OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JUNE 9, 2014

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Boles

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

ABSENT: Councilmember Dunbar (7:41 p.m.)

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

SPECIAL CEREMONIES

COMMENTS BY COUNCILMEMBERS AND THE CITY CLERK

Councilmember Yorko stated that she will not be attending the next Council meeting on June 16th and she supports the Abigail Ordinance if it comes up for a vote.

Councilmember Wood shared details on two upcoming events including the Ingham County Animal Control adoption event at the Potter Park Zoo, and a free Father's Day concert at the Solid Rock Gospel Church.

Councilmember Washington thanked those who attended her First Contact outreach event, shared details about the Allen Street Farmer Market held every Wednesday and an event to promote home ownership at the Allen Neighborhood Center.

Councilmember Houghton shared details about upcoming neighborhood association meetings and events.

Councilmember Brown Clarke shared details about an upcoming Greater Housing Coalition fundraiser event.

Council President Boles stated that the Second Saturdays meetings will be cancelled for the rest of the summer until September.

City Clerk Swope stated that absentee ballot applications have been mailed out for the August 5 primary election. He encouraged recipients to mail the applications back to the office as soon as possible in order to receive the absentee ballot.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Brown Clarke

To approve the printed Council Proceedings of May 19, 2014

Motion Carried

COMMUNITY EVENT ANNOUNCEMENTS

A representative from Michigan Institute of Contemporary Art shared details about the Fish Rodeo that will be held at Adado Riverfront Park from June 12 to June 14.

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 upcoming Mobile Food Pantry, and that the Human Relations and Community Services Department is looking for donations and volunteers to assist with future Mobile Food Pantries.

Mr. Hannan shared that the Moores Park Pool is not open yet due to concrete repairs, and provided a State legislative budget update that the Conference Committee has approved a 2.6% increase in revenue sharing to cities like Lansing as projected in the fiscal year 2015 budget.

He also thanked the over 500 attendees and sponsors of the recent Mayor's Family River Walk, shared details about the next outdoor concert hosted by the City and provided details of a new Festival called the Fish Rodeo, which runs June 12 to June 14 at Riverfront Park.

Lastly, he provided an update on the Thomas M. Cooley Stadium Outfield Ballpark North Project.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Claude Beavers spoke in opposition to spending any money to renovate the Thomas M. Cooley Law School Stadium.

Ralph Yates spoke in support of the Outfield Ballpark North Project

Linda Appling spoke in opposition to the Outfield Ballpark North Project.

LEGISLATIVE MATTERS

CONSENT AGENDA

There were no items remaining on the Consent Agenda.

RESOLUTIONS

RESOLUTION #2014-162
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-7-2013

Parking Lot in the "G-1" Business District
North 1.43 Acres of 312 N. Cedar Street

WHEREAS, the City of Lansing has requested a Special Land Use permit (SLU-7-2013) to permit the construction of a surface parking lot on the north 1.43 acres of the property located at 312 N. Cedar Street; and

WHEREAS, the property is zoned "G-1" Business District, where parking lots are permitted subject to obtaining a Special Land Use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing January 7, 2014, at which representatives of the Lansing Planning Office spoke in favor of his request and no other comments were received; and

WHEREAS, the Planning Board, at its January 7, 2014 meeting, voted (5-0) to recommend approval of SLU-7-2013 for a Special Land Use to permit a parking lot on the north 1.43 acres of 312 N. Cedar Street; and

WHEREAS, the City Council held a public hearing regarding SLU-7-2013 on June 2, 2014; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-7-2013, a Special Land Use permit to permit a parking lot on the north 1.43 acres of 312 N. Cedar Street.

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

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

1. The proposed parking lot is compatible with the essential character of the surrounding area, as designed.
2. The proposed parking lot will not change the essential character of the surrounding area.
3. The proposed parking lot will not interfere with the general enjoyment of adjacent properties.
4. The proposed parking lot will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed parking lot will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking lot can be adequately served by essential public facilities and services.
7. The proposed parking lot will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking lot is consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed parking lot will comply with the requirements of the "G-1" Business District.

