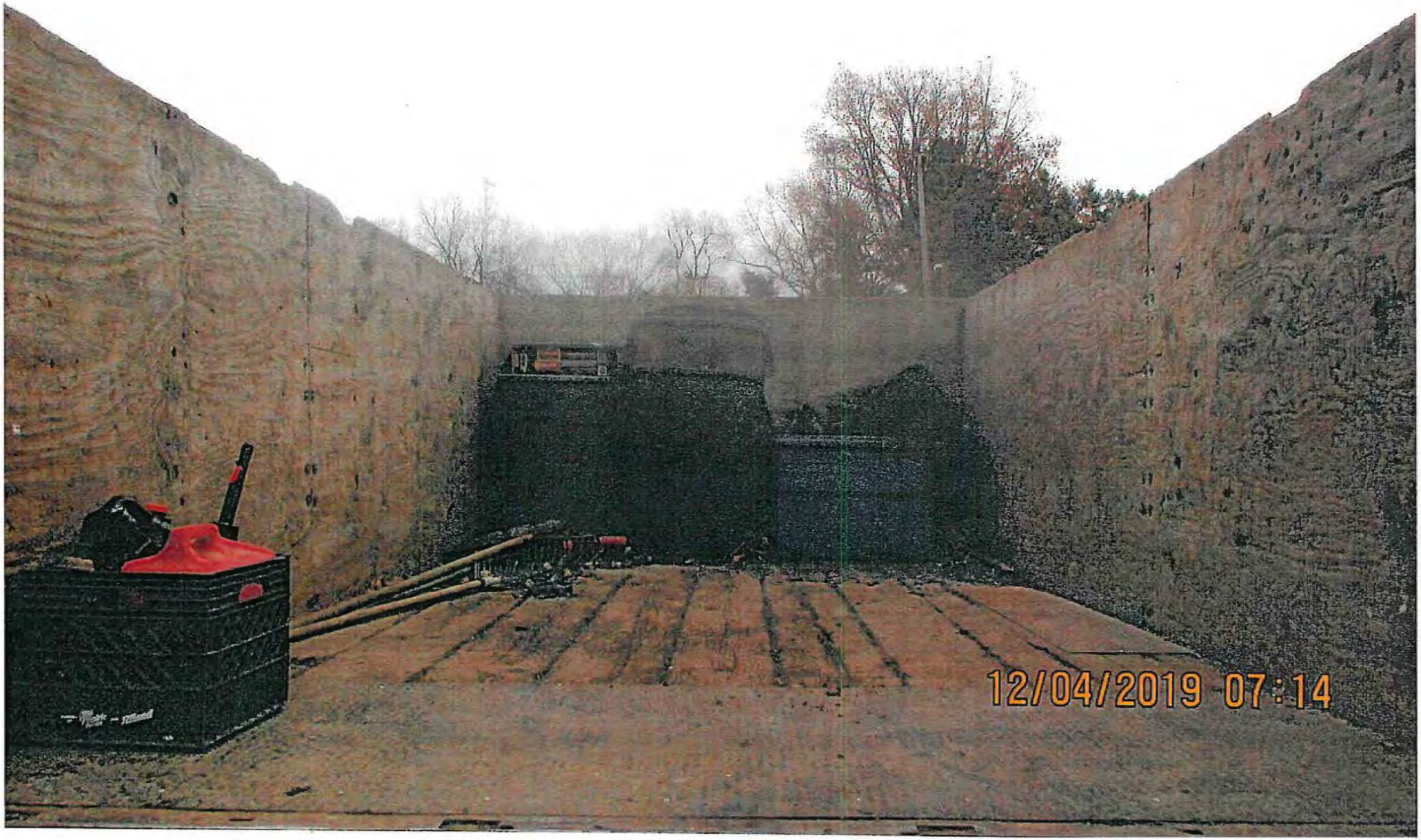
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