



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JUNE 30, 2014**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:30 p.m. by President Boles

PRESENT: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Wood

ABSENT: Councilmember Yorko

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Boles.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Brown Clarke

To approve the printed Council Proceedings of June 9, 2014

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Brown Clarke

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Renaming Request from the St. Joseph Park to Willard Walker Park

TABLED ITEMS

SPECIAL CEREMONIES

1. Tribute; in memory of John Brady

Councilmember Wood shared details about the leadership and legacy of John Brady.

Bob Brady, son of John, spoke about the love that John Brady had for the City of Lansing.

By Councilmember Wood

RESOLUTION #2014-174

BY COUNCIL MEMBERS BOLES, BROWN CLARKE, DUNBAR, HOUGHTON, QUINNEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, John Harris Brady was born on June 2, 1934, and on June 9, 2014 Lansing suffered a tragic loss with the passing of this wonderful mentor at the age of 80; and

WHEREAS, John leaves behind his wife of 58 years, Margaret Brady; sons, Robert Brady and Thomas Brady; daughter, Janet Bradley; seven grandchildren, Jordan Bradley, Nathan Brady, Kaila Brady, Sara Bradley, Brittanie Brady, Tyler Brady and Preston Bradley; and one great-grandson, Christopher Houser; and

WHEREAS, John Brady has been described as a gentleman, beloved friend and role model. His family was his central focus, including his biological family, church family, union family, and his community family. He was best known for adding inches to the waistlines of all he encountered with a constant flow of cakes, pies, cookies, and ice cream; and

WHEREAS, John Brady was a proud member of Plumbers and Pipefitters Local 388 (333) where he served as President from 1965 – 1994. He was extremely active in the Lansing community, dividing his time between charitable organizations, including Soaring Unlimited, Meals on Wheels, Ingham County Fair Anti-Drug Campaign, and Habitat for Humanity just to name a few. In addition, he was a member of Christ United Methodist Church where he served in many roles. He was also heavily involved with national and local politics; and

BE IT RESOLVED, Lansing City Council hereby recognizes John Harris Brady as an exceptional member of this community and extends its condolences and sympathy to John's family and friends during this time of sorrow. May you know the comfort and peace that comes from above.

2. Mayoral Presentation; Recognition of "Mormon Helping Hands" Volunteer Group

On behalf of the Mayor, Randy Hannan thanked the Mormon Helping Hands Volunteer Group, and presented a mayoral proclamation that recognized their work.

Bishop David Maxwell, Director of Community and Faith Based Initiatives, spoke about the importance of volunteerism, and thanked the Jesus Christ of Latter Day Saints Church for bringing over 200 volunteers to complete seven service projects on June 14, 2014.

John Coakley, on behalf of the volunteers, thanked the City for the recognition, and look forward to further relationship of working together.

COMMENTS BY COUNCILMEMBERS AND THE CITY CLERK

Council President Boles thanked the organizers of the Save Our Sons event held on Saturday, June 28.

City Clerk Swope shared details of the upcoming August 5 Primary election, and encouraged the public to visit the website www.lansingmi.gov/elections or call the City Clerk's Office to receive an absentee ballot application.

COMMUNITY EVENT ANNOUNCEMENTS

Gretchen Cochran shared details on an event to celebrate the nomination of the Genesee Street School to the National Registry of Historic Buildings.

SPEAKER REGISTRATION FOR

PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the City plans to celebrate the 4th of July including details about the parade, concert and fireworks. He also shared details of the firework ordinance which allows fireworks only to use the day before, the national holiday, and one day afterwards. Fireworks should not be lit after midnight per the ordinance and state law.

Councilmember Wood asked a question of Mr. Hannan regarding temporary firework sales licenses.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of the Noise Waiver to allow work on the Sewer Siphon #11
2. In consideration of the Principal Shopping District (PSD) Three Year Special Assessment
3. In consideration of Z-2-2014, 3012 7th Ave. and two Vacant Lots to its South; Rezoning from "A" Resident, "G-2" Wholesale and "J" Parking Districts to "H" Industrial District

Councilmember Wood provided an overview of the public hearing on the Noise Waiver to allow work on the Sewer Siphon #11 and the Principal Shopping District (PSD) Three Year Special Assessment.

Councilmember Quinney gave an overview of the public hearing on Z-2-2014.

- Public Comment on Legislative Matters:

Ron Clark spoke in support of Z-2-2014.

Claude Beavers spoke in support of the Abigail project and the council actions to rename St. Joseph Park, and his concern with snow plowing in front of City Hall last winter.