By Councilmember Quinney

Motion Carried with Councilmember Wood voting "nay"

RESOLUTION #2014-163

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

BROWNFIELD PLAN #55a - AMMENDMENT #1
BALLPARK NORTH BROWNFIELD REDEVELOPMENT PLAN
APPROVAL OF PLAN

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 #55a - Amendment #1 – Ballpark North Brownfield Redevelopment Plan (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on June 2, 2014 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 the June 2, 2014, 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 $12.5 million,

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 March 14, 2014, 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 LBRA 'Brownfield Plan #55a - Amendment #1 – Ballpark North Brownfield Redevelopment Plan'.

By Councilmember Quinney

Motion Carried with Councilmember Wood voting "nay"

Councilmember Dunbar arrived (7:41 p.m.)

RESOLUTION #2014-164
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
AND THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-12-2013, Conveyance of Interest in Property

WHEREAS, the Planning and Neighborhood Development Department proposed to dispose of certain interest in the City-owned property more clearly defined in the Comprehensive Development Agreement (CDA), placed on file May 2, 2014 with the Office of the City Clerk, describing a portion of 312 N. Cedar Street and two sections of property at 505 E. Michigan Avenue (Cooley Law School Stadium) located immediately north of the outfield wall; and

WHEREAS, the Planning Board found, based on its review of the location, character and extent of Act-12-2013, disposal is in accordance with its Act 33 Review procedures; and

WHEREAS, the Planning Board, at its meeting on January 7, 2014, voted unanimously (5-0) to recommend that Act-12-2013 be approved; and

WHEREAS, on March 19, 2012 the City Council approved ACT-2-2012 which, in part, authorized disposal of real property covered by the Parking Leases included in the CDA; and

WHEREAS, the CDA is contingent upon an extension of the City's existing lease with Take Me Out To The Ballgame, LLC, as set forth with particularity in the proposed Stadium License, Lease, and Service Agreement placed on file with the City Clerk on May 2, 2014 ("TMO Lease"); and

WHEREAS, the Development and Planning Committee at its May 7, 2014 meeting voted to hold a Public Hearing to consider

1. Approval of Act-12-2013 and the proposed Comprehensive Development Agreement placed on file with the City Clerk on May 2, 2014, and all attachments, agreements, and rights necessary to effectuate the CDA, including disposition and sale of interests in certain property referenced therein, and

2. Approval of the proposed Stadium License, Lease, and Service Agreement placed on file with the City Clerk on May 2, 2014.

WHEREAS, the Committee of the Whole at its May 12, 2014 meeting also voted to hold a Public Hearing to consider the above transactions; and

WHEREAS, the City of Lansing held a Public Hearing on June 2, 2014, to receive comment on the proposed conveyance of its interest as described in the CDA.

NOW THEREFORE BE IT RESOLVED that Act 12-2013 is hereby approved.

BE IT FURTHER RESOLVED that the Comprehensive Development Agreement placed on file with the City Clerk on May 2, 2014, and all agreements contemplated therein, are approved.

BE IT FURTHER RESOLVED that the sale of the property interests as described in the CDA, including Exhibit C of the CDA, for the sale price of One Hundred Thousand and 00/100 Dollars ($100,000.00), is approved.

BE IT FURTHER RESOLVED that the City and the developer may transfer interests in property as necessary to effectuate the intent of the CDA, including but not limited to utility and access easements, condominium rights, and the parking leases attached to the CDA.

BE IT FURTHER RESOLVED that the Stadium License, Lease, and Service Agreement placed on file with the City Clerk on May 2, 2014 is approved.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to execute the CDA, TMO Lease, parking leases, and all other necessary documents and conveyances necessary to effectuate the transaction, after approval as to form by the City Attorney.

By Councilmember Quinney

Motion Carried with Councilmember Wood voting "nay"

RESOLUTION #2014-165
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

City of Lansing
Counties of Ingham and Eaton, State of Michigan
RESOLUTION APPROVING FINANCING UNDER
ACT 99, PUBLIC ACTS OF MICHIGAN, 1933
STADIUM RENOVATION

A RESOLUTION TO AUTHORIZE:

- Up to $10,500,000 of financing for renovation and development work on Cooley Law School Stadium as required by the Comprehensive Development Agreement
- Finance Director to negotiate financing.