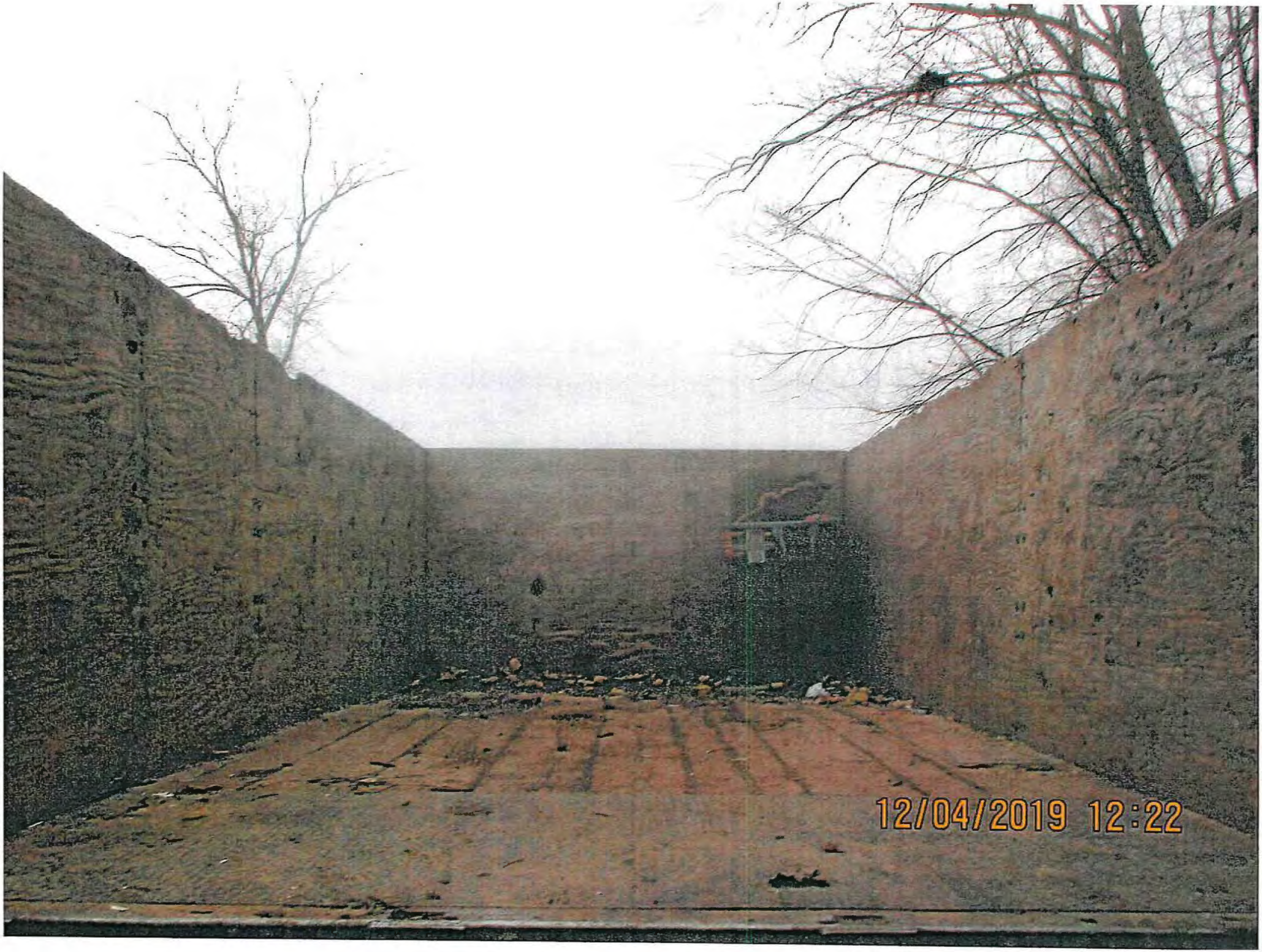
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