Patricia Pfeifer spoke in support of the Noise Waiver, and claimed that she canvassed her neighborhood by the siphon and could not find anyone against the noise waiver.

Tim Sweet spoke in support of the Noise Waiver, and thanked Ms. Pfeifer for her support of the project.

Mary Ann Prince spoke about her concern with the lack of security for the Abigail Project.

Willy Williams spoke about his concern about renaming parks, and his views on the Abigail Project

Alec Malvetis, Lansing Public Services Department, spoke in support of the noise waiver.

REFERRAL OF PUBLIC HEARINGS

Z-2-2014 was referred back to the Committee on Development and Planning.

LEGISLATIVE MATTERS**CONSENT AGENDA**

By Councilmember Brown Clarke

To approve item 2a on the Consent Agenda.

RESOLUTION #2014-175

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, July 28, 2014, 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 Special Land Use Request for:

SLU-2-2014: Special Land Use Permit, Residential Land Use in the "I" Heavy Industrial District, 700 E. Oakland Street and 3 Adjoining Parcels to its South.

Adopted as part of the Consent Agenda

RESOLUTIONS**RESOLUTION #2014-176**

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

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

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

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

FIREWORKS DISPLAY LICENSE:

Wolverine Fireworks Display, Inc. for a public display of fireworks in the City of Lansing located at Oak Park, to be held on July 4, 2014.

By Councilmember Wood

Motion Carried

RESOLUTION #2014-177

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

WHEREAS, Southside Boys and Girls Sports has requested \$1,300.00 to defray costs associated with the registration and participation of Wildcat Baseball 2014; and

WHEREAS, the COMMITTEE ON GENERAL SERVICES met on June 30, 2014 and reviewed the request; and

WHEREAS, the maximum total amount of Community Promotion Funds to be awarded an organization in one fiscal year is \$500.00.

NOW, BE IT RESOLVED that the Lansing City Council, hereby, approves an allocation from the Community Promotion Account to Southside Boys and Girls Sports to defray costs associated with the Wildcat Baseball 2014.

NOW BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$1,300.00 to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Southside Boys and Girls Sports 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 Councilmember Wood

Motion Carried

RESOLUTION #2014-178

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

WHEREAS, a public hearing was held on Monday, June 30, 2014, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the Sanitary Sewer Siphon #11 Replacement Project to work extended hours Saturdays from 8:00 a.m. to 6:00 p.m., while conducting construction activities in the Sanitary Sewer Siphon #11 Replacement Project Area, and for necessary overnight bypass pumping operations as part of the project up to two (2) days between September 15, 2014, and October 17, 2014; and

WHEREAS, the Sanitary Sewer Siphon #11 Replacement Project includes an area that is roughly bound by E. Elm Street on the north, Beech Street extended on the east, South Street on the south, and S. Cedar Street on the west; and

WHEREAS, the required schedule for completion of construction in the Red Cedar River Floodplain consistent with the State-issued floodplain permit is September 15, 2014; and

WHEREAS, the construction contractor for the project, E.T. MacKenzie Company, has requested a waiver of the noise ordinance to allow work on some Saturdays in July, August, and September of 2014, in order to assure completion of construction within the timeframe allowed by the floodplain permit; and

WHEREAS, the City of Lansing Public Service Department recommends that this waiver of the noise ordinance be granted in order to assure completion of construction within the required timeframe; and

WHEREAS, the City of Lansing Public Service Department will provide three (3) calendar days of notice to affected residents prior to any overnight bypass pumping activity; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that City Council grant a waiver of the noise ordinance to allow the contractor for the Sanitary Sewer Siphon #11 Replacement Project to work extended hours Saturdays from 8:00 a.m. to 6:00 p.m., while conducting construction activities in the Sanitary Sewer Siphon #11 Replacement Project Area, and for necessary overnight bypass pumping operations as part of the project up to two (2) days between September 15, 2014, and October 17, 2014.

By Councilmember Wood

Motion Carried

RESOLUTION #2014-179

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

CONFIRMATION OF SNOW AND ICE REMOVAL ASSESSMENT
ROLL WINTER 2013-14

WHEREAS, pursuant to resolution 2014-144, adopted by this Council, the City Assessor held a public hearing on June 2, 2014, regarding Assessment Roll SR-003 for the removal of snow and ice on public sidewalks adjacent to certain properties; and

WHEREAS, the cost incurred between October 1, 2013 and March 19, 2014, by the City total \$42,888.00; and

WHEREAS, the Committee on Public Services met on June 4, June 9 and June 30, 2014, to review the public hearing findings and removed the following:

33-01-01-15-310-131	312 S 8 th Street
33-01-01-14-152-011	230 N Fairview
33-01-05-03-151-182	706 Armstrong
33-01-01-32-351-032	4727 Pleasant Grove

Amended:

33-01-01-10-330-131 912 Johnson – Amend to \$124.00

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby directs that special assessment roll number SR-003 as returned by the City Assessor, be ratified and confirmed; and

FURTHER BE IT RESOLVED, the Lansing City Council hereby directs the City Assessor notify the owners of properties affected by this roll in accordance with City Ordinance 1020.06.