WHEREAS, the City of Lansing (the "City") financed the acquisition of Cooley Law School Stadium, a public multipurpose stadium (the "Stadium"), pursuant to the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), which act provides a means for a city to acquire and finance lands, property or equipment for public purposes; and

WHEREAS, the Comprehensive Development Agreement relating to the Stadium by, between and among the City, the Lansing Brownfield Redevelopment Authority, Outfield Partners, LLC and Take Me Out to the Ballgame Limited Liability Company (the "Comprehensive Development Agreement") requires that the City shall cause certain renovations, reconstruction, improvement and development work to be performed at a cost of not-to-exceed $10,500,000; and

WHEREAS, the City determines it to be necessary to purchase the real and personal property comprised of renovations, reconstruction, improvement and development of the Stadium as required by the Comprehensive Development Agreement (the "Property") for public purposes at a total estimated cost of not-to-exceed $10,500,000; and

WHEREAS, under the provisions of Act 99 the City is authorized to enter into any contracts or agreements for the purchase of real or personal property for public purposes, to be paid for in installments over a period not to exceed the useful life of the property acquired, as determined by resolution of the City Council, or 15 years, whichever is less, and the City wishes to negotiate the installment purchase financing of the Property through execution of an installment purchase agreement or contract as authorized by Act 99; and

WHEREAS, the City Council wishes to authorize the Finance Director to negotiate the installment purchase financing of the Property through an installment purchase agreement or contract, and to take such other actions as may be necessary or desirable in connection with the financing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The useful life of the Property is hereby determined to be not less than 15 years. The acquisition of the Property and the approval of the installment purchase financing hereby are found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents of the City.

2. The Finance Director is hereby authorized to negotiate one or more installment purchase agreements or contracts (the “Installment Purchase Contract”) with the sellers, contractors or installers of the Property, and one or more investment banks or other financial institutions (the “Financial Institution”) in substantially the form as she shall, in consultation with counsel, determine to be appropriate. Principal payable pursuant to the Installment Purchase Contract shall be payable over a period to be determined by the Finance Director but in any event not to exceed the useful life of the Property set forth in Section 1 of this Resolution. The aggregate principal amount to be paid by the City under the Installment Purchase Contract shall not exceed $10,500,000.

The Installment Purchase Contract shall bear interest at a fixed or variable rate or rates, not exceeding a fixed interest rate of 5.50% per annum. If the Installment Purchase Contract bears interest at a variable rate or rates, the Finance Director is authorized to establish by order, and in accordance with law, a means by which interest may be set, reset or calculated prior to maturity, provided that such rate or rates shall be at no time in excess of the maximum interest rate permitted by applicable law. Such rates may be established by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States, the prime rate or rates of a bank or banks selected by the Finance Director or by any other method recommended by an investment banking firm or financial advisor selected by the Finance Director that specializes in the setting of interest rates for variable rate obligations.

3. The City hereby agrees to include in its budget for each year a sum which will be sufficient to pay the principal of and the interest coming due under the Installment Purchase Contract before each following fiscal year. In addition, the City hereby pledges to levy, if necessary, ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Installment Purchase Contract, subject to applicable constitutional, statutory and charter tax rate limitations. THE CITY SHALL INCLUDE IN ITS BUDGET AND PAY EACH YEAR, UNTIL THE INSTALLMENT PURCHASE CONTRACT PAYMENTS ARE PAID IN FULL, SUCH SUM AS MAY BE NECESSARY EACH YEAR TO MAKE ALL PAYMENTS WHEN DUE, AND THE CITY AGREES, IF NECESSARY, TO LEVY SUFFICIENT TAXES TO PROVIDE THAT SUM WITHIN APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS. The City’s obligation under the Installment Purchase Contract to make payments shall continue without reduction or abatement for any cause or reason whatsoever, including, but not limited to, casualty which results in the Stadium being untenantable, and without right of setoff or recoupment, until the payments are paid in full.