Councilmember Dunbar provided an overview of 2013-2014 Special Assessment Roll for Snow and Ice Removal as amended by Public Services Committee.

Councilmember Dunbar invited the City Assessor to speak about the process of assessment when the property ownership is in dispute.

Bill Fowler, City Assessor, spoke about the process when an assessment is sent to a property that there is a question of the ownership.

By Councilmember Dunbar

Motion Carried

RESOLUTION #2014-180

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

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services, and

WHEREAS, a public hearing was held on June 30, 2014 at 7:00 pm in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll; and

WHEREAS, that the City Clerk published notice of a hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing; and

WHEREAS, notice to the affected owners of the properties in said district was published in accordance with Chapter 1026 of the Lansing Code of Ordinances and

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street; east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning -A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the

E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning —A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning -B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning —B.

Zone C -North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning -C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning -C (North).

Zone C -South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning -C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the centerline of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan

Avenue, then west along the E. Michigan: Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A -13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of **\$374,566.67**.

ZONE B -9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of **\$26,355.02**.

ZONE C (North & South) -2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of **\$29,820.35**.

BE IT FURTHER RESOLVED that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. **PSD11-A/PSD11B/PSD11-C**, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which has received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than **August 15, 2014** a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FURTHER RESOLVED that Special Assessment roll Numbers **PSD11-A/PSD11B/PSD11-C** as presented and as returned by the City Assessor, is hereby, ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City

Treasurer to collect said tax.

BE IT FINALLY RESOLVED that if said payment is not received by **October 30, 2014**, said tax will be placed on the December tax roll without interest or penalty.

By Councilmember Wood

Motion Carried

RESOLUTION #2014-181

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

That the following FY 2014 grant acceptance and budget transfers be approved:

Drug Law Enforcement Programs
Police
Asset Seizure Grant

\$21,535.00 from Fund Balance	268.0.679100.0
\$21,535.00 to Operating Transfer 265 Fund	268.343254.991265.0

\$12,000.00 from Operating Transfer to 273 Fund	265.343253.991273.0
\$12,000.00 to Operating Transfer to 265 Fund	265.343253.991265.0

\$142,350.00 from Federal Revenue	265.0.527001.17451
\$55,255.00 from Local Match – MSP	265.0.579302.17451
\$14,164.00 from Local Match – Eaton Co	265.0.580002.17451
\$42,332.00 from Local Match – Ingham Co	265.0.580004.17451
\$21,535.00 from Local Match – City of Lansing	265.0.696268.17451
\$9,064.00 from Local Match – Drug Law Fund	265.0.696265.17451

\$28,270.00 to Salaries	265.343253.702000.17451
\$18,128.00 to Temporary Help	265.343253.707000.17451
\$10,458.00 to Fringe Benefits -Fixed	265.343253.715300.17451
\$4,342.00 to Fringe Benefits - Variable	265.343253.715400.17451
\$223,502.00 to Subcontract – Contractual Svc	265.343253.961743.17451

(To appropriate the federal Asset Seizure Grant revenues and expenditures for the grant year ending 9/30/14 for multi-county drug law enforcement. Total cost equals \$284,700.00 with federal cost share 50% and local match cost share 50%. State of Michigan project # ODCP 70901-5-14-B. Federal grant award # 2013-DJ-BX-0109.)

By Councilmember Wood

Motion Carried

RESOLUTION #2014-182

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

WHEREAS, Lansing Police Department has submitted application for a project renewal grant to the State of Michigan Auto Theft Prevention Authority (ATPA) for the federal fiscal year period 2014 for the prevention, investigation, recovery and prosecution of Lansing-specific auto thefts; and

WHEREAS, the total project cost equals \$137,655 (57% ATPA renewal grant funds of \$78,463, and 43% local matching funds of \$59,192) and will be used for the salary, overtime, and fringe benefit costs, field and office operating costs, and leased vehicle costs of one (1) full-time equivalent detective position; and

WHEREAS, in order to keep auto theft incidence at a low level, the Lansing Police Department (LPD) provides detective resources in addition to the federally-supported detective project; and

WHEREAS, the local match funds budgeted in the FY2014 Lansing Police Department budget are sufficient to meet the requirements of this renewal grant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the auto theft prevention renewal grant in the total amount of \$137,655 (\$78,463 ATPA, \$59,192 city match) for the federal fiscal year 2014 grant period (October 1, 2013 through September 30, 2014) to fund the associated costs of one (1) full-time equivalent detective position; and

BE IT FURTHER RESOLVED, if federal grantor regulations allow recovery of related administrative costs, appropriate steps may be taken to secure payment; and

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

By Councilmember Wood

Motion Carried

RESOLUTION #2014-183

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

WHEREAS, in December 2013 City Clerk Chris Swope submitted a recommended list of dates for the Lansing City Council meetings for 2014 to the Lansing City Council; and

WHEREAS, on December 2, 2013 the City of Lansing Committee of the Whole recommended and the City of Lansing City Council adopted Resolution 2013-256 setting the meeting dates for 2014; and

WHEREAS, the Lansing City Charter requires the City Council to meet at least 26 times each year; and

WHEREAS, the Lansing City Charter and Council Rules require dates to be set by Resolution; and

NOW BE IT RESOLVED, the Lansing City Council hereby cancels the following meetings from the 2014 Meeting Schedule:

Monday, October 6, 2014
Monday, October 20, 2014
Monday, November 3, 2014
Monday, November 17, 2014
Monday, December 1, 2014
Monday, December 15, 2015

NOW BE IT FURTHER RESOLVED, the Committee of the Whole will meet at 5:30 p.m. before all Monday Council Meetings listed below; and

BE IT RESOLVED, the Lansing City Council hereby approves the recommendations of City Council President A'Lynne Boles to change Lansing City Council meeting dates to the 2nd & 4th Monday in October, 2014; November 2014 & December 2014, as listed below:

Monday, October 13, 2014
Monday, October 27, 2014
Monday, November 10, 2014
Monday, November 24, 2014
Monday, December 8, 2014
Monday, December 22, 2014

Except as otherwise noted, all meetings will be on Monday at 7:00 p.m. in the Lansing City Council Chambers, 124 W. Michigan Avenue, 10th Floor.

By Councilmember Brown Clarke

Motion Carried

RESOLUTION #2014-184

BY COUNCILMEMBERS BOLES, BROWN CLARKE, DUNBAR,
HOUGHTON, QUINNEY, WASHINGTON, WOOD & YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Willard K. Walker has been a resident of the City of Lansing since 1971 and raised two wonderful children; Willard Kirkland Walker, and Stacey Melinda Walker (both of whom graduated from Lansing's Sexton High School); and

WHEREAS, Willard served in the United States Army from August 1953 to September 1956, receiving an honorable discharge; and

WHEREAS, Willard served on the Lansing Board of Police Commissioners for 13 years (1986-1999); and

WHEREAS, Willard K. Walker served as a Director of the City of Lansing Human Relations and Community Services Department for four years, and as a Commissioner on Race and Diversity for four years; and

WHEREAS, in 1974, Willard was voted Outstanding Board Member by the Greater Lansing Urban League, in 1978 co-lead work for the creation of the Kappa Youth Football Team; and

WHEREAS, in 1986, Willard received the Key to the City from Mayor Terry J. McKane, he received the Distinguished Service Award from the United Negro College Fund's Greater Lansing Black Greek Alumni Council; and successfully worked to obtain a formal holiday for Dr. Martin Luther King Day in Lansing, Michigan. Willard played a key role on the City of Lansing's Dr. Martin Luther King Commission from 1984-1991 and was its first Chairperson; and

WHEREAS, in 1992, Willard received The Frederick Douglas award from the National Association of Negro Business and Professional Women's Club in 1993, Willard was responsible for the partnership with the Lansing School District, Michigan State University, and the State of Michigan's creation of The Young Spartans Program, and in 1994, Willard received a Certificate of Appreciation from the Michigan Department of Commerce for his services and contributions to Forest View Elementary students; and

WHEREAS, in 1995, Willard received the Monty Award from the Lansing School District Parent Support Network and in 1997, Willard served 27 years with the State of Michigan's Michigan Jobs Commission Office of Workplace Development; and

WHEREAS, in 2003, Willard chaired and formed the original committee formed to promote Race and Diversity, not only in the City of Lansing, but in the entire Tri-County and surrounding areas and cities; and

WHEREAS, in 2004, Willard received the President's Award from the American Society for Public Administration-Michigan Capital Area Chapter, for outstanding commitment to the People of Michigan; and