4. The Finance Director is hereby authorized to make all administrative transfers necessary to implement this resolution, including current fiscal year debt service account, and to establish appropriate construction and financing accounts.

5 The City hereby consents to the Financial Institution making a public offering of the Certificates of Participation in the Installment Purchase Contract. By adoption of this Resolution the City assumes no obligations or liability to the Financial Institution for any loss or damage that may result to the Financial Institution from the adoption of this Resolution, and shall not be responsible for any costs and expenses incurred by the Financial Institution in preparing for the public offering of the Certificates of Participation. The Finance Director and the Mayor and City Clerk are authorized to do all acts and things and, upon the advice of counsel and approval of the City Attorney, to execute any documents or certificates as may be necessary or desirable to enable the Financial Institution to issue the Certificates of Participation, including approval of circulation of an offering circular describing the Certificates of Participation (the “Offering Circular”) and deeming such Offering Circular “final” for purposes of compliance with Securities and Exchange Commission Rule 15c2-12. The City hereby agrees to enter into a Continuing Disclosure Undertaking relating to the Offering Circular in order to enable the Financial Institution to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission. The Finance Director is authorized to apply for ratings on the Certificates of Participation from such municipal bond rating agencies as deemed appropriate and to negotiate with insurers regarding acquisition of municipal bond insurance and to purchase a municipal bond insurance policy to secure payment of the Certificates of Participation.

6. The Finance Director, Chief Operating Officer, Mayor, City Clerk, City Attorney, or any of them, are hereby severally authorized to execute and deliver the Installment Purchase Contract in final form and, upon the advice of counsel and approval by the City Attorney, are hereby directed and authorized to execute and deliver such additional documentation as shall be necessary to effectuate the closing contemplated by the Installment Purchase Contract and the Certificates of Participation, including (a) requisition certificates (if provided by the form of Installment Purchase Contract) providing payment to the sellers of the Property as each portion of the Property is delivered on installed, or for reimbursement of previously appropriated or advanced costs, (b) a placement or purchase agreement relating to offering of the Certificates of Participation, (c) an agreement with a trustee and/or transfer and paying agent for the holders of the Certificates of Participation.

7. The City hereby requests that Miller, Canfield, Paddock and Stone, P.L.C. continue to serve the City as counsel for this financing, notwithstanding the potential concurrent representation of any other participant in the financing in matters not related to this financing. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C. has represented from time to time, and currently represents, various banks, financial institutions, underwriters, contractors, vendors, and other potential participants in this financing for matters not related to this financing.

8. The Finance Director is hereby authorized to retain a financial consultant and placement agent to assist the City in preparation and planning for this financing. If Certificates of Participation are issued, the Finance Director is hereby authorized to retain, a trustee and/or transfer and paying agent for the holders of the Certificates of Participation.

9. In the event that the Finance Director is not available to undertake responsibilities delegated to her under this resolution, then the Chief Operating Officer, Mayor, or other officer of the City designated by the Finance Director, Chief Operating Officer, or Mayor is authorized to take such actions. The officers, administrators, agents and attorneys of the City are authorized and directed to execute and deliver all other agreements, documents and certificates, to use monies legally available to the City to pay any costs necessary to accomplish negotiation and execution of the Installment Purchase Contract, including counsel fees, financial consultant fees, placement agent fees, rating agency fees, insurance premiums, trustee or paying agent fees, and costs of printing the offering circular, and to take all other actions necessary to complete the financing transaction contemplated by this Resolution.

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

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular meeting held on Monday, June 9, 2014 at 7:00 o'clock p.m., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

By Councilmember Wood

Motion Carried with Councilmember Wood voting "nay"

RESOLUTION #2014-166
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2014-2

A RESOLUTION TO PROVIDE FOR:

- Issuance of a Bond up to $2,500,000 to finance sanitary sewer system improvements as part of the Lansing Wet Weather Control Program;
- Sale of Bond to the Michigan Finance Authority as part of the State Revolving Fund Program;
- Bond payable from available funds including sewage system revenues;
- Payment of Bond to be a First Budget Obligation secured by pledge of City's Full Faith and Credit;
- Approval of Supplemental Agreement among the City, the Michigan Finance Authority, and Michigan Department of Environmental Quality;
- Bond to be sold to the Michigan Finance Authority without further Council Resolution;
- Other matters relative to sale and delivery of Bond.

WHEREAS, the Michigan Department of Environmental Quality ("DEQ") has issued Administrative Consent Order No. ACO-SW02-030 (the "Administrative Consent Order") requiring the City of Lansing (the "City") to abate sanitary sewer overflows from the City's sanitary sewage collection system; and

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

WHEREAS, the City has agreed to undertake sanitary sewer improvements including the Sanitary Sewer Siphon 11 Replacement Project and the Central Interceptor / Sycamore - Lindbergh Interceptor Rehabilitation Project (collectively, the "Improvements") as part of the Wet Weather Control Program Project Plan; and

WHEREAS, the City has been offered funding for the Improvements from the State Water Pollution Control Revolving Fund, better known as the State Revolving Fund (SRF), a low interest loan financing program administered by the State Department of Treasury and the Michigan Finance Authority (the "Authority"); and

WHEREAS, in order to obtain loans from the SRF Program, the City must issue bonds, and on January 24, 2014, in compliance with the requirements of Section 5(g) of the Home Rule Cities Act, Act 279, Public Acts of Michigan, 1909, as amended, the City published in the *Lansing State Journal* the "Official Notice to Electors and Taxpayers of the City of Lansing of Intent to Issue Bonds Secured by the Taxing Power of the City and Right of Referendum Thereon" (the "Notice of Intent") which described bonds to be issued in one or more series in an aggregate principal amount not-to-exceed $9,000,000 for the purpose of paying the costs of the Improvements, and no petition has been filed requesting a referendum on the issuance of the bonds; and

WHEREAS, the City has previously issued its $3,375,000 Wet Weather Control Program Limited Tax General Obligation Bond, Series 2014, dated April 9, 2014 (the "Prior Bond") under the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") as the first series of bonds described in the Notice of Intent, and delivered the Prior Bond to the Authority; and

WHEREAS, at this time the City Council wishes to authorize the second series of bonds described in the Notice of Intent in an amount not-to-exceed $2,500,000; and

WHEREAS, the City Council determines that it is necessary to authorize either the Chief Operating Officer or, in his absence, the Director of Finance (either, an "Authorized Officer") to complete sale and delivery of the second series of bonds described in the Notice of Intent, within limitations contained in this authorization Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City shall acquire and construct the Improvements pursuant to the Wet Weather Control Program Project Plan. The estimated period of usefulness of the Improvements is hereby declared to be not less than forty (40) years.

2. A bond of the City designated as the WET WEATHER CONTROL PROGRAM LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2014-2 (the "Bond") is authorized to be issued for the purpose of paying costs of acquiring and constructing the portion of the Improvements comprised of the Central Interceptor / Sycamore - Lindbergh Interceptor Rehabilitation Project and the costs incidental to the issuance, sale and delivery of the Bond.

The Bond shall be issued in the principal sum of Two Million Five Hundred Thousand Dollars ($2,500,000) or such lesser amount as shall be determined at the time of sale by the Authorized Officer as the estimated cost of the portion of the Improvements being financed with proceeds of the Bond, and approved by the DEQ and the Authority. The City anticipates that the Authority will disburse payment to the City for the Bond in installments as needed to pay costs of the portion of the Improvements being financed with proceeds of the Bond. Under the terms of the Bond, the City will only be required to repay the principal portion of the Bond as shall have been disbursed to the City by the Authority (the "Principal Amount").

The Authority has advised the City that the Authority will periodically provide to the City a statement showing the portion of the Principal Amount that has been advanced and the date of each advance.