WHEREAS, in 2007, Willard received an Appreciation for Commitment to Social Justice award from The Greater Lansing Area Commission on Race and Diversity; and

WHEREAS, in 2010, Willard received The Mover and Shaker award from the Ingham County Initiative; and

WHEREAS, Willard conceived and completed work on a project with the W.K. Kellogg Foundation entitled, "Engaging Students of Color in Michigan's New Economy," provided diversity training on issues of inclusion, equity, and diversity for the Board of Water and Light, and

CEO's in the greater Lansing community, as well as countless other organizations. He coordinated a Workplace Diversity Conference.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby honors and recognizes Willard for his lifetime of excellence and service to the community and wishes to exalt Willard K. Walker's contributions to the community with its highest regards. He has proven to be a legendary figure that epitomizes the values, dignity, and generosity of a visionary leader.

By Councilmember Brown Clarke

Motion Carried

ORDINANCES FOR INTRODUCTION

Councilmember Quinney introduced:

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances.

Property identified as Z-3-2014; 616 S Washington Avenue, Rezoning from "F-1" Commercial and "DM-4" Residential District to "G-1" Business District

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

RESOLUTION #2014-185

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, July 28, 2014, 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-3-2014, Rezoning, 616 S. Washington Avenue, from "F-1" Commercial and "DM-4" Residential Districts to "G-1" Business District

By Councilmember Quinney

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing, Michigan, to repeal section 884.11 of chapter 884 of the Lansing Codified Ordinances, which established a payment in lieu of taxes for elderly persons of low or moderate income at the Abigail.

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney, Wood

Nays: Councilmembers Washington

ORDINANCE NO. 1190

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL SECTION 884.11 OF CHAPTER 884 OF THE LANSING CODIFIED ORDINANCES, WHICH ESTABLISHED A PAYMENT IN LIEU OF TAXES FOR ELDERLY PERSONS OF LOW OR MODERATE INCOME AT THE ABIGAIL.

THE CITY OF LANSING ORDAINS:

Section 1. That section 884.11 of Chapter 884, of the Codified Ordinances of the City of Lansing, Michigan, entitled "The Abigail," be and is hereby repealed.

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

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

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

An Ordinance of the City of Lansing, Michigan, to amend the code of ordinances of the City of Lansing by amending chapter 888 by adding a new section 888.32 for the purposes of providing for a service charge in lieu of taxes for forty-four (44) low or moderate income multi-family dwelling units in a project known as the Abigail, pursuant to the provisions of the state housing development authority act of 1966, as amended

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney

Nays: Councilmembers Washington, Wood (explanation of no vote contained later in these Proceedings)

ORDINANCE NO. 1191

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 888 BY ADDING A NEW SECTION 888.32 FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR FORTY-FOUR (44) LOW OR MODERATE INCOME MULTI-FAMILY DWELLING UNITS IN A PROJECT KNOWN AS THE ABIGAIL, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section 888.32 to read as follows:

888.32 THE ABIGAIL

(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 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 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) "HOUSING DEVELOPMENT " OR " DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR 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 PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE ABIGAIL, AND CONSISTS OF FORTY FOUR (44) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT:

PARCEL B PART OF THE SOUTHEAST 1/4 OF SECTION 8 AND THE SOUTHWEST 1/4 OF SECTION 9, T4N-R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN AND PART OF LOT 3 OF BLOCK 26 AND LOT 1, BLOCK 27 AND VACATED WEST GRAND RIVER AVENUE OF THE 'MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN' AS RECORDED IN APRIL, 1849 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT A M.A.G. NAIL AT THE INTERSECTION OF THE WEST LINE OF NORTH PINE STREET (82.5 FEET WIDE) AND THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 26 OF THE MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN' AS RECORDED IN APRIL, 1849, THENCE N 88DEG 10MIN 25 SEC W, 593.56 FEET ALONG THE SOUTHERLY LINE OF WEST WILLOW STREET, THENCE 80.21FEET ALONG 341.85 FOOT RADIUS CURVE TO THE LEFT, HAVING A DELTA ANGLE 13DEG 26MIN 36SEC AND A CHORD OF S 84 DEG 15 MIN 51 SEC W, 80.02 FEET ALONG THE SOUTHERLY LINE OF WEST WILLOW STREET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, THENCE S01 DEG 45 MIN 54 SEC W, 173.08 FEET; THENCE S86 DEG 59MIN 21 SEC E, 95.41 FEET TO THE WEST LINE OF LOT 2, BLOCK 26 THE 'MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN', THENCE S01DEG 45MIN 54SEC W, 76.74 FEET ALONG THE WEST LINE OF LOT 2, BLOCK 26 OF SAID PLAT TO THE NORTHWEST CORNER OF LOT 3, BLOCK 26 OF SAID PLAT, THENCE S88DEG 09MIN 21SEC E, 337.50 FEET ALONG THE NORTH LLNE OF LOT 3, BLOCK 26 OF SAID PLAT, THENCE S01DEG 45MIN 54SEC W, 131.21 FEET TO THE NORTH LINE OF VACATED WEST GRAND RIVER AVENUE, THENCE S88DEG 08MIN 49SEC E, 240.00 FEET ALONG THE NORTH LINE OF VACATED WEST GRAND RIVER AVENUE TO THE WEST LLNE OF NORTH PINE STREET (82.5 FEET), THENCE S01DEG 45MIN 54SEC W, 116.26 FEET ALONG THE WEST LINE OF NORTH PLNE STREET, THENCE N88DEG 07MIN 17SEC W, 240.00 FEET,

THENCE S01DEG 45MIN 54SEC W, 97.57 FEET TO THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLOT; THENCE N88DEG 08MIN 21SEC W, 292.91 FEET ALONG THE SOUTH LINE OF LOT 1, BLOCK 27 OF SOLD PLAT, THENCE N00DEG 00MIN 00SEC W, 12.61 FEET, THENCE N90DEG 00MIN 00SEC W, 201.03 FEET, THENCE N 00DEG 00MIN 00SEC E, 100.92 FEET, THENCE N 90DEG 00MIN 00SEC W, 156.08 FEET TO THE EAST LLNE OF VACATED RODGERS STREET, THENCE N01DEG 45MIN 54SEC E, 242.25 FEET ALONG THE EAST LINE OF VACATED RODGERS STREET, THENCE N87DEG 57MIN 11SEC W, 66.00 FEET TO THE WEST LINE OF VACATED RODGERS STREET, THENCE N01DEG 45MIN 54SEC E, 120.32 FEET ALONG THE WEST LINE OF VACATED RODGERS STREET TO THE SOUTH LLNE OF WEST WILLOW STREET (VARIABLE WIDTH), THENCE ALONG THE SOUTH LLNE OF WEST WILLOW STREET THE FOLLOWING THREE (3) COURSES. (1) 30.60 FEET ALONG 469.38 FOOT RADIUS CURVE TO THE LEFT, HAVLNG A DELTA ANGLE OF O3DEG 44MIN 07SEC AND A CHORD OF N67DEG 27MIN 20 SEC E, 30.60 FEET; (2) N65DEG 35MIN 20SEC E, 213.68 FEET; (3) 71.32 FEET ALONG 341.85 FOOT RADIUS CURVE TO THE RIGHT, HOONG A DELTA ANGLE OF 11DEG 57MIN 12SEC AND A CHORD OF N71DEG 33MIN 12 SEC E, 71.19 FEET TO THE POINT OF BEGINNLNG. CONTAINING 6.60 ACRES MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER WEST WLLLOW STREET. ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF USE OR RECORD.],

COMMONLY KNOWN AS 715 W. WILLOW STREET, LANSING (Parcel ID: 33-01-01-08-427-031).

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

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

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

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

(9) "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 ABIGAIL HOUSING DEVELOPMENT IS LANSING ABIGAIL APARTMENTS LIMITED DIVIDENT HOUSING ASSOCIATION, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(10) "UTILITIES" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

(C) *ESTABLISHMENT OF ANNUAL SERVICE CHARGE.*

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE ABIGAIL HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE FORTY FOUR (44) UNITS OF 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 FORTY FOUR (44) UNITS

IN THE HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS THE ABIGAIL AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY (30) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2016.

- (3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE FORTY FOUR (44) UNITS IN THE HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.
- (4) THE EXEMPTION PROVIDED UNDER THIS SECTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15A(1) OF 1966 PA 346, AS AMENDED, CODIFIED AS MCL 125.1415a(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 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 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 FORM, 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 PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME 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, 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.

(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) *DURATION.* THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR THIRTY (30) YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2016, 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 PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AS THE SAME MAY BE 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; BUT IN NO EVENT BEYOND DECEMBER 31, 2046. IF THE SPONSOR FAILS TO COMPLETE THE DEVELOPMENT OR CHANGES THE SCOPE OR PURPOSE OF THE FORTY FOUR (44) UNITS OF HOUSING WITHIN THE DEVELOPMENT 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.

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 Abigail housing development.