The Bond shall be issued in the form of a single fully-registered, nonconvertible bond of the denomination of the principal sum issued, dated as of the date of delivery of the Bond. The maturity schedule for repayment by the City to the Authority of the Principal Amount of the Bond shall provide for annual payments in amounts to be determined at the time of sale of the Bond, on April 1 of each year beginning April 1, 2016 or on such other dates as may be determined by the Authorized Officer and approved by DEQ and the Authority. The Authority has advised the City that in the event that the maturity schedule approved at the time of sale of the Bond provides for payment of a principal sum greater than the Principal Amount disbursed to the City by the Authority, the Authority shall prepare a new payment schedule. Final determination of the principal sum of the Bond and the payment dates and maturity schedule shall be evidenced by execution of the Purchase Contract between the City and the Authority providing for sale of the Bond. The Principal Amount of the Bond will be subject to prepayment prior to maturity as may be approved by the Authority.

The City shall pay the Authority interest on each installment of the Principal Amount disbursed by the Authority to the City from the date such installment of principal is disbursed at the rate of interest determined upon sale of the Bond but in any event not-to-exceed 2.500% per annum, on October 1, 2014 and semiannually thereafter on April 1 and October 1 of each year until maturity or earlier prepayment. At the time of sale of the Bond the Authorized Officer may approve other dates for payment of interest if approved by DEQ and the Authority.

The Finance Director or City Treasurer shall record on the registration books payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the Finance Director or City Treasurer.

3. The Bond shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and Clerk of the City (provided that at least one of the signatures on the Bond shall be a manual signature) and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bond. After execution, the Bond shall be delivered to the Authority by the Authorized Officer or his or her designee.

4. Pursuant to Ordinance No. 29A of the City (the "Ordinance"), the City has provided that Net Revenues (as defined in the Ordinance) of the Sewage Disposal System of the City (the "System") shall be used for payment of principal of and interest and premium on the Bond and on any other general obligation bonds issued by the City for improvements to the System.

Notwithstanding the intent to use Net Revenues of the System for payment of principal of and interest and premium on the Bond, the Bond shall be payable as a first budget obligation from the general funds of the City subject to applicable constitutional, statutory and charter tax rate limitations. Commencing with the year 2015, each year there shall be levied upon the tax rolls of the City for the purpose of paying principal of and interest and premium on the Bond an amount adequate to result in the estimated collection therefrom being sufficient to promptly pay, when due, the principal of and interest on the Bond becoming due prior to the next annual tax levy; provided that, at the time of making any such annual tax levy, the City shall take into account in determining such annual tax levy other monies available to pay principal of and interest and premium on the Bond, including Net Revenues (as defined in Ordinance No. 29A of the City) of the City's Sewage Disposal System, special assessments, or any other monies available to the City. The taxes, if any, levied hereunder shall be subject to applicable constitutional, statutory and charter tax limitations.

5. The City will pay principal of and interest on the Bond from the Wet Weather Control Program Debt Retirement Fund (the "Debt Retirement Fund") created by City Council under Resolution #2014-058 authorizing issuance of the Prior Bond. The moneys which are deposited into the Debt Retirement Fund shall be specifically earmarked and used solely for the purpose of paying principal of and interest on the Prior Bond, the Bond, and the other bonds issued to construct the Improvements, as such principal and interest become due and as may be necessary to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Act of 1986, as amended. All proceeds from taxes, if any, levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected.

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

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

6. The proceeds of the Bond and no other moneys (except the Prior Bond and, if authorized by future resolution of City Council, additional future series of bonds issued by the City for the purposes of completing construction of the Improvements) shall be deposited in the fund designated as the Wet Weather Control Program Limited Tax General Obligation Bond Construction Fund (the "Construction Fund"). Any unexpended balance of the proceeds of the sale of the Bond remaining after completion of the Improvements may be used at the discretion of the Director of Public Works for further improvements included in the Wet Weather Control Program Project Plan. Any balance remaining after such expenditure shall be paid into the Debt Retirement Fund and used for the prepayment of installments of the Bond. Following completion of the Improvements, any unexpended balance of Bond proceeds shall be invested at a yield not to exceed the yield on the Bond. After completion of the Improvements and disposition of remaining proceeds, if any, of the Bond (including the Prior Bond and additional future series of bonds) pursuant to the provisions of this Section, the Construction Fund shall be closed.

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

7. The Bond shall be in substantially the following form with such revisions, additions and deletions as may be advisable or necessary to comply with the final terms of the Bond established upon sale thereof: United States of America, State of Michigan,Counties of Ingham and Eaton

CITY OF LANSING
WET WEATHER CONTROL PROGRAM
LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2014-2

The CITY OF LANSING, Counties of Ingham and Eaton, the "City" or the "Issuer"), for value received, acknowledges itself to owe, and for value received hereby promises to pay to the Michigan Finance Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality, in lawful money of the United States of America, unless prepaid prior thereto as hereinafter provided.

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

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on Schedule I attached hereto and made a part hereof, as Schedule I may be adjusted if less than [amount] is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below, with interest on the principal installments from the date each installment is delivered to the holder hereof until paid at the rate of 2.50% per annum. Interest is first payable on October 1, 2014 and semiannually thereafter, and principal is payable on the first day of October commencing April 1, 2016 and annually thereafter.

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

Additional Interest

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

This Bond is a single, fully-registered, non-convertible bond in the principal sum of [amount] issued pursuant to pursuant to under Part 43 of Act 451, Public Acts of Michigan, 1994, as amended, and a resolution duly adopted by the City Council of the City, for the purpose of constructing sanitary sewer improvements as part of the Wet Weather Control Program State Revolving Fund Project Plan, as amended, in compliance with Michigan Department of Environmental Quality Administrative Consent Order No. ACO-SW02-030.

This Bond is payable as a first budget obligation from the general fund of City and from taxes imposed on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations.

Principal installments of this Bond are subject to prepayment by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This Bond shall be registered as to principal and interest on the books of the City kept by the Finance Director and may be transferred only upon surrender of this Bond by the registered owner of record in person, or by registered owner's attorney duly authorized in writing, to the Finance Director together with a written instrument of transfer satisfactory to the Finance Director duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor.

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

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by its City Council, has caused this Bond to be signed in the name of said City [by] / [with the facsimile signatures of] its Mayor and its City Clerk and the City seal or a facsimile thereof to be [manually impressed/printed], all as of the Date of Original Issue.

SCHEDULE I

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

Interest on the Bond shall accrue on principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of 2.50% per annum, payable _________, 20__, and semi-annually thereafter.

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

8. The City shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the Bond pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), in such a manner as to cause the Bond to be an "arbitrage bond" within the meaning of the Code. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control and that it shall not fail to take any action necessary to maintain the exclusion of the interest on the Bond from adjusted gross income for general federal income tax

purposes under the Code, including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure of investment of Bond proceeds and moneys deemed to be Bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the City with the Bond.

9. City Council hereby determines to sell the Bond by negotiated sale to the Authority as part of the State Revolving Fund Program for the reason that participation in the State Revolving Fund Program will permit the City to sell the Bond at a lower rate of interest than available through sale by competitive bid. The Authorized Officer is hereby authorized to sell the Bond to the Authority at an interest rate to be determined upon sale of the Bond but in any event not-to-exceed 2.500% per annum and at the par value thereof as evidenced by execution of a Purchase Contract, and to deliver the Bond in accordance with the delivery instructions of the Authority.

10. The proposed form of Purchase Contract between the City and the Authority (the "Purchase Contract"), the proposed form of Supplemental Agreement among the City, the Authority and DEQ (the "Supplemental Agreement"), and the proposed form of Issuer's Certificate to be delivered by the City to the Authority, each of which are on file with the City Clerk, are hereby approved. The Chief Operating Officer, the Director of Finance, the Mayor, and the City Clerk are hereby jointly or severally authorized to execute and deliver the Purchase Contract, the Supplemental Agreement, and the Issuer's Certificate upon completion in the forms approved hereby with such revisions as they may determine to be necessary or desirable, permitted by law, and not materially adverse to the City.

11. The City hereby requests that Miller, Canfield, Paddock and Stone, P.L.C. serve the City as bond counsel for this financing, notwithstanding the potential concurrent representation of any other participant in the financing in matters not related to this financing. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C. has represented from time to time, and currently represents, various banks, financial institutions, underwriters, and other potential participants in this financing for matters not related to this financing.

12. The Chief Operating Officer, the Director of Finance, the Mayor, the City Clerk, and other officers of the City are hereby jointly or severally authorized to take any actions necessary to comply with requirements of the Authority and DEQ in connection with sale of the Bond to the Authority, and to execute and deliver such other certificates, documents, instruments, and other papers as may be required by the Authority or DEQ or as may be otherwise necessary or convenient to effect the delivery of the Bond.

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

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a regular meeting held on June 9, 2014, at 7:00 o'clock p.m., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

By Councilmember Wood

Motion Carried with Councilmember Wood voting "nay"

ORDINANCES FOR PASSAGE

ORDINANCE # 2578

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

The City of Lansing ordains:

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

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

Case Number: Z-8-2013

Address: 505 E. Michigan Avenue and South 1.17 acres of 312 N. Cedar Street

Parcel Number: PPN: 33-01-01-16-276-072 & Part of 33-01-01-16 276-050

Legal Descriptions: Commencing at the Southeast Corner of Block 244, Original Plat, Thence North 419.04 Feet, East 9.87 Feet, North 260 Feet, West 9.23 Feet, North 153.85 Feet, West 428.69 Feet, South 111.54 Feet, West 13.32 Feet, South 302 Feet, East 12.64 Feet, South 417.94 Feet, East 428.47 Feet to the point of beginning, City of Lansing, Ingham County, MI, from "H" Light Industrial District to "G-1" Business District.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on June 9, 2014, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

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

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

Nays: Councilmember Wood

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

PLACED ON FILE

   b. Lansing Board of Water and Light Budget for Fiscal Year June 30, 2015

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERNAL AUDITOR

   c. Amendment to Resolution 2014-102

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letters from the Mayor regarding

   a. Grant Acceptance & Budget Transfer; Tri-County Metro Asset Seizure Byrne/JAG Grant

REFERRED TO THE WAYS AND MEANS COMMITTEE AND THE INTERNAL AUDITOR

   b. Grant Acceptance & Budget Transfer; Automobile Theft Prevention Grant

REFERRED TO THE WAYS AND MEANS COMMITTEE AND THE INTERNAL AUDITOR

   c. FY 2014 Budget Amendment

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE INTERNAL AUDITOR

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

REFERRED TO THE COMMITTEE OF DEVELOPMENT AND PLANNING

   e. Reappointment of individuals to various Boards, Commissions, and Authorities

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

1. Notice from Nationstar regarding Snow and Ice Removal Special Assesment Roll for property located at 309 E. Potter Avenue

REFERRED TO THE COMMITTEE ON THE PUBLIC SERVICES

2. Letter on behalf of Eric Schertzing, Ingham County Treasurer, regarding local purchase option on tax foreclosed property

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. Letter from Comcast Cable providing notice of the right to renew franchise agreement

REFERRED TO THE COMMITTEE OF THE WHOLE AND CABLE ADVISORY BOARD

4. Notices from the Michigan Liquor Control Commission regarding:

   a. Application to Transfer ownership of 2014 SDM license, 1568 E. Grand River

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

   b. Transfer Stock Interest, 2203 W. Holmes

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY COUNCILMEMBERS

Councilmember Quinney spoke about the importance of keeping Lugnuts memorabilia.

Councilmember Wood asked a question of the Executive Assistant to the Mayor, Randy Hannan, in regards to the Letter from Comcast Cable providing notice of the right to renew their franchise agreement with the City.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Claude Beavers spoke about code compliance.

Mary Ann Prince spoke about the Thomas M. Cooley Law School Ball Park.

Stan Shuck spoke about various city issues.

Wendell Philips spoke about public safety.

ADJOURNED TIME 8:22 P.M.

CHRIS SWOPE, CITY CLERK