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.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Brown Clarke that all items be considered as being read in full and that President Boles make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:
 1. Letters from the City Clerk regarding:

a. Lansing Police Department 2013 Annual Report
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Letter(s) from the Mayor re:

- a. Domestic Violence Swift and Sanctions Pilot Program Grant Acceptance

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERNAL AUDITOR

- b. Information Technology Bond Authorizing Resolution
REFERRED TO COMMITTEE ON WAYS & MEANS AND INTERNAL AUDITOR

- c. Act-1-14, 7000 Block S. Cedar St.—Just-a-Mere Drain
REFERRED TO COMMITTEE ON DEVELOPMENT & PLANNING

- d. Appointment of Keri Litwiller as an At-Large Member on the Board of Zoning Appeals for a term to expire June 30, 2015
REFERRED TO COMMITTEE ON DEVELOPMENT & PLANNING

- e. Appointment of Andrea Ragan as an At-Large Member on the Economic Development Corporation, Tax Increment Financing Authority and the Lansing Brownfield Redevelopment Authority for a term to expire February 28, 2017
REFERRED TO COMMITTEE ON WAYS & MEANS

- f. Appointment of Julee Rodocker as a Second Ward Representative on the Human Relations & Community Services Board for a term to expire June 30, 2018
REFERRED TO COMMITTEE ON GENERAL SERVICES

- g. Appointment of Veronica Gracia-Wing of as an At-Large Member on the Park Board for a term to expire June 30, 2017
REFERRED TO COMMITTEE ON DEVELOPMENT & PLANNING

- h. Appointment of Robert Thomas to the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2016
REFERRED TO COMMITTEE ON DEVELOPMENT & PLANNING

- i. Reappointment of individuals to various Boards, Commissions, and Authorities
REFERRED TO COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

- 1. Notices from the Ingham County Drain Commissioner regarding:
 - a. Notice of Meeting to Hear Objections to Montgomery Drain Project
REFERRED TO WAYS & MEANS COMMITTEE AND PLACED ON FILE

- b. Notice of Day of Review of Drainage District Boundaries
REFERRED TO WAYS & MEANS COMMITTEE AND PLACED ON FILE

- 2. Claim Appeal for 1009 Clark Street
REFERRED TO COMMITTEE ON GENERAL SERVICES

- 3. Application for Naming and Renaming Memorial from St. Joseph Park to Willard K Walker Park
REFERRED TO THE PARK BOARD

- 4. Affidavit of Disclosure submitted by Steven Sherman of the Lansing Fire Department
REFERRED TO THE ETHICS BOARD

Mike Redding shared details about recent Churchill Downs Neighborhood events.

Councilmember Boles offered to purchase fifty bike locks for next year's Churchill Downs event.

Claude Beavers spoke about various city matters.

Willy Williams spoke about various city matters.

Barbara Banks spoke about her concerns about actions taken at Friendship Baptist Church by a member of the Police Commission, Clyde Carnegie.

Russell Terry spoke about the snow removal ordinance.

Patricia Pfifer wanted to thank Councilmember Washington for following her heart, Councilmember Boles for following the procedures and thank the Council for their service to the community.

ADJOURNED TIME 9:06 P.M.

CHRIS SWOPE, CITY CLERK

Councilmember Wood submitted the following explanation of her vote on Ordinance No. 1191:

I want to clarify my position with regards to the vote on the PILOT for the Abigail project. This project may well be a good fit for the location and successful but it needs to stand by the vetting process in order to assure that.

Council in 2003 after a great deal of study developed a policy for determining any future PILOTS. The reason for the policy was because of some failed development of low to moderate housing in the community and the cost to the City both with Code Compliance and policing issues to correct those.

I asked that Council follow the policy that was adopted by resolution and wait until the material was supplied by the developer before a vote was taken. I did not see this as unreasonable request because nothing could be done on the property until the second application to MSHDA was applied and granted which was not due until October 2014. In holding this up until the Council Meeting it would allow us to have the information and evaluate that as well. There was NO need to rush this vote on Monday.

If the City Council cannot be expected to uphold its own policies passed by resolution than how can we expect the public to do the same.

Attached is the information.

Carol Wood

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Timothy Olds spoke about his concerns about the quality of our roads, and in oppositions of changing names of parks.

RESOLUTION #328
BY THE COMMITTEE OF THE WHOLE
 Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council adopted a temporary moratorium in order to study the effectiveness of PILOTS on housing needs for the community. After an extensive review of Payments in Lieu of Taxes (PILOTS) to determine whether they were meeting the goals of Council, it was concluded that not only did the use of PILOTS provide housing for the low to moderate incomes, but they have a positive affect on crime in the area and improves the affected property values; and

WHEREAS, the Committee of the Whole met to discuss the findings of the study that indicated that PILOTS are a tool that may be used to improve properties through rehabilitation, helping to make a project affordable to justify extensive improvement cost instead of maintaining the status quo. Without this tool, it is likely some significant rehabilitation projects would not occur within the community and organizations that utilize PILOTS for rehab projects would seek work elsewhere; and

WHEREAS, the Committee of the Whole met on June 19, 2003 to review the PILOT policy and process and endorsed it;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council adopts the June 19, 2003 PILOT Policy and process for PILOTS filed June 20, 2003 with the City Clerk to become effective July 1, 2003.

BE IT FINALLY RESOLVED, that new developments be restricted to the 10% PILOTS, while PILOTS for less than 10% be available on a case by case basis utilizing the June 19, 2003 PILOT Policy.

By Councilmember Jeffries

Carried Unanimously

PILOT Process

Flow Chart

1. City Council receives request
2. City Council refers request & information to distribution agency and law office for legal document preparation.
3. Distribution agency reviews information supplied for completeness and request further info as necessary. Once complete information is received then:
4. Distribution agency refers the application to necessary agencies for comment & preparation of paperwork (Finance, Development, Planning, Code Compliance, Police, Fire Marshal)
5. Public hearing is set by City Council
6. Public hearing is held & PILOT referred to committee
7. Comments are received by reviewing agencies (3-4 weeks)
8. Comments are summarized and supplied to City Council through the administration with any recommendation.
9. Council committee considers request and information received and makes recommendation.
10. Council takes actions.

Time frame is approximately 60 days

LANSING CITY COUNCIL LEGISLATIVE ITEMS; JUNE 23, 2003 RESOLUTIONS

PILOT Policy
June 19, 2003

PILOT PROPOSAL

0-9% PILOT

Criteria for Analysis:

1. Project is for rehabilitation, conversion or adaptive reuse of existing building and will be to develop affordable housing or shelter facility.
2. Project is located in approved City target area such as a CDBG eligible area, Neighborhood Strategy Area or Renaissance Zone qualified area. Develop a map.
3. Project is part of and supported by an overall neighborhood improvement or revitalization plan or strategy as recognized by the City. Examples include a Neighborhood Preservation Program plan, City Master Plan or other City development plan such as the Seven Block Plan. Development of such plan shall have included a Citizen participation process.
4. Application for PILOT shall include the following:
 - a. Request and description of project
 - b. Description of organization, list of board members and/or partners and information about development background and experience
 - c. Construction and operating proformas for project
 - d. Tax Credit application including market study
 - e. Proposed time line for project
 - f. Capital improvements schedule for project over life of PILOT
5. Recommendation from Administration on % and term based on analysis of the above and need for PILOT. Review by Finance, Law, Planning and Development.
6. Requirement that developer provide to City annual report and audit of project prepared for MSHDA or other mortgage entities.

10% PILOT

Automatically available for all other affordable housing projects not meeting above criteria.

OTHER CONSIDERATIONS

1. Consider granting 0-9% PILOTS for a shorter period, say 10 years, and then re-evaluate performance and need for possible extension thereafter.
2. Grant a better % as an incentive to promote mixed income housing in association with new construction. For example: projects with 15% of the units reserved for market rents would be eligible to receive an 8% PILOT; projects with 30% reserved, 6% PILOT; projects with 45% reserved, 4%.

CURRENT PILOT STATS (Approximate)

Current Pilot Units - 3664 (6.7% of total units in City) 2579 - 4% PILOT or less
 1235 - elderly (34%) 1095 - greater than 4% PILOT
 885 - LMC (24%)

PILOT REQUEST
AGENCY REFERRAL SHEET

FROM:	FILE:
DATE:	
☐ Development Office	☐ Other: _____
☐ Code Compliance	
☐ Police	
☐ Fire Marshal	
☐ City Attorney	
☐ Finance	
☐ Planning	

The following request has been submitted to City Council for consideration. We invite your comments, requirements and recommendations for this proposal relative to your official function and in relation to the attached policy.

PROPOSAL:

LOCATION:

This is a request by for a ____% PILOT (Payment in Lieu of Taxes) for the property at _____. The applicant intends to rehabilitate the ____ unit residential property. Attached, please find the application and supportive information supplied by the applicant.

Please provide your remarks in the space provided below, and return this sheet to the Planning Office by _____ 5:00 p.m. or fax to 483-6036 or e-mail to _____@cl.lansing.mi.us

Representative _____

Date